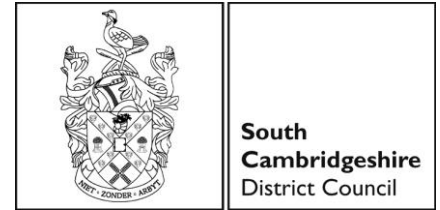


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2 January 2018

To: Chairman – Councillor Pippa Corney  
Vice-Chairman – Councillor David Bard  
All Members of the Planning Committee - Councillors John Batchelor,  
Brian Burling, Kevin Cuffley, Philippa Hart, Sebastian Kindersley,  
David McCraith, Des O'Brien, Deborah Roberts, Tim Scott and Robert Turner

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 10 JANUARY 2018 at 10.30 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution **in advance of** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully  
**Beverly Agass**  
Chief Executive

**The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.**

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## AGENDA

## PAGES

### **PUBLIC SEATING AND SPEAKING**

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol (revised October 2016) attached to the electronic version of the agenda on the Council's website.

### **PROCEDURAL ITEMS**

1. **Apologies**  
To receive apologies for absence from committee members.
2. **Declarations of Interest**
  1. **Disclosable pecuniary interests ("DPI")**  
A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under

consideration at the meeting.

**2. Non-disclosable pecuniary interests**

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

**3. Non-pecuniary interests**

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

**3. Minutes of Previous Meeting**

**1 - 4**

To authorise the Chairman to sign the Minutes of the meeting held on 6 December 2017 as a correct record.

**PLANNING APPLICATIONS AND OTHER DECISION ITEMS**

To view plans, drawings and other documents submitted with the application, follow the link called 'Application file' and select the tab 'Plans and Docs'.

**4. S/2942/17/FL - Hauxton (Recreation Ground, Church Road)**

**5 - 26**

Construction of new Village Hall and associated soft landscaping and car parking.

**5. S/2284/17/OL - Pampisford (Sawston Trade Park and adjacent vacant land, A1301/London Road, Pampisford)**

**27 - 86**

A hybrid outline/full planning application for comprehensive redevelopment of the Sawston Trade Park and surrounding vacant land for new business park comprising (1) an outline planning application for new business park (Use Class B1) with ancillary "hub" building (Use Classes B1/A3/D1/D2) and associated car parking and landscaping with all matters reserved apart from highways and (2) full planning application for refurbishment/repurposing of Unit H, its associated (initial) car parking and internal road/infrastructure

**6. S/1769/17/OL - Great Shelford (Macaulay Avenue)**

**87 - 100**

Outline Planning Permission Three self-build dwellings with access and layout included

Appendix 1 is on the Council's website.

**7. S/1524/16/OL - Caldecote (Casa De Foseta)**

**101 - 122**

Outline Planning Permission for six self-build dwellings with access included only

Appendix 1 is on the Council's website.

- 8. S/1032/17/FL - Melbourn (Land r/o 46-56 The Moor, Melbourn) 123 - 166**

Full planning application for the construction of 23 dwellings with associated access from The Moor, infrastructure and open space

Appendices 1 and 2 are on the Council's website.

- 9. S/2757/17/FL - Fowlmere (Chrishall Road) 167 - 202**

Application for 15 dwellings to include 6 affordable dwellings, construction of access and provision of open space

Appendix 1 is on the Council's website.

### **MONITORING REPORTS**

- 10. Enforcement Report 203 - 210**

- 11. Appeals against Planning Decisions and Enforcement Action 211 - 218**

### **OUR LONG-TERM VISION**

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

### **OUR VALUES**

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

### **Notes to help those people visiting the South Cambridgeshire District Council offices**

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

#### **Security**

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#### **Emergency and Evacuation**

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

#### **First Aid**

If you feel unwell or need first aid, please alert a member of staff.

#### **Access for People with Disabilities**

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

#### **Toilets**

Public toilets are available on each floor of the building next to the lifts.

#### **Recording of Business and Use of Mobile Phones**

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#### **Banners, Placards and similar items**

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

#### **Disturbance by Public**

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

#### **Smoking**

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

#### **Food and Drink**

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

## **EXCLUSION OF PRESS AND PUBLIC**

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) ..... in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) ..... of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

### **Notes**

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

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# Agenda Item 3

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on  
Wednesday, 6 December 2017 at 10.30 a.m.

PRESENT: Councillor Pippa Corney – Chairman  
Councillor David Bard – Vice-Chairman

Councillors: Brian Burling Kevin Cuffley  
Philippa Hart Des O'Brien  
Deborah Roberts Tim Scott  
Robert Turner Val Barrett (substitute)  
Henry Batchelor (substitute) Aidan Van de Weyer (substitute)

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Karen Pell-Coggins (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer), Lydia Pravin (Planning Officer) and William Tysterman (Planning Project Officer)

Councillor Nigel Cathcart was in attendance, by invitation.

### 1. APOLOGIES

Councillors John Batchelor, Sebastian Kindersley and David McCraith sent Apologies for Absence. Their substitutes were Councillors Henry Batchelor, Aidan Van de Weyer and Val Barrett.

### 2. DECLARATIONS OF INTEREST

Councillor Henry Batchelor declared a pecuniary interest in respect of Minute 5 (S/3184/17/FL - Linton (Borley House, 1 Horseheath Road)) by virtue of his employment with a company supplying materials to the applicant. He withdrew from the Chamber, took no part in the debate, and did not vote.

Councillor Henry Batchelor reminded Members that, when application 9 (S/1969/15/OL & S/2553/16/OL- Linton (Land south-east of Horseheath Road)) was first considered by Committee, he had spoken as a local Member (but not as a Committee member) against the proposal.

### 3. DRAFT MINUTES OF PREVIOUS MEETING - 1 NOVEMBER 2017

The Committee authorised the Chairman to sign, as a correct record, the minutes of the meeting held on 1 November 2017, subject as follows:

#### **Minute 4 - S/2239/13/FL - Sawston (Deal Grove, Babraham Road)**

Councillor Kevin Cuffley had not been a Committee member when this application had previously been considered. Councillor Cuffley clarified that Mr. Milne had addressed the Committee as a member of the public, and not as a representative of Sawston Parish Council.

### 4. S/3405/17/OL - LINTON (LAND SOUTH-EAST OF HORSEHEATH ROAD)

The case officer referred Members to applications S/1969/15/OL and S/2553/16/OL- Linton (Land south-east of Horseheath Road), both of which were awaiting determination by an Appeals Inspector. Both were listed at Agenda Item 9 but considered by Committee immediately after S/3405/17/OL. Further neighbour representations had been received, including that public consultation had not been adequate.

Alan Clarkson (objector), Dr. Robert Wickham and Michael Thomas (representing the applicant) and Councillor Enid Bald (Linton Parish Council) addressed the meeting. Councillor Henry Batchelor spoke as local Member, and read out a written statement from Councillor John Batchelor, the other local Member for whom he was substituting.

Councillor Henry Batchelor proposed deferral because of a lack of clarity in the information provided to the Committee. This proposal was seconded by Councillor Deborah Roberts. The Interim Head of Development Management said that the Local Planning Authority had received legal advice that public consultation had been sound, and that it would be safe for the Committee to determine the application based on the information currently before it.

The Committee **deferred** the application.

**5. S/3184/17/FL - LINTON (BORLEY HOUSE, 1 HORSEHEATH ROAD)**

Members visited the site on 5 December 2017.

Kate Kell (objector), Chris Anderson (applicant's agent) and Councillor Enid Bald (Linton Parish Council) addressed the meeting.

Councillor Henry Batchelor (local Member) had declared a pecuniary interest in this because the company, for which he works, supplies building materials to the applicants. He withdrew from the Chamber, took no part in the debate and did not vote.

The Committee **refused** the application for the reasons set out in the report from the Joint Director for Planning and Economic Development.

**6. S/2745/17/OL - HORSEHEATH (LAND ADJ THE POLICE HOUSE, LINTON ROAD)**

Members visited the site on 5 December 2017.

Rosanne Mattick (objector), Paul Scarlett (applicant's agent), Councillor Miller (Horseheath Parish Council) and Councillor Richard Turner (a local Member) addressed the meeting.

It was reported that the Local Highways Authority considered the application to be acceptable.

Following a short debate, the Committee **refused** the application contrary to the recommendation in the report from the Joint Director for Planning and Economic Development. Members agreed the reason for refusal as being the proposal's adverse impact on the landscape character of the surrounding area, and therefore a conflict with Policies DP/2, DP/3 and NE/4 of the South Cambridgeshire Local Development Framework 2007. The development was also considered to represent unsustainable development as specified in paragraphs 7 and 55 of the National Planning Policy Framework 2012, and Policies DP/1(1b) and DP/7 (1) of the South Cambridgeshire LDF Development Control Policies 2007.



**7. S/3128/17/OL - CASTLE CAMPS (LAND SOUTH OF BARTLOW ROAD)**

Robert Thompson (objector), Hayley Doyle (applicant's agent), and Councillor Richard Turner (local Member) addressed the meeting.

The Committee **refused** the application contrary to the recommendation in the report. Members agreed the reasons for refusal as being a conflict with Policy DP/2 (Design of New Development) of the South Cambridgeshire Local Development Framework 2007, considering that the development would have a significant and adverse impact upon the rural character of the area on the village edge and would lead to encroachment into the countryside.

**8. S/2989/17/FL - MILTON (1 BENET CLOSE)**

Members visited the site on 5 December 2017.

The case officer reported that Councillor Hazel Smith (a local Member) did not object to the application.

The Committee **approved** the application, subject to the Conditions and Informatives set out in the report from the Joint Director for Planning and Economic Development.

**9. S/1969/15/OL & S/2553/16/OL- LINTON (LAND SOUTH-EAST OF HORSEHEATH ROAD)**

The Interim Head of Development Management informed Committee that the applicant had indicated that the appeals against the refusal of planning consent for up to 50 dwellings on the identical site would be withdrawn if application S/3405/17/OL was approved.

Dr. Robert Wickham and Michael Thomas (representing the applicant) and Councillor Enid Bald (Linton Parish Council) addressed the meeting. Dr. Wickham confirmed that the applicant would defend the appeal based on the 42 dwellings included in application S/3405/17/OL rather than the 50 dwellings that had previously been applied to in S/1969/15/OL and S/2553/16/OL.

Councillor Henry Batchelor said that the appeals must be allowed to take their course.

The Planning Committee gave officers **delegated powers to agree** a 'Statement of Common Ground' in relation to the appeals under applications S/1969/15/OL and S/2553/16/OL, which would not defend the outstanding reason for refusal in relation to landscaping, should the inspector allow a substitution from the 50 dwellings to the 42 dwellings proposed under S/3405/17/OL.

**10. S/0243/16/FL - BASSINGBOURN (BASSINGBOURN SNOWSPORTS CENTRE, BASSINGBOURN, ROYSTON)**

Councillor Nigel Cathcart (a local Member) addressed the meeting.

The Committee gave officers delegated powers to agree the provision of a legal agreement under Section 111 of the Local Government Act 1972 and Section 1 of the Localism Act 2011 (instead of Section 106 of the Town and Country Planning Act 1990), and that the sum of £5,000 thereby secured should no longer be linked specifically to a pedestrian crossing in High Street, Bassingbourn, given the change of circumstances flowing from the Ministry of Defence's decision to reopen Bassingbourn Barracks, and the

consequential likelihood of access to the Snowsports Centre being now possible from the A1198.

**11. ENFORCEMENT REPORT**

The Committee **received and noted** an Update on enforcement action.

**12. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee **received and noted** a report on Appeals against planning decisions and Enforcement Action.

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**The Meeting ended at 2.49 p.m.**

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# Agenda Item 4

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee 10 January 2018  
**AUTHOR/S:** Joint Director for Planning and Economic Development

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**Application Number:** S/2942/17/FL

**Parish:** Hauxton

**Proposal:** Construction of new village hall and associated soft landscaping and car parking

**Site address:** Recreation Ground, Church Road, Hauxton

**Applicant(s):** Hauxton Parish Council

**Recommendation:** Approve subject to conditions

**Key material considerations:** Green Belt, Important Countryside Frontage, Setting of Listed Building, Neighbouring amenity, Highway safety, Trees, Ecology.

**Committee Site Visit:** Yes

**Departure Application:** Yes - Advertised as a departure on 18 October 2016

**Presenting Officer:** Dan Smith

**Application brought to Committee because:** The application is a Departure from policy and significant local interest

**Date by which decision due:** 15 January 2018

### Executive Summary

1. The application is for the provision of a new village hall in Hauxton. The application has been amended at the request of officers to reduce the scale of the building and locate it further from neighbouring properties. Additional transport, ecology and acoustic assessment has also been provided. The proposed site is subject to a number of constraints including its Green Belt location.
2. The proposal is considered to be inappropriate development by definition, but it is considered that sufficient very special circumstances exist to outweigh the harm to the Green Belt. The other impacts of the development are considered acceptable subject to conditions, including a restriction on hours of use and the level of amplified music. On that basis, the officer recommendation is approval. The

application has been made by Hauxton Parish Council and is supported by the local District Councillor and has been subject to a significant number of representations from local residents both in support of and objection to the proposed development. The application has been referred to the Planning Committee by officers with the support of the chair of Planning Committee due to the amount of local interest and because both the Parish Council and the District Councillor have been involved in the preparation of the application.

### **Relevant Planning History**

3. S/1078/17/FL - Planning application submitted and later withdrawn for a new village hall on the recreation ground to the West of the current proposed location.

S/2398/14/FL - Planning application submitted and later withdrawn for extensions to the existing village hall further to the East on Church Street.

C/0911/64 - Planning permission granted for a vehicle access to serve the recreation ground.

C/0595/63 - Planning permission granted to use the site as public open space.

### **Planning Policy**

4. **National Planning Policy Framework**

National Planning Policy Guidance

#### **Local Development Framework Core Strategy DPD (January 2007)**

5. ST/1 – Green Belt

6. **Local Development Framework Development Control Policies DPD (July 2007)**

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/7 Development Frameworks

GB/1 Development in the Green Belt

GB/2 Mitigating the Impact of Development in the Green Belt

GB/5 Recreation in the Green Belt

SF/9 Protection of Existing Recreation Areas

NE/1 Energy Efficiency

NE/4 Landscape Character Areas

NE/6 Biodiversity

NE/9 Water and Drainage Infrastructure

NE/10 Foul Drainage - Alternative Drainage Systems

NE/14 Lighting Proposals

NE/15 Noise Pollution

NE/16 Emissions

CH/4 Development within the Curtilage or Setting of a Listed Building

CH/7 Important Countryside Frontages

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

TR/3 Mitigating Travel Impact

TR/4 Non-motorised Modes

Development Affecting Conservation Areas - adopted 15 January 2009

Open Space in New Developments - adopted 15 January 2009

Public Art - adopted 15 January 2009  
Trees & Development Sites - adopted 15 January 2009  
Biodiversity - adopted 2 July 2009  
District Design Guide - adopted 2 March 2010  
Landscape in New Developments - adopted 2 March 2010  
Health Impact Assessment - adopted 8 March 2011  
Cambridgeshire Flood and Water - adopted November 2016

7. **Draft Local Plan (Submitted July 2013)**

S/1 Vision  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
S/4 Cambridge Green Belt  
S/7 Development Frameworks  
CC/1 Mitigation and Adaptation to Climate Change  
CC/4 Sustainable Design and Construction  
CC/8 Sustainable Drainage Systems  
HQ/1 Design Principles  
HQ/2 Public Art and New Development  
NH/2 Protecting and enhancing Landscape Character  
NH/4 Biodiversity  
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt  
NH/10 Recreation in the Green Belt  
NH/12 Local Green Space NH/13 Important Countryside Frontage  
NH/14 Heritage Assets  
SC/10 Lighting Proposals  
SC/11 Noise Pollution  
SC/13 Air Quality  
SC/15 Odour and other fugitive emissions to air  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision

**Consultations**

8. **Hauxton Parish Council** - recommends approval.
9. **Local Highways Authority (LHA)** - initially objected on the grounds that the applicant had not used the data from the use of the existing hall in its Transport Statement and requested that this existing data be added to the base data to enable proper assessment of the TRICS data. On the basis of the additional transport information provided by the applicant, the LHA states that its objection has been overcome and it requests conditions relating to the provision of pedestrian visibility splays at the access points, drainage and surfacing of the accesses, provision of dimensions of parking and reversing spaces and the submission of a Construction Traffic Management Plan.
10. **SCDC Environmental Health Officer (EHO)** - notes the potential for the hall to cause noise nuisance from extraction and air conditioning units and from late night and noisy uses of the hall and the need to mitigate cooking odours through adequate extraction. Considers the noise impact assessment report to be acceptable but in order to acceptably mitigate the impact of the hall on the amenity of residents, conditions are required in respect of time restrictions on the use of the site, the operation of evening events with all doors closed, the submission of a detailed noise management plan providing details of how noise would be regulated, managed and enforced and further details of extraction systems and air

conditioning units to ensure they of adequate specification and sufficiently quiet so as not to cause nuisance to neighbours.

11. **SCDC Sustainable Drainage Engineer** - supports the application subject to conditions relating to surface and foul water drainage.
12. **SCDC Ecology Officer** - initially issued a holding objection on the basis that insufficient information had been submitted in respect of the impact of the development on Great Crested Newts (GCN), bats and badgers. On the basis of the additional ecological information provided by the applicant, the Ecology Officer has removed his holding objection and states that the application has now considered the ecological impacts onsite and on adjacent land and has recommended adequate mitigation against harm to ecological interests. Conditions are recommended to secure the mitigation strategy for GCN and the submission of a scheme for biodiversity enhancement including provision of new wildflower meadow, a sympathetic external lighting scheme and the incorporation of bird and bat boxes within the development.
13. **SCDC Trees Officer** - does not object to the proposed development subject to conditions requiring the submission and implementation of a detailed Arboricultural Method Statement and Tree Protection Strategy prior to commencement of works.
14. **SCDC Landscapes Officer** - does not object to the proposed development and recommends conditions requiring the submission and implementation of a scheme of hard and soft landscaping.
15. **Anglian Water** - notes it has assets close to or crossing the site and requests an informative detailing the need for accommodation within the layout or diversion of the assets be attached to any decision notice. It states there is capacity within the foul sewerage network and wastewater treatment facility to accommodate the development. It notes that consents may be required if surface, foul or trade effluent disposal requires connection to its assets.
16. **Cllr Lockwood (Local Member)** - supports the proposed development and states the hall would benefit the vast majority of the village and serve as a central social hub for the village for many years to come.
17. **Hauxton Primary School (Headteacher)** - supports the application on grounds that it would provide a focal point for community events for more groups and that the existing hall is unsuitable for events such as fetes and sports activities.
18. **Cambridge Past, Present and Future** - offers qualified support to the proposed development. It notes the issues which it considers need to be assessed and mitigated including: Green Belt impact and need for very special circumstances; impact on important countryside frontage, impact on listed buildings, residential amenity, building design and location, parking provision and access, landscape and ecology impact, use of the cafe. It also comments on the future of the existing village hall and the potential for a covenant to exist on the recreation ground.

### **Representations**

19. Representations have been received from 62 members of the public, with 17 objecting to the proposed development, 44 supporting it and one which did not express a strong view. Three petitions have also been received with a total of 80

names given in opposition to the proposed development and 148 in support. Some of the people named on the petitions have also provided separate representations.

20. The reasons given in objection to the proposed development were:
  - Harmful impact on neighbours including through noise, light pollution, odour, loss of privacy, visual intrusion and overshadowing;
  - Impact on the Green Belt including openness and character;
  - The potential for alternative, better located sites including extension of the existing village hall;
  - Lack of justification or need for new building;
  - Excessive scale of the proposed building;
  - Loss of open space on the recreation ground;
  - Impact on visual amenity including the important countryside frontage;
  - Harm to the setting of the listed building opposite the site;
  - Harm to the character and tranquility of the recreation ground;
  - Highway and pedestrian safety;
  - Parking provision including concerns regarding surfacing;
  - Lack of surveillance and potential for vandalism and anti-social behaviour;
  - Impact on trees;
  - Loss of wildflower meadow;
  - Harm to ecology;
21. Concerns were also expressed regarding the stress caused to neighbours, the presence of a restrictive covenant on the land, the lack of a business plan for the village hall, the ongoing maintenance costs and the potential for the building to be underused or stand empty.
22. The reasons given in support of the proposed development were:
  - The lack of existing facilities and the need for a new hall;
  - The lack of alternative suitable sites;
  - The community benefits of the proposal;
  - An improved location for the village hall;
  - The increased use of a currently underused recreation ground;
  - Meeting the needs of a growing village;
  - Wide range of possible uses.
23. Other benefits were also expressed regarding the high costs of running and maintaining the existing hall, increased revenue for the village from hiring the new hall and the location of the building next to the green space and the playground.

#### **The site and surroundings**

24. The application site is the recreation ground at Hauxton. The recreation ground is excluded from the Development Framework of Hauxton and is in the countryside and Cambridge Green Belt. Its frontage on Church Road, where there is an existing parking and turning area is designated an Important Countryside Frontage (ICF) under policy CH/4. Opposite the frontage of the site, No. 32 Church Road is a grade II listed building. Residential dwellings on both sides of the frontage back onto the recreation ground as do those dwellings to the East of the recreation ground. The recreation ground has a children's play area close to its western boundary and areas of wildflower meadow as well as seven protected trees, four limes and a birch close to the frontage and two hornbeams within the site towards the Eastern boundary. There is a tree belt to the South of the recreation ground which limits views into and out of the site from the wider countryside. The existing

village hall is located along Church Road to the East in the former village school building.

### **The proposal**

25. The application seeks full planning permission for a new village hall on the recreation ground to the South of the residential properties which front Church Road. It also seeks an extended parking area on the frontage and associated hard and soft landscaping in the surrounds.
26. The proposed development has been assessed against the National Planning Policy Framework and Planning Policy Guidance and the local planning policies listed above.

### **Development within the Green Belt**

27. The site is located within the Cambridge Green Belt and significant weight is given to Section 9 of the NPPF that relates to the Green Belt as well as local Green Belt policies. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 states that Local Planning Authorities should regard the construction of new buildings in the Green Belt as inappropriate development and the construction of the village hall is not considered to fall within the exceptions to inappropriate development listed in that paragraph.
28. As a result, the proposed development must be considered inappropriate development within the Green Belt and, per paragraph 88, should only be approved where very special circumstances clearly outweigh harm to the Green Belt by reason of inappropriateness and any other harm.

### ***Impact on the openness and character of the Green Belt***

29. The location of the building has been changed from the previous application, which saw it located directly behind the open street frontage, to being located further back into the site behind the existing residential properties fronting Church Road. This is considered to have reduced the impact on openness as it has taken the building out of the primary view of the site from the road and placed it in a more secluded location which does not extend further out into the Green Belt than necessary. The scale of the building has also been reduced at the request of planning officers during the current application process in an attempt to minimise the impact on the openness of the area and to provide only that accommodation which is needed by the community.
30. Nonetheless, the siting of the village hall in the currently open area of the Green Belt would cause some harm to the Green Belt through a loss of openness as it would occupy land which is currently open. The tree belt to the South of the site means that views through the site to the wider Green Belt are very limited and the proposed building would therefore not have a significant impact on more wide ranging views.
31. The impact on the character of the Green Belt would be to introduce a single storey building with a relatively large footprint into what is currently a relatively undeveloped site characterised by open grassed areas, limited tree planting within the site, boundary hedging and wildflower meadow areas. The new hall would



change this character, however it would provide a village hall building which is associated with village open space.

***Impact on visual amenity, the important countryside frontage and the setting of the listed building***

32. The building would result in built development on the currently undeveloped recreation ground and it is accepted that this would materially change the character and appearance of the recreation ground. However, the siting of community buildings, such as village halls, on or adjacent to recreation grounds is a common feature in many villages and it is not considered that the provision of the village hall in the proposed location is visually at odds with the nature of the recreation ground. It is therefore considered that the siting of the building on the recreation ground would not, in principle, cause harm to the visual amenity of the area.
33. The building itself is considered to be well designed with a limited height and bulk and with a simple, high quality contemporary appearance. The materials used for the external surfaces of the buildings as well as details of windows, doors and the covered roof area would be controlled by condition to ensure a high quality finish. It is located away from the entrance to limit the impact on the openness of the frontage and, while the entrance elevation would be visible from the street, the building would not be unduly prominent when viewed from outside the site. From within the recreation ground, the building would become a prominent part of the recreation ground and would front onto the relocated children's playground creating a focal point for the recreation ground.
34. Given the limited height and good design of the building, the relationship of the community building to the use of the recreation ground and the fact that village halls are buildings which are commonly located on or next to recreation grounds or other areas of public open space, it is not considered that the building would cause any significant harm to the visual amenity of the area.
35. The extension of the car park is discussed below in terms of its impact on the frontage, but additional limited car parking on the land is not considered to cause any significant harm to the visual amenity of the area generally.
36. The frontage of the site is designated as an ICF. ICFs are designated where land with a strong countryside character either penetrates or sweeps into the built-up area providing a connection with the rural area or provides an important rural break between two nearby detached parts of a village framework. The previous location for the village hall would have been situated directly behind the ICF and it was considered that both the Green Belt impact and the impact on the ICF were too great. The location of the hall proposed in the current application is away from the ICF and would not occupy land directly behind the frontage. This would retain the open connection with the recreation ground. The extended parking area would result in the potential for additional cars to be parked behind the frontage, however this is not considered to result in a further loss of openness which would impact on the important break in the built development along the frontage nor cause significant harm to the established character of the area in terms of the connection of the street with the open land behind. On that basis the impact of the development on the ICF is considered acceptable.
37. In terms of the impact of the development on the listed building opposite the frontage, the building itself is now located in an area where it would not be

prominent in views from or of the listed building and is not considered to have any significant impact on its setting. The extended parking area on the frontage is within the setting of the listed building, however considering the existing use of the area for parking, it is not considered that the changes to the surfacing of the area or the additional parking of cars would cause any significant harm to the setting of the listed building.

38. On the basis of the above, the proposed development is considered to be acceptable in terms of its impact on the visual amenity of the area, the important countryside frontage and the setting of the listed building, in accordance with policies DP/2, DP/3, CH/4 and CH/7.

### **Neighbouring amenity**

39. The proposed development has the potential to impact on residents of neighbouring properties in the following ways: from the physical impact of the proposed building, from noise, light and odour nuisance associated with the use of the building and from noise and light nuisance associated with the use of the car parking area.

### **Physical impact of the building**

40. Although relatively large in floor area, the proposed building would only be approximately 4.5 metres high. Set a minimum of 6.5 metres from the rear boundaries of the properties to the North, it is not considered that it would cause any significant loss of light or overshadowing of the properties. While it is accepted that it would change the outlook of some neighbouring properties where boundary treatments allow views over the recreation ground, it is not considered that it would cause a level of visual intrusion to any neighbouring properties which would result in harm to the enjoyment of their rooms or gardens.
41. There are no significant windows in the North elevation of the building and it is not considered that there would be any overlooking or loss of privacy to those neighbouring dwellings, particularly as the outside use of the hall would be focused towards the recreation ground and away from neighbouring residential properties. The windows and doors in the side elevations of the proposed hall would be a minimum of almost 30 metres from the boundary of the site and are not considered to result in any significant overlooking of the neighbouring properties on either side, particularly given the boundary treatments already in place.

### **Noise, light and odour nuisance from the use of the building**

42. The proposed use of the building as a village hall has the potential to cause noise from activities taking place in an around the hall and from plant and extraction systems necessary to heat, cool and provide extraction and ventilation to the hall.
43. The use of the hall would be both during daytime hours and in the evenings and, notwithstanding the slight adjustments made to the location of the hall, would have the potential to cause noise disturbance to the occupants of neighbouring properties. The submitted noise assessment has identified the background noise levels of the site and has modelled the impact of an event using amplified music which it considers to be a 'worst case scenario' in terms of noise generating activities that would take place in the hall. It concludes that subject to acoustically upgraded glazing, the impact of such an event would not cause harm to the neighbouring dwellings or their gardens as the existing background noise levels

would not be noticeably exceeded. Other less noisy events would have a significantly lower noise impact than the modelled 'worst case scenario'.

44. The Council's Environmental Health Officer is generally in agreement with the conclusions of the report that the noise impact of the use of the hall could be mitigated to acceptable levels. However, it is considered that constraints on the hours of operation of the building, the arrangements for evening events and other noise mitigation measures are required. The EHO has recommended that the building should not be used later than 10pm on any day of the week, in order to ensure that night time noise levels are not exceeded and do not impact on the amenity of neighbours. In particular this is necessary to avoid people leaving the village hall late and causing disruption through external noise and vehicle movements which are harder to mitigate.
45. The EHO has also recommended that any evening events should be conducted with all doors and windows closed, to ensure the sound mitigating properties of the building are not compromised by sound escaping from openings in the building. However, it is considered that the potential for noise nuisance in the evening from events where no amplification is used is relatively limited. Similarly, the potential for daytime events to cause nuisance where amplification is used exists. It is therefore considered reasonable and necessary to ensure that events which rely on amplified speech or music take place with the doors and windows of the building shut. Conditions would therefore be applied requiring the use of the hall to cease no later than 10pm each day and for any events using amplification to take place with all doors and windows closed. The EHO notes that air conditioning sufficient to cool the building in summer, so that doors and windows do not need to be opened will need to be specified.
46. The submitted noise report recommends a Noise Management Plan be entered into which details the practical measures which users of the hall will take to mitigate the noise impact of the building. The EHO agrees that such a plan is necessary and requests that it contains details of how noise will be regulated and managed within the property, the identification of the responsible person who will enforce the necessary measures, the agreement of noise levels for limiters on amplified music or speech, other noise mitigation and the use of automatic door closers. It is also considered necessary to require details of the insulation of the building and glazing to ensure a sufficiently high level of acoustic insulation is provided.
47. On the basis of the above, it is considered that the noise impact of the proposed use of the hall on the amenity of neighbours is within acceptable limits and would not cause any significant harm to the use or enjoyment of their residences.
48. No details have been provided in respect of the plant and extraction systems which will be required to service the building. However the submitted noise assessment states that the noise created by such plant would be able to be mitigated so that it did not cause harm to neighbouring properties. The Council's Environmental Health Officer agrees with this conclusion and notes that the plant and extracts would likely need to be located to the South West side of the building so that it would be furthest away from neighbouring properties. A condition would be applied to any permission to ensure the adequate noise mitigation of plant and on that basis the impact on the amenity of residents from noise from plant is considered to be acceptable.

49. Given the presence of only a single window in the North elevation of the hall, which would serve a WC, a very limited amount of light would escape the building in the direction of the nearest residential properties. It is not considered that this would harm the amenity of the nearest neighbours. Although there are more openings in the side elevations of the hall, the distance of these windows from the neighbouring properties on either side means that the impact of light spill from those windows on the amenity of the residents of those neighbouring properties would be minimal. The presence of a new building in community use on a currently undeveloped recreation ground would clearly result in some additional general lighting in the area, however it is not considered that the additional level of light in the area would be sufficient to cause any significant harm to the amenity of neighbouring residents. External lighting would be controlled by condition giving the Local Planning Authority the ability to control the location and intensity of any external lighting and the ability to limit the impact from such lighting on neighbouring properties.
50. The catering facilities provided by the building would give rise to the potential for odour nuisance to be caused to neighbouring properties, however appropriate filtering and extraction of odours would be achievable and the details of the equipment would be required by condition to ensure neighbouring properties are not affected by odour emissions from the hall.

#### **Noise and light nuisance from the use of the car park**

51. While the design of the building can be used to mitigate much of the noise associated with the use of the building, the noise associated with the use of the car park from cars manoeuvring, car doors being shut and conversations of people accessing the car park is difficult to mitigate through physical barriers. It is therefore likely that the increased use of the car park which would result from the use of the village hall would result in noise which would be noticeable to occupants of neighbouring properties. During the daytime, this noise would not be unusual for a recreation ground where people can already come and go and there is a general level of activity, however in the evenings the noise would be more noticeable and potentially more disruptive.
52. However, the restrictions on times of use proposed above would mean that noise from the car park would not extend late into the night and other noise management options, such as signage reminding people to leave the building quietly, would minimise disturbance to neighbouring residents from use of the car park and on balance, it is not considered that the harm caused by the intensified use of the extended car parking area would be significant.
53. Nuisance caused by headlights of cars accessing and manoeuvring within the parking area has been considered, however given the boundary treatments of the neighbouring properties on both sides and opposite. External lighting of the car park and pathways would be controlled by condition and would be expected to be low level, giving the Local Planning Authority the ability to control the lighting impact of the extended parking area and new pathways.
54. On the basis of the above, the proposed development is considered to be acceptable in terms of its impact on the residential amenity of neighbours, in accordance with policies DP/3, NE/14, NE/15 and NE/16.

#### **Loss of public open space**

55. The use of part of the recreation ground for a building would result in the loss of an element of the open space provided on the recreation ground. However, the building would serve as a focal point for the community and provide a base from which the remaining open space on the recreation ground could be enjoyed. The increased opportunities the building would provide for local people to use and enjoy the recreation ground is considered to enhance the remaining open space and more than compensate for the loss of a portion of the recreation ground.

### **Transport, parking and highway safety**

56. The Local Highways Authority initially issued a holding objection on the basis that the submitted transport information had used modelled rather than actual existing trips as the basis of its assessment. The applicant has since provided additional information in respect of the transport implications of the development including a survey of existing trip data and parking requirements.
57. The proposed parking area would provide 20 car parking spaces accessed via an in-out access. The Council's adopted parking standards give a maximum parking provision figure of one space per 8m<sup>2</sup>, which given the floor area of the proposed hall would equate to a maximum of 50 spaces. The provision of 20 spaces is therefore significantly below that maximum. Given the relatively central location of the site in the village and the community focused events which the hall would house, it is likely that most events undertaken at the hall would result in a large proportion of attendees walking or cycling to the site. Furthermore, the Parish Council's submitted schedule of events it wishes to run, indicates that many would not attract significantly more than 20 attendees, meaning that the parking provision would be adequate even if all attendees drove independently to the hall.
58. Those events which would attract significantly larger numbers of attendees would be relatively infrequent according to the proposed schedule of events and would benefit from the central location and ability of most villagers to walk or cycle to the site, however there may be occasions where more vehicles are brought to the site than can be accommodated in the parking area. In those instances, vehicles would have to park on the street. This is not a significantly different arrangement to the present situation at the existing village hall where parking is even more constrained and where surplus vehicles have to park on the street. The Local Highways Authority has not expressed any concern in respect of the impact of on street car parking on highway safety, on the occasions where the size of the event means that not all cars can be accommodated within the car park.
59. Clearly there is a balance to be struck between the provision of parking and the impact of that parking on the visual amenity of the area under the character of the Green Belt. Taking all of the above into account, the proposed car park is considered to strike an appropriate balance, being both an adequate provision of parking facilities for most circumstances and of a scale which would not cause significant visual harm to the character of the area.
60. The LHA has requested conditions relating to the provision of pedestrian visibility splays, drainage and surfacing of the access and parking areas and the provision of a Construction Traffic Management Plan. On the basis of the above, the proposed development is considered to be acceptable in terms of its parking provision and its impact on highway safety in accordance with policies DP/1, DP/2, DP/3, TR/1 and TR/2.

### **Trees**

61. The proposed building and associated car parking would not necessitate the loss of any of the protected trees on site. The submitted arboricultural survey shows that the village hall itself would not be located within the root protection area of any of the trees. Pavement associated with the car park extension would extend within the root protection areas of two of the protected Lime trees, however a no dig construction would be utilised ensuring that the tree root system would not be damaged. The Council's Trees Officer is content that the proposed development would have an acceptable impact on trees and the requested conditions in respect of the implementation of appropriate tree protection measures during construction, including protective fencing, would ensure no trees were damaged during construction.
62. On that basis, the proposed development is considered to be acceptable in terms of its impact on trees in accordance with policy NE/6.

### **Ecology**

63. The siting of the proposed hall is such that an existing area of wildflower meadow would be lost, however the applicant is proposing that a further area of wildflower meadow is created on the Western boundary of the site, once the play area has been relocated in front of the new hall. On that basis, the scheme proposes adequate mitigation for the loss of wildflower meadow and the habitat it provides.
64. The Council's Ecology Officer requested that further assessment of the site be undertaken in terms of its potential for loss of habitat for Great Crested Newts and the fact that the impact on bats and badgers had not been assessed. The applicant has since provided additional assessment in respect of the ecological habitat potential of the site and it is now considered that an appropriate level of assessment has been undertaken.
65. The updated preliminary ecological appraisal has recommended mitigation measures to ensure that the impact on GCN would be acceptable. The implementation of such mitigation would be required by condition. A scheme of ecological enhancement, which would include proposals for bat roost and bird nesting boxes, lighting and further details of the creation of the wildflower meadow, would be required by condition.
66. On that basis, the proposed development is considered to be acceptable in terms of its impact on the ecological interests of the site, in accordance with policy NE/6.

### **Drainage**

67. The Council's Sustainable Drainage Engineer has considered the proposed development and is content that adequate surface and foul drainage could be provided. To ensure such drainage is provided, conditions would be applied to require drainage details to be submitted to and approved by the Local Planning Authority. On that basis, the proposed development is considered acceptable in terms of its impact on drainage in accordance with policies NE/9 and NE/10.

### **Other matters**

68. Some concern has been raised locally regarding the issue of a covenant on the land restricting the use of the land to that of use as a recreation ground, which might impact on the deliverability of the village hall. However, the Council's Legal

Officer has confirmed that the restrictive covenant has been varied to allow the land to be used as a recreation ground and village hall with associated car parking and landscaping for the benefit of the local community.

69. Some representations have raised concern regarding the location of the building and the potential for vandalism and antisocial behaviour associated with its location away from the street frontage. While there is a limited amount of natural surveillance of the site, it is accepted that the rear of the building would not benefit from significant surveillance, however it is considered that with an appropriate planting scheme and fencing where necessary, the opportunities for seclusion and anti-social behaviour can be reduced to a level which would not exceed those present for other similar buildings. Further security measures such as alarms and security cameras could also be considered, however the exact nature of these measures is considered to be a matter for the Parish Council on the basis of its experience once the building is in use.
70. The concerns expressed in respect of the lack of a business plan for the building and ongoing maintenance costs for the building are considered to be detailed matters for the Parish Council and do not affect the planning merits of the application. As detailed in the Green Belt section, it is considered that the application has provided sufficient evidence that the building would benefit the community and is needed for the village and the significant support for a new facility indicates that there is demand from local residents for such a building. The precise arrangements for funding, maintaining and the day to day running of the building are not considerations which have any significant bearing on the planning merits of the application.
71. Concern has also been raised regarding the impact of the application process on nearby residents. It is accepted that both the planning process and the construction process can be stressful for neighbouring residents. The conditions imposed on both the construction phase and the use of the building are designed to limit the stress and disruption the construction would cause and mitigate the impact of the use of the building to acceptable limits.

#### **Very Special Circumstances case**

72. As set out in paragraph 27 above, the proposed development represents inappropriate development in the Green Belt. Officers have also identified some additional limited harm in terms of loss of openness. Other potential harm can be satisfactorily mitigated through the use of appropriately worded conditions.
73. The application should only be approved where “very special circumstances” exist that clearly outweigh harm to the Green Belt by reason of inappropriateness and the other identified limited harm.
74. The question of need for a larger hall is considered to be significant factor in the consideration of whether there are very special circumstances sufficient to outweigh the Green Belt harm. The Parish Council has consulted local people via a questionnaire and this identified both a good level of existing demand for a community building as well as a significant demand for events and activities which would require a larger space than is available at the existing village hall. Many of the representations received in respect of the current application have also identified that the existing facilities are lacking.

75. Hauxton has seen significant growth in its residents in recent years due to new housing developments in the village, including at the former Bayer Cropscience site on the A10. The need for additional facilities was identified during those planning applications and contributions to community facilities including indoor community space was secured by planning obligations through section 106 agreements.
76. It is therefore considered that the need for a larger village hall has been made by the current application.
77. Several sites for a larger hall in the village have been considered, including the expansion of the existing village hall. While it is possible that the currently proposed site could offer such significant benefits compared to other sites that it would be preferable in spite of its Green Belt location, the lack of other suitable non-Green Belt sites would be a significant consideration in balancing the harm to the Green Belt against other considerations.
78. The applicant has therefore considered several other sites in Hauxton as potential sites for the village hall. The existing hall was considered for extension and the Parish Council made a planning application to extend it in 2014, however there were a number of significant concerns with the proposal including concern regarding parking provision and highway safety, impact on trees and the design of the extensions which were not resolved and ultimately led to the application being withdrawn by the applicant. The internal layout of the proposed extended hall was also compromised due to the constrained site and the need to location extensions to the rear to minimise visual impact on the Conservation Area.
79. Other sites within the village have been considered by the applicant, however several of these are also within the Green Belt and are therefore not preferable in sequential terms to the chosen location. Other sites were either discounted due to their relatively remote location out of the centre of the village or were unavailable or considered unsuitable for other reasons such as constrained access. The information contained within the application is considered to demonstrate that a significant number of other sites have been considered for the proposed village hall and that none are able to both deliver the necessary community facilities and have a lesser impact on the Green Belt than the current site. As a result, the use of the proposed site is considered to have been demonstrated to a level sufficient that it should be given significant weight in the Green Belt balance.
80. The proposed site also has other benefits which are significant considerations. The site is relatively centrally located within the established village meaning it is easily accessible to most residents via walking or cycling. It is also within a reasonable distance of the new development at the former Bayer site and this is considered likely to increase the engagement and cohesion between the village and the new development. The location of the village hall on the recreation ground itself would encourage and enable the use of the recreation ground for both general day-to-day outdoor activities and specific village events. The Parish Council is proposing to install a new children's play area close to the hall which would provide a focal point for parents and children and encourage a greater use of the recreation ground. Paragraph 81 of the NPPF encourages the beneficial use of the Green Belt for recreation and the proposals for a new village hall are considered to enhance the likely use of the recreation ground for that purpose.

***Balance of harm verses other considerations***



81. In accordance with the NPPF, substantial weight has been given to the harm caused to the Green Belt both by reason of inappropriateness and the other harm identified through the loss of openness of a portion of the Green Belt in this location. However, it is considered that the application has provided significant evidence for the need for an enlarged hall and the lack of other suitable sites locally. Furthermore, other significant benefits of the use of the proposed site, identified above, are considered to exist. On the basis of the community need, the lack of other suitable sites and the benefits that would be specific to the proposed site, the application is considered to have demonstrated that other considerations clearly outweigh the harm to the Green Belt by reason of inappropriateness and the other identified harm.
82. It is therefore considered that very special circumstances exist to grant permission for the proposed development within the Green Belt.

### **Recommendation**

83. Delegated approval subject to:

### **84. Conditions and Informatives**

Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:

- a. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
- b. The development hereby permitted shall be carried out in accordance with the following approved plans:  
1604-HVH-DR-1000 Rev PL1 - Site Location Plan  
1604-HVH-DR-200 Rev PL2 - General Arrangement Plan  
1604-HVH-DR-210 Rev PL3 - Site Plan  
1604-HVH-DR-211 Rev PL2 - Localised Site Plan  
1604-HVH-DR-220 Rev PL2 - Elevations  
Applied Ecology Ltd Preliminary Ecological Appraisal Version 3.0 - November 2017  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- c. Notwithstanding the plans hereby approved, no development above base course level shall take place until details of the materials to be used in the construction of the external surfaces of the building, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- d. Notwithstanding the plans hereby approved, no development shall take place until full details of both hard and soft landscape works and wildflower meadows, have been submitted to and approved in writing by the Local

Planning Authority. The details shall include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- e. All hard and soft landscape works and wildflower meadow planting shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- f. Notwithstanding the plans hereby approved, no development shall take place until details of the surfacing of parking areas, have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- g. Prior to the first use of the building, hereby permitted, pedestrian visibility splays of 2m x 2m shall be provided on each side of the both vehicular access points, measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.  
(Reason - In the interests of highway safety in accordance with policy DP/3 of the Local Planning Framework 2007)
- h. The proposed access, footpath and parking areas, shown on approved drawing 1604-HVH-DR-211 Rev PL2, shall be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway.  
(Reason - In the interests of highway safety in accordance with policy DP/3 of the Local Planning Framework 2007)
- i. No deliveries or construction works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The principle areas of concern that shall be addressed are:
  - (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)

- (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
  - (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.
  - (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.  
(Reason - In the interests of highway safety in accordance with policy DP/3 of the adopted Local Development Framework 2007)
  
- j. Prior to the first use of the building, hereby permitted, the vehicle access and parking areas shown on approved drawing 1604-HVH-DR-211 Rev PL2, shall be fully implemented and thereafter shall be used only for the purpose of vehicle access and parking.  
(Reason - In the interests of highway safety in accordance with policy DP/3 of the Local Planning Framework 2007)
  
- k. No development shall take place on the construction of the building, hereby permitted, until details of the insulation to be used; details of all doors and windows to be installed on the building; and details of the glazing of those doors and windows have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure an appropriate level of noise attenuation in accordance with Policy NE/15 of the adopted Local Development Framework 2007.) Insulation details
  
- l. The building, hereby permitted, shall not be used between 22:00 hours and 7:00 hours.  
(Reason - To safeguard the amenity of the occupiers of neighbouring residential dwellings in accordance with policies DP/3 and NE/15 of the adopted Local Development Framework 2007).
  
- m. Any use of the building, hereby permitted, where a means of amplification is used shall take place with all external doors and windows of the building closed.  
(Reason - To safeguard the amenity of the occupiers of neighbouring residential dwellings in accordance with policies DP/3 and NE/15 of the adopted Local Development Framework 2007).
  
- n. Prior to the first use of the building, hereby permitted, a detailed Noise Management Plan giving details of how noise will be regulated, managed and enforced within and around the building, shall be submitted to and approved in writing by the Local Planning Authority. The building will only be used in accordance with the approved Plan. The principle areas of concern that shall be addressed are:
  - (i) Details of noise level limiters for amplification equipment;
  - (ii) Details of automatic door closers;
  - (iii) Details of how and when neighbouring residents will be informed of upcoming functions and events;
  - (iv) Details of other measures to ensure the use of the building surrounds and car park minimise any noise and disturbance to neighbouring dwellings;
  - (v) Details of the person or persons responsible for the monitoring and enforcement of the Noise Management Plan.

(Reason - To protect the occupiers of adjoining dwellings from the effect of noise in accordance with policy NE/15 of the adopted Local Development Framework 2007.)

- o. Prior to the commencement of development, a detailed scheme for the ventilation, heating, cooling and extraction of dust, odour and fumes from the building, hereby permitted, as well as any necessary noise attenuation of that plant, shall be submitted to and approved in writing by the planning Local Planning Authority. Thereafter the approved scheme shall be fully implemented prior to the first use of the building. No power driven plant or equipment, including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building(s) but excluding office equipment, shall be installed on site unless submitted to and approved in writing by the Local Planning Authority. All plant and equipment on site shall be installed, operated and maintained in accordance with the approved details and the manufacturers instructions and shall comply with any agreed noise restrictions.

(Reason - To protect the occupiers of adjoining dwellings from the effect of noise, odour, dust or fumes in accordance with policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)

- p. No construction site machinery or plant shall be operated and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

(Reason - To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- q. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted to and approved in writing by the Local Planning Authority.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- r. Prior to the commencement of development, a detailed scheme for the provision and implementation of surface water drainage, incorporating sustainable drainage system (SuDS) principles, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on an assessment of the potential for disposing of the surface water associated the building, hereby permitted, by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and National Planning Policy Guidance, the results of which shall form part of the submitted scheme. The scheme shall be designed so that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall provide:

- a) information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- b) details of a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any

public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved drainage scheme shall thereafter be constructed and completed prior to the first occupation of the building and shall be managed and maintained thereafter in accordance with the approved details and management and maintenance plan.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with policies DP/1, NE/9 and NE/11 of the adopted Local Development Framework 2007.)

- s. Prior to the commencement of any development, a detailed scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To ensure a satisfactory method of foul and surface water drainage in accordance with Policies NE/9 and NE/10 of the adopted Local Development Framework 2007.)
- t. No deliveries, construction works or any works to existing trees shall commence on site until a detailed Arboricultural Method Statement and Tree Protection Strategy has been submitted to and approved in writing by the Local Authority. The submitted information shall include details of protective fencing, ground protection measures and method for installing services and shall comply with BS5837 and industry good practice. The measures detailed in the Tree Protection Strategy shall be fully implemented prior to any deliveries or construction works commencing and shall be retained in situ until all construction works have been completed.  
(Reason - In the interests of the visual amenity of the area and the impact on trees on site in accordance with policies DP/2, DP/3 and NE/6 of the adopted Local Development Framework 2007).
- u. No works of site clearance, delivery and development shall be carried out other than in strict accordance with the details contained in section 4 paragraphs 4.13-4.17 of the approved 'Applied Ecology Ltd Preliminary Ecological Appraisal Version 3.0 - November 2017'.  
(Reason - To ensure the protection of species listed under schedule 2 of the Conservation of Habitats and Conservation Regulations 2010 (as amended) and in accordance with policy NE/6 of the adopted Local Development Framework 2007).
- v. Prior to the commencement of the development, a scheme of biodiversity enhancement including a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the provision of a new area of wildflower meadow and details of ongoing management, sympathetic external lighting scheme, and the incorporation of bat and bird roosting and nesting boxes within the new development. The approved scheme shall be fully implemented in accordance with the approved timetable unless otherwise agreed in writing by the Local Planning Authority.  
(Reason - In the interests of the biodiversity of the site in accordance with policy NE/6 of the adopted Local Development Framework 2007).

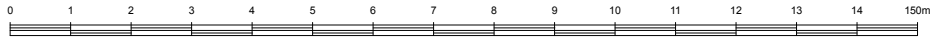
- w. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason -To minimise the effects of light pollution on neighbouring residents and in the interests of ecology in the surrounding area in accordance with Policies DP/3, NE/6 and NE/14 of the adopted Local Development Framework 2007.)

### **Background Papers**

85. Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -
- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
  - (b) on the Council's website; and
  - (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.
86. The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)  
South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted January 2007)  
Planning File Ref: S/2942/17/FL

87. Report Author: Dan Smith – Consultant Senior Planning Officer  
Telephone: (01954) 713181



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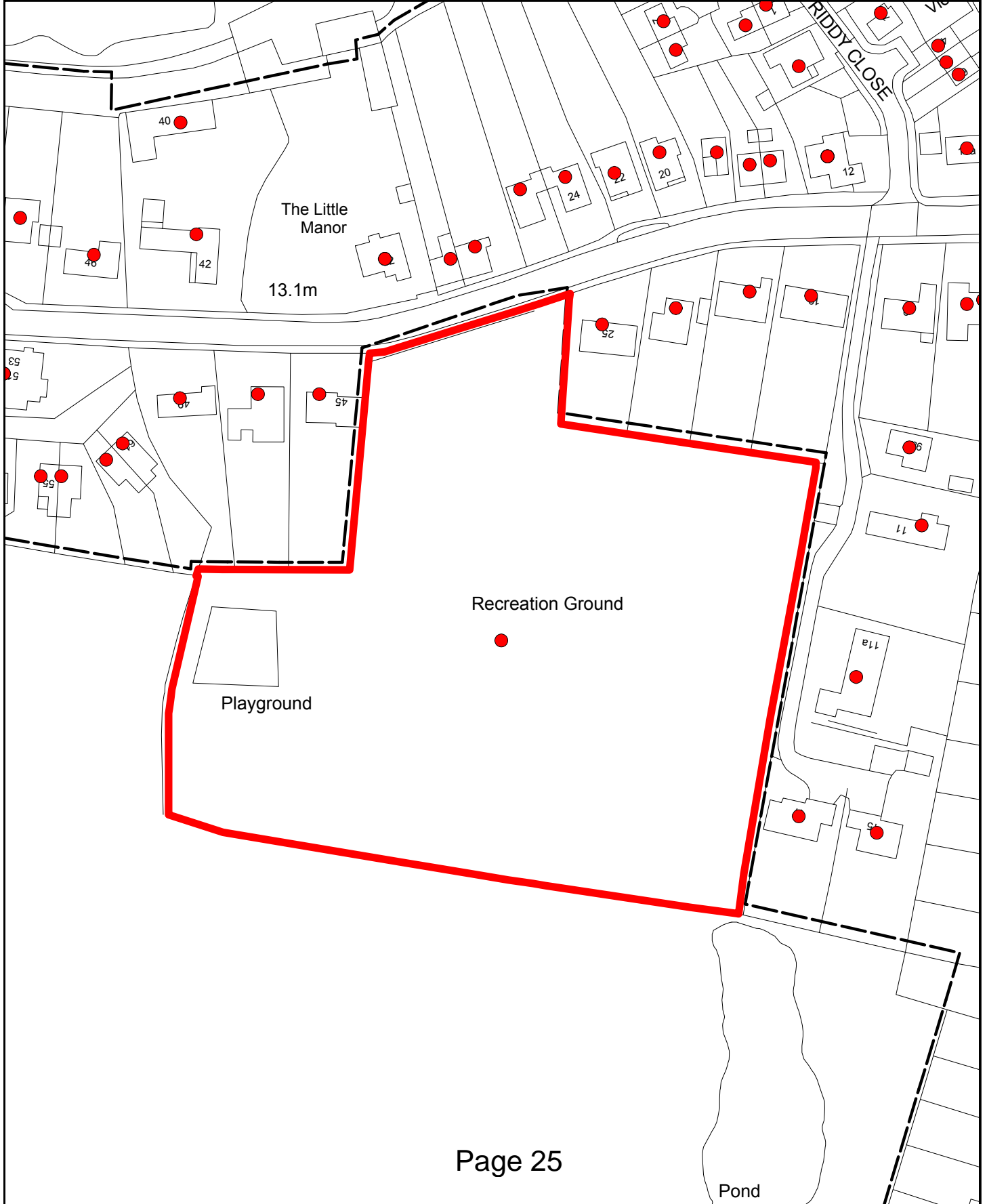
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# Agenda Item 5

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee 10 January 2018  
**AUTHOR/S:** Joint Director for Planning and Economic Development

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**Application Number:** S/2284/17/FL

**Parish(es):** Pampisford

**Proposal:** A hybrid outline/full planning application for comprehensive redevelopment of the Sawston Trade Park and surrounding vacant land for new business park comprising:  
(1) an outline planning application for new business park (Use Class B1) with ancillary "hub" building (Use Classes B1/A3/D1/D2) and associated car parking and landscaping with all matters reserved apart from highways and  
(2) a full planning application for refurbishment/repurposing of Unit H, its associated (initial) car parking and internal road/infrastructure.

**Site address:** Sawston Trade Park and adjacent vacant land, A1301/London Road, Pampisford, CB22 3EE

**Applicant(s):** Howard Sawston Ltd

**Recommendation:** Delegated Approval subject to the completion of a section 106 agreement and safeguarding conditions.

**Key material considerations:** Planning Policy and Principle  
Sustainability  
Scale of Development  
Access, Highway Safety and Parking  
Design Considerations  
Residential Amenity  
Landscape and Visual Amenity, Including Development  
Abutting Green Belt  
Source Protection Zone - Contamination  
Flood Risk & Drainage  
Trees and Ecology  
Mitigation and Developer Contributions

**Committee Site Visit:** 9 January 2018

**Departure Application:** No

**Presenting Officer:** Julie Ayre, Team Leader East

**Application brought to Committee because:** The application is significant to an area beyond both specific site and parish, and has received comments from a number of parish councils - support from

**Date by which decision due:** The application is the subject of a Planning Performance Agreement

### **Executive Summary**

1. The proposals seek to deliver a high quality business park within a campus environment served by a principal new access from the A1301. The layout, scale, appearance and landscaping of the majority of the site and proposed buildings are the subject of subsequent reserved matters applications to respond to specific occupier requirements.
2. The proposals are to increase the gross internal floor area on the park by 11,397 sqm to 19,883 sqm. 703 car parking spaces are proposed, (including disabled car parking) and 670 cycle spaces. 616 of the total 703 car parking spaces are to be accommodated on four levels of a new decked car park building. 1400 employees are expected to work in the new offices and laboratories at the site.
3. The application proposals were the subject of a pre-application enquiry and a Members Briefing on the 8 April 2017. The proposals have also been presented to the Council's Design Enabling Panel.
4. Objections have been submitted by a three Parish Councils and a number of residents to the amount, size and scale of development proposed, which is considered to be too much for the site and too urban for the rural location, particularly the decked car park. Objectors also consider that the proposals will have harmful effects on the local highway network, in terms of significant increases in traffic on the A1301, A505 and M11, which are already busy.
5. Objectors also consider that parking provision is inadequate, and it is unrealistic to suggest that up to 50% of the future 1400 new employees would travel to the site on foot, cycle or public transport.
6. In contrast, the County Council's Transport Assessment Team considers that the favourable accessibility credentials of the site are such that there is scope to reduce on site parking further and this, combined with a Travel Plan and Car Park Management Plan, would render the proposals acceptable in terms of traffic generation and highway impacts. These measures would help influence the travel modes of future employees so that only 50% would use the private car.
7. The applicants consider that the proposals would also comprise significant investment and job creation in the district, with significant landscape and visual gain to accrue from the redevelopment proposals.
8. Overall, despite the objections raised, and having regard in particular to the location, accessibility and sustainability credentials of the site, it is considered that the principle of the development and redevelopment proposals for the site are acceptable, including their size, scale and amount. Likewise, the proposed new primary vehicular access from the A1301 to serve the site is considered to be acceptable.
9. The site is considered to comprise a sustainable and accessible location, located in Pampisford Parish but in close proximity to and contiguous with the more sustainable Rural Settlement of Sawston. The proposals are anticipated to have a number of significant, positive and valuable economic, social and environmental sustainability

outcomes, including investment in the district, employment creation and landscape character and visual amenity planning gains.

10. Conditions are recommended to manage and control key elements of the development, notably drainage and measures to prevent contamination of the source protection zone. A legal agreement is considered necessary to deliver the Travel Plan, Car Management Plan and off-site cycle and pedestrian crossing facilities considered necessary to render the proposals acceptable in planning terms, in the interests of delivering a truly sustainable development.

### **Site and Surroundings**

11. The application site comprises 3.09 hectares of mostly level land, although the western part is slightly lower. It occupies a wedge of land between the A1301 and London Road at the western end of Pampisford. It comprises Sawston Trade Park and two parcels of adjacent vacant land. The site also includes a small area of brownfield land to the west of the A1301 and a corresponding area to the east of the A1301, which were once occupied by a petrol filling station.
12. The applicant's land ownership includes the existing Iconix buildings to the south. These buildings have recently been refurbished, are fit for purposes and therefore have been excluded from the application proposals. The Iconix site comprises three tall, two-storey buildings with pitched roofs suitable for research and development and office functions. The applicants have invested heavily in the refurbishment of the Iconix site. The buildings are now fully occupied by five different organisations.
13. To the south of the Iconix site is a small two storey building, most recently used as a veterinary surgery. 500M to the south of this is a roundabout, which marks the intersection of the A1301 and A505, which in turn leads to the M11.
14. Immediately to the north of the application site is a long three storey building of the Eastern Counties Leather Company with a large chimney at its eastern end and a long, open sided storage barn. Beyond that there are a number of large scale industrial / commercial buildings and some parcels of vacant land before the start of the residential part of Sawston.
15. On both sides of the site beyond London Road and the A505 there is agricultural land. To the west the River Cam runs roughly parallel with the A1301.
16. To the east and west of the site, beyond London Road and the A1301 respectively, lies the defined Cambridge Green Belt.
17. The applicants, Howard Group, have owned Sawston Trade Park since 2009. The park comprises single storey sheds with pitched roofs, currently occupied by a range of industrial users with some trade / quasi retail uses in the units fronting London Road. The existing units date back to the 1970s/80s, they have extensive metal and asbestos cladding, deteriorating roofs, high maintenance requirements and no longer meet modern business requirements.
18. On the northern side of the Trade Park there is a more modern and substantial warehouse building with profiled metal cladding, considered by the applicant to be of sound condition and worthy of retention. It is more than 6m in height and its western part is used as a two storey office.
19. The applicants also purchased two parcels of land to the south and west of Sawston

Trade Park in 2013. Both of these sites have been granted planning permission for employment development, although not implemented. These two parcels of land are currently used for car parking and storage.

20. The majority of the site application site is located within the defined framework of Pampisford, as defined on Inset No.82 (Map 1 of 2) of the South Cambridgeshire Adopted Proposals Map, January 2010.
21. Notwithstanding the fact that the site is located within the framework for Pampisford, the site does comprise a well-established and developed employment allocation. Except for a small area of the site to the west adjacent to the A1301, the site is already developed as an employment estate. Furthermore, this wider developed employment site is physically contiguous with the southern edge of the framework for Sawston, as defined by Inset No. 86 (Map 4 of 4) of the South Cambridgeshire Adopted Proposals Map, January 2010.
22. Part of the site on its western side adjacent to the A1301 comprises an 'Employment Commitment' as defined by Special Policy SP/12 (B) of the South Cambridgeshire Local Development Framework Site Specific Policies Development Plan Document 2010. Policy SP/12 (b) states that 1.9 ha of land are allocated for Class B1 Employment Uses, to include offices, research and development and light industry.
23. A small part of the site to the far west, adjacent to the A1301, is located in Flood Zone 2 in the vicinity of an existing drain.

### **Proposals**

24. This is a hybrid outline / full planning application for comprehensive redevelopment of the Sawston Trade Park and surrounding vacant land to create a new business park comprising: -
  - (a) An outline planning application for new business park (Use Class B1) with ancillary hub building (Use Classes B1/A3/D1/D2) and associated car parking and landscaping, with all matters reserved except for access, and
  - (b) A full planning application for refurbishment / repurposing of unit H, its associated (temporary) car parking and internal road / infrastructure.

### Outline Application – Masterplan and Access

25. The outline application masterplan is for a new business park (Use Class B1) with ancillary hub building (Use Classes B1/A3/D1/D2) and associated car parking and landscaping, with all matters reserved except for access. The proposals seek to deliver a high quality business park within a campus environment.
26. The Layout, Scale, Appearance and Landscaping of the majority of the site and proposed buildings are currently reserved, giving flexibility for subsequent reserved matters applications to respond to specific occupier requirements.
27. The proposals are to increase the gross internal floor area on the park by 11,397 sqm to 19,883 sqm. 703 car parking spaces are proposed, (including disabled car parking) and 670 cycle spaces. 616 of the total 703 car parking spaces are to be accommodated on four levels of a new purpose built decked car park building located to the north west of the site.

28. The proposals comprise 7 new buildings, which include 5 Office / Research and Development Buildings, a Hub Building and the Decked Car Park. An eighth building (Unit H) is to be refurbished.
29. The buildings will generally be three storey, allowing either three occupied storeys of offices, or in the case of highly serviced laboratories, two occupied levels with one level of plant above.
30. The heights of the tallest existing buildings on the site are 7m for unit H and 6.3m for unit 13. The estimated height of the nearby tannery building is 11m, with the chimney much taller. The Iconix buildings are up to 10m.
31. The previously approved scheme on the two vacant parcels of land within the current application site had building heights of 11m.
32. The proposed maximum heights for the new buildings are 14m to the top of parapet, with some roof plant extending to 16m (set back from the parapet). The top level of the decked car park is to be uncovered. The decked car park height will be 13.5m to the parapet.
33. Access is to be formally determined at this stage, and is to comprise a new access from the A1301. Accesses will be retained from London Road, albeit restricted primarily to pedestrians and cyclists.
34. The applicants envisage a largely car free environment, with the internal roads in the middle of the site surfaced differently to the principal site access and intended largely for pedestrians and cyclists.
35. The indicative masterplan shows a central green square, boundary and within site landscaping and small pockets of cycle and disabled parking and links through to the neighbouring Iconix site.
36. The outline application proposals include a new surface water detention basin to serve the whole site. The exact size and location are subject to detailed design.
37. The applicants intend to build out and rent the proposed development themselves. The development is expected to come forward in phases, with the new access from the A1301 and the full application proposals likely to be developed out as phase one.
38. The intention of the hybrid application is to give flexibility for subsequent reserved matters applications to respond to specific occupier requirements, but allow access to and the refurbishment / repurposing of Unit H to be considered in detail now.

#### Full Planning - Unit H, Access and Temporary Car Park

39. Proposed Unit H is to comprise a building of 6686sqm GIA (with a new full first floor), with new and enhanced facades and entrances, to provide office and research and development space within a refurbished and re-purposed shell. All elevations are to be re-clad with glazed windows and roof lights.
40. Unit H will be served with a new temporary car park, comprising 235 car parking spaces, 12 disabled spaces and 235 cycle parking spaces. The building will be accessed from the new A1301 access road.
41. The maximum proposed height of Unit H is to be 6.45m to ridge and 10.0m to the top

of the roof plant.

### **Planning History**

42. PRE/0047/17 - Comprehensive redevelopment of the Sawston Trade Park and surrounding vacant land for new business park (B1) to be known as Sawston Campus, offering accommodation to a wide range of occupiers including businesses forming part of, and supporting the South Cambridge Bio Pharma cluster and other R&D/life science based businesses. Answered 27 April 2017.
43. S/1377/05/F - Erection of Building (Class B1) Together with New and Reconfigured Car Parking and Landscaping. Approved 11 October 2005.
44. S/1060/07/F - 2 B1 (Business) Units, New Access, Reconfigured Car Park and Ancillary Infrastructure. Approved 6 September 2007.
45. S/1061/07/O - B1 (Business) Development. Approved 6 September 2007.
46. S/1362/10/F - Erection of Two Business Units (Class B1), Access, Revised Parking and Associated Infrastructure: Phase 2 (Extension of Time of Planning Permission S/1060/07/F). Approved 15 September 2011.
47. S/1363/10/O - B1 (Business) development- Phase 3 (Extension of time of planning permission S/1061/07/O). Approved 15 September 2011.

### **Planning Policy**

The following policies are considered relevant to this application.

48. **National Planning Policy Framework 2012 (NPPF)**  
Section 1 Building a Strong Competitive Economy  
Section 3 Supporting a Prosperous Rural Economy  
Section 4 Promoting Sustainable Transport  
Section 7 Requiring Good Design  
Section 10 Meeting the Challenge of Climate Change, Flooding and Coastal Change  
Section 11 Conserving and Enhancing the Natural Environment
49. **South Cambridgeshire LDF Core Strategy DPD, 2007**  
ST/3 Re-Using Previously Developed Land and Buildings  
ST/4 Rural Centres - Sawston  
ST/7 Infill Villages – Pampisford  
ST/8 Employment Provision
50. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/6 Construction Methods  
DP/7 Development Frameworks  
GB/3 Mitigating the Impact of Development Adjoining the Green Belt  
ET/1 Limitations on the Occupancy of New Premises in South Cambridgeshire  
ET/2 Promotion of Clusters

ET/4 New Employment Development in Villages  
 ET/5 Development for the Expansion of Firms  
 NE/1 Energy Efficiency  
 NE/3 Renewable Energy Technologies in New Developments  
 NE/4 Landscape Character Areas  
 NE/6 Biodiversity  
 NE/7 Sites of Biodiversity or Geological Importance  
 NE/8 Groundwater  
 NE/9 Water and Drainage Infrastructure  
 NE/11 Flood Risk  
 NE/12 Water Conservation  
 NE/14 Lighting Proposals  
 NE/15 Noise Pollution  
 NE/16 Emissions  
 CH/1 Historic Landscapes  
 CH/2 Archaeological Sites  
 TR/1 Planning For More Sustainable Travel  
 TR/2 Car and Cycle Parking Standards  
 TR/3 Mitigating Travel Impact

**51. South Cambridgeshire Local Development Framework Site Specific Policies Development Plan Document 2010**

SP/12 (b) – Allocations for Class B1 Employment Uses – 1.9 ha.

**52. South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

Biodiversity SPD - Adopted July 2009  
 Trees & Development Sites SPD - Adopted January 2009  
 Landscape in New Developments SPD - Adopted March 2010  
 Health Impact Assessment – Adopted March 2011  
 Cambridge Flood and water – Adopted November 2016

**53. South Cambridgeshire Local Plan Submission - March 2014**

S/1 Vision  
 S/2 Objectives of the Local Plan  
 S/3 Presumption in Favour of Sustainable Development  
 S/5 Provision of New Jobs and Homes  
 S/6 The Development Strategy to 2031  
 S/7 Development Frameworks  
 S/8 Rural Centres – Sawston  
 S/11 Infill Villages  
 CC/1 Mitigation and Adaptation to Climate Change  
 CC/3 Renewable and Low Carbon Energy in New Developments  
 CC/4 Sustainable Design and Construction  
 CC/6 Construction Methods  
 CC/7 Water Quality  
 CC/8 Sustainable Drainage Systems  
 CC/9 Managing Flood Risk  
 HQ/1 Design Principles  
 NH/2 Protecting and Enhancing Landscape Character  
 NH/4 Biodiversity  
 NH/8 Mitigating the Impact of Development in and Adjoining the Green Belt  
 E/3 (b) Allocations for Class B1 Employment Uses – Pampisford: West of Eastern Counties Leather, London Road (residue) (1.9 ha).

E/9 Promotion of Clusters  
 E/10 Shared Social Spaces in Employment Areas  
 E/12 New Employment Development in Villages  
 E/13 New Employment Development on the Edges of Villages  
 E/16 Expansion of Existing Businesses in the Countryside  
 SC/2 Health Impact Assessment  
 SC/10 Lighting Proposals  
 SC/11 Noise Pollution  
 SC/12 Contaminated Land  
 SC/13 Air Quality  
 SC/15 Odour and other Fugitive Emissions to Air  
 TI/2 Planning for Sustainable Travel  
 TI/3 Parking Provision  
 TI/8 Infrastructure and New Developments

### Consultation

54. **Sawston Parish Council** - Support subject to a lighting design condition to minimise light pollution, due to concerns about lighting of the car park.

The cycleway to Whittlesford Station and the section of cycleway at the triangular piece of land at the end of Pampisford should be improved and enhanced.

55. **Pampisford Parish Council** - Support the application subject to concerns regarding :

- The lack of a report from Cambridgeshire County Council Highways department concerning the entrance to the site from the A1301 and safety implications
- Concerns regarding the Travel Plan and how people would be encouraged to use more sustainable transport methods rather than the car.
- Would expect a clearer and more detailed explanation of such improvements.
- Concern about traffic increases and the consequences on the A505/A1301
- There should be no vehicular access permitted other than in emergencies from London Road, with the entrances controlled with rising posts or other unobtrusive access control measures.
- 670 spaces have been allocated for the 1,400 possible employees, stringent efforts must be made to prevent further parking around the site and on London Road
- That the layout is acceptable however 3 storey buildings could lead to over development and a prospect of an increase in employee numbers which would have direct impacts on traffic and the local environment.
- That 3 storeys is too high [up to 16 metres] and would not be in keeping with the locality and other buildings nearby. A 2 storey building would be more consistent with the local environment.
- Effect on listed Building and Conservation Areas - No link has been made with upgrading of building H with the Eastern Counties building to the north of it, though the proposed cladding is an improvement on its current appearance.
- Steps should be taken and monitored throughout the development phase to ensure



that existing trees and associated wild life are not damaged. Efforts should be made to control light pollution with lights turned off at night and carpark lighting directed downwards. It is essential that existing mature trees are protected during building and that all possible efforts are made not to damage any existing bat roosts.

- The name "Sawston Campus" is disliked by locals and felt to be completely inappropriate as the site is in Pampisford. It is noted that "ICONIX" appears in the mock up for unit H.

56. No further comments were received to the amended transport information consulted on 27 November 2017.

57. **Hinxton Parish Council** - Objections. The proposal has substantial implications for Hinxton.

- The scale of development is not acceptable. The site is not large enough for more than 1400 employees.

- The proposed allocation of 670 parking spaces is unrealistic. It is highly unlikely that 50% of employees would regularly commute on foot, cycle or use public transport.

- Three storey buildings are wholly inappropriate for the landscape and will gratuitously degrade the rural environment.

- There will be severe traffic implications for the A1301, A505 and junctions with the M11, particularly so without major highway improvements.

- Although we support in principle an attractively and functionally well-designed redevelopment of the site, the proposed development is too large and too dense.

58. No further comments were received to the amended transport information consulted on 27 November 2017

59. **Ickleton Parish Council** - Objections. The principle of redeveloping the brownfield site is not contested but the size of development proposed is not acceptable. 1420 additional employees is too large for the site and location. The heights of the buildings is out of proportion to anything nearby., particularly 3 storey buildings immediately alongside the a1301. The buildings should be lower and set back if the intended landscaping is to be effective. If three storeys are essential then the developer should consider sinking buildings below existing ground level to reduce their impacts.

This area is predominantly rural in character, which should be protected. The multi-storey car park is completely out of place. The building would need to consist of four covered decks to accommodate 670 spaces. Consideration should be given to putting at least two floors below ground levels.

This is a larger major application but there is no mention in the Transport Assessment to the Wellcome Genome Campus Vision and its likely traffic impacts. Also, there is no recognition of planned housing growth at Uttlesford and its combined traffic effects. Concerns about cumulative traffic impacts with existing and future developments.

There is nothing in the application which will reduce single car occupancy car journeys or achieve the 50% suggested by the applicant. Concerns about lack of parking provision, leading to massive on street parking problems. The developer should look at what the Wellcome Genome Campus has done to reduce card dependency and

usage.

Impact on traffic flows is massively understated and in the absence of undertakings to fund highway improvements the proposals are not acceptable.

The proposed right hand turn into the site for northbound traffic would lead to queuing.

Increased southbound traffic from the site at peak times would add to congestion at the A1301 / A505 roundabout and the poorly configured and dangerous junction of London Road and the A1301.

There should be a commitment to funding the installation of cycle ramps on the footbridge at Whittlesford Parkway.

There should be a firm commitment to fund a safe crossing point on the A1301 for cyclists and pedestrians, to cater for increased movements to and from the application site and Whittlesford railway station. A reduction of the speed limit to 50mph or even 40mph on the A1301 should also be funded.

60. No further comments were received to the amended transport information consulted on 27 November 2017
61. **Whittlesford Parish Council** - Objection. Supports the redevelopment of the site but have major concerns with traffic entering and leaving via a new entrance on the A1301.
62. No further comments were received to the amended transport information consulted on 27 November 2017

63. **Cambridge County Council Transport Assessment Team** raises no objections subject to safeguarding conditions and a range of mitigation measures which need to be secured via S106 Agreement.

#### Existing Local Transport Network

There is a footway on London Road between Sawston and the A505 albeit narrow in places. The footway link along the A505 to Whittlesford railway station is also narrow in places, and is unsuitable for shared walking and cycling. Cambridgeshire County Council consider the route between the site and Whittlesford station should be of a high standard to cater for increased demand from employees and visitors to the site.

The railway station is approximately 1 mile away and there is an opportunity with the travel plan to seek to increase the mode share of rail journeys to this site.

There are cycle routes along shared footways to Babraham, Hinxton and to Shelford and Cambridge to the north.

Bus stops for several bus routes are adjacent to the site, with hourly service to Saffron Walden and Duxford. To make use of the highest frequency service to and from Cambridge passengers will need to use the bus stops near to Park Road.

#### Parking

The provision of one car parking space per 30sqm allowing for 670 parking spaces in the opinion of the Highway Authority has the potential to place more pressure on the surrounding highway network than a lower provision of parking, which could still cater for the needs of the site. The provision of one space per 30sqm seems excessive given the range of opportunities for non-car travel in the area, and particularly the nearby Whittlesford Railway Station, Citi 7 bus service to Cambridge, and the proximity to cycle routes connecting to the wider area. The existing policy states that:

‘opportunities for reduced levels of parking will be explored in locations close to transport interchanges (including bus stops) facilities and services’.

SCDC are the authority with regard to the parking standards. Accordingly, CCC recommend to SCDC that the applicant reduces the proposed level of parking.

CCC remains concerned that the proposed level of parking represents an over-provision and takes the view that, in addition to ‘demand-side’ travel plan measures, the most effective way to ensure that the single car driver mode share to the site meets targets is by providing a level of car parking commensurate with the travel plan targets as an integral Travel Plan measure, thereby addressing the supply of parking spaces.

Should approval be given, both a specific Travel Plan for this site and a Car Park Management Plan should be secured through S106, both to be submitted and agreed with the County Council prior to occupation. Both the Car Park Management Plan and the Travel Plan should be integrated and the spaces allocated to car drivers to fulfil the Travel Plan targets.

The Travel Plan targets and the amount of car driver parking spaces provided in the car park should match in order to restrain the supply of parking for single occupancy car drivers, whilst allowing a greater provision of shared spaces.

The applicant should base the travel Plan targets on large similar sites nearby, such as Granta Park and Babraham Institute, which have car driver mode shares of 62% and 50% respectively. The higher application site target of 68% does not reflect the wider area.

The emerging Local Plan standards call for a design led approach to parking. In particular, Policy TI/3 states that parking provision should take account of the availability of public transport. With the Whittlesford Station nearby this should ideally be taken into consideration. Future employees may be able to commute by rail to the site allowing for a reduced provision of car parking in the future.

Following submission of additional information the County Transport Assessment Team have confirmed that the Forecast Trip Generation and Distribution figures are acceptable, the junction modelling is sufficient and the traffic impact can be mitigated. The development is expected to increase pedestrian and cycle flows between the site and Whittlesford Parkway railway station, Cambridge and the surrounding area, as well as an increase in traffic on the already congested A505. Having reviewed the relative impacts of the development on the surrounding area and the A505 corridor the following mitigation package is considered to be essential to mitigate development and therefore should consent be given the following measures must be secured by a planning condition / S106.

- Widen the footway between the site and the A505;
- Widen the footway between Whittlesford railway station and A1301 along the A505;
- Install bus stop shelters at the bus stops on London Road near to Park Road;
- Improve the capacity of the A1301 northern arm of the A505 roundabout;
- Travel Plan as a condition;
- Car Park Management plan as a condition;
- Travel Plan Performance and Evaluation fee.

The following conditions and S106 Obligations are requested:

**Conditions:**

That provisions be made prior to occupation to widen the footway in place of the grass verge to allow mixed walking and cycling between the site entrance and the A505 roundabout along London Road and the A1301 to a width of 2.0m. This will encourage employees to cycle between the site and Whittlesford Railway Station. The details of this should be agreed with the Local Planning Authority in consultation with the Local Highway Authority. This should be secured via a condition with the works implemented by the applicant prior to occupation. These works have been agreed in principal in the drawing SBSAWSTON.1/12;

That provisions be made prior to occupation for the improvement to the existing bus stops on London Road in the vicinity of Park Road Sawston to be agreed with The LPA in consultation with CCC Highways. Bus stop shelters type should be agreed with CCC and directly implemented by the applicant at the northbound and southbound stops. This should be secured via a condition that the shelters are implemented by the applicant prior to occupation.

Should approval be given a Travel Plan should be secured through a condition. This should be agreed with the LPA prior to occupation.

Should approval be given a Car Park Management Plan should be secured through a condition. This should be agreed with the LPA prior to occupation.

**S106 Obligations:**

- The sum of £7,000 per bus stop shelter for future maintenance by the Parish Council to be secured;

- That provisions be made to widen the footway along the A505 in place of the grass verge to allow mixed walking and cycling between Station Road East and the A505 roundabout to a width of 2.0m. This will encourage employees to cycle between the site and Whittlesford Railway Station. The details of this should be agreed with the Local Planning Authority in consultation with Local Highway Authority. The trigger for implementation by the applicant prior to the occupation of > 14,000sqm of floor area;

- That provisions be made for the improvement to the A1301 north arm of the A505 roundabout is agreed with the Local Highway Authority to increase capacity of this arm to mitigate the highway impact in the PM peak. As agreed in principal in drawing SBSAWSTON.1/13.

A S106 agreement should be secured detailing that the improvements are either (a) implemented by the applicant prior to the occupation of > 14,000sqm of floor area, **or** (b) If requested by CCC, that an equivalent financial contribution will be provided to CCC to deliver capacity improvements as part of a wider scheme on the roundabout.

- The County Council require a Travel Plan performance and evaluation Fee of £900 per year for five years.

64. **Cambridgeshire County Council Local Highway Authority** – No objections.

65. Following the submission of information by the applicant titled 'Further Information issued Part 1' the Local Highways Reasons for refusal have now been overcome.

Please add a condition to any permission that the Planning Authority is proposal requiring that the proposed access be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Reason: for the safe and effective operation of the highway

Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that the proposed access be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety

The Highway Authority can confirm that they will not be adopting any part of this development. Please condition that the developer deposit a letter and drawing showing the site with the Local Planning Authority confirming that this site will not be presented for adoption now or at any time in the future.

No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:

- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
- (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
- (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).
- (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Reason: in the interests of highway safety

In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

66. **Environment Agency** - No objections in principle, subject to conditions and informatives.

#### Flood Risk

All built areas will be located within Flood Zone 1, therefore we have no objection on flood risk grounds.

#### Surface Water

The Lead Local Flood Authority is the statutory consultee on surface water drainage issues.

#### Groundwater Source Protection Zone and Contaminated Land

The site is located above a Principal and Secondary A Aquifer, Source Protection Zone (SPZ3), Cam and Ely Ouse Chalk groundwater body, WFD drinking water protected area and is adjacent to a surface water course. In addition a number of licensed groundwater abstractions are located in the vicinity of the site. The previous land uses, which include landfill, tannery settling tanks, a petrol station and miscellaneous commercial / industrial uses to be potentially contaminative. The site is considered to be of high sensitivity and could present potential pollutant / contaminant linkages to controlled waters.

Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They support water supply and river base flow on a strategic scale. Secondary A aquifers are permeable geological strata capable of

supporting water supplies at a local rather than strategic scale, and form an important source of base flow to rivers, wetlands and lakes and private water supplies in rural areas. The overlying soils at the site are classified as having a high leaching potential, meaning they can readily transmit a wide variety of pollutants to the groundwater.

The site is located in a groundwater source protection zone (SPZ), namely SPZ3 (Total Catchment). This means the site lies within the catchment of a groundwater abstraction used for public water supply. The site is therefore vulnerable to pollution as contaminants entering the groundwater at the site may contaminate the protected water supply. The regional use of groundwater in this area makes the site highly vulnerable to pollution.

Conditions are recommended with respect to a remediation strategy for contamination, a scheme for surface water disposal, piling and foundation designs, foul water disposal, and a scheme to treat and remove suspended solids from surface water run-off during construction.

67. **Cambridgeshire County Council – Lead Local Flood Authority** - No objection in principle.

The applicant has demonstrated that surface water can be dealt with on site using offline detention basin(s) and an offline underground storage cell system, with permeable paving to the east of the site for water quality purposes and to provide a delay in the peak flow entering the systems.

A small part of the site is located within the 1% and 0.1% chance of flood risk per year area from Surface Water, according to the latest Environment Agency published mapping. The Local Flood Authority is supportive of the use of SuDS features to prevent the increased risk of flooding, and to improve and protect water quality and improve habitat and amenity in a brownfield site.

Conditions are recommended to secure the submission and agreement of detailed surface water drainage and maintenance schemes for the site.

An informative is advised with respect to the Awarded Watercourse drain on the site, for which South Cambridgeshire District Council has a 5 metre byelaw strip for maintenance. Any works to the drain will require prior written consent from the Lead Local Flood Authority.

68. **Sustainable Urban Drainage Systems (SuDS) Engineer** - It would be acceptable to restrict the flow to the Q1 brownfield run-off rate if the existing system is surveyed and the existing pipe size and subsequent flow capacity is used to calculate the allowable discharge rates.

69. **Anglian Water** - The foul drainage from the development is in the catchment of Sawston Water Recycling Centre that will have available capacity for these flows. The sewage system at present has available capacity for these flows via a gravity connection to manhole 9101 in London Road.

Informatives are advised with respect to requirement to apply for consent to discharge trade effluent, installation of oil / petrol interceptors, and installation of fat traps on any catering establishments.

70. **Environmental Health, Noise, Vibration and Dust** - No objections subject to conditions to control hours of construction and deliveries, piling, measures to minimise

the spread of airborne dust, construction programme, noise assessments and insulation.

71. **Environmental Health, Air Quality** - No objections subject to conditions in relation to electric vehicle charging, boilers and combined heat and power.
72. **Environmental Health, Lighting** - No objections subject to a condition to secure submission and approval of a lighting scheme for the site.
73. **Environmental Health, Health Impact** – No comments received
74. **Environmental Health, Waste Management** - No objection subject to a condition to secure submission and approval of a waste management and minimisation strategy for each phase of the development.
75. **Environmental Health, Contaminated Land** - The site currently has an industrial / commercial use, including a petrol filling station, and is within an area known to have extensive historical groundwater contamination. The potential for contamination at the site is therefore relatively high. Further site investigations should be undertaken, which can be secured by way of planning conditions.
76. **Landscape Officer** - No objections in principle. The overall layout should be integrated with the adjacent Iconix Park, to include cycle and pedestrian linkages and green infrastructure.

Internal roads should be designed to be pedestrian friendly.

Unit B and the Decked Car Park should be set further away from the A1301.

Sympathetic treatment of external areas required to be in keeping with local characteristics.

No objections to the proposed refurbishment of Unit H and its associated (initial car park) and internal road / infrastructure.

77. **Urban Design Officer** – Supports.

Comments have been provided at pre-application stage and the proposal have been reviewed by the Design Enabling Panel who were generally supportive of the scheme.

The application represents a substantial improvement to the existing buildings and public realm on the site.

The proposals represent an increase in scale and floor space, but this is considered acceptable.

The main concern relates to the scale and design of the carpark which is very close to the boundary, and which limits the space for any landscaped screening to be effective.

An appropriate condition limiting overall floor area and maximum building height could be one way to ensure this is limited to an appropriate level, and the detailed design can be more rigorously considered at the reserved matters stage.



78. **Ecology Officer** - Clarifications have been satisfactorily provided to the Council's ecologist in relation to proposed tree works in the interests of the protection of potential bat roosts. No objections subject to conditions to secure ecological protection and biodiversity enhancement.
79. **Trees Officer** - No objections subject to a condition to secure submission and approval of tree protection measures.
80. **Natural England** - No objection subject to appropriate mitigation.

Further information is required at the planning condition stage to demonstrate no adverse impact to controlled waters, including water dependent statutorily designated sites such as Sawston Hall Meadows Sites of Special Scientific Interest (SSSI's).

Confirmation should be provided, through the additional information requested by the Environment Agency, that the proposal will not pose any risk of contamination to ground or surface waters likely to supply the SSSI or other designated sites.

Natural England would wish to be formally consulted on information submitted by the applicant to address the relevant planning conditions.

Opportunities for biodiversity enhancement should be considered.

81. **Cambridgeshire County Council , Archaeology** - No objections and no conditions or requirements.
82. **Highways England** - No objection.
83. **Sustainability Officer** – No comments received.
84. **The Ickleton Society** - Objections.

The number of employees is to increase from 60 to 1480 but only 670 car parking spaces are to be provided. It is claimed that the balance of employees and visitors will walk, cycle, car share or use public transport. As the development is aiming to attract high tech businesses, we think most employees are likely to travel some distance to work. Even with cycle route improvements, the distance from Whittlesford Parkway will be off putting for walkers and for both walkers and cyclists in bad weather. There are no cycle ramps on the footbridge at the station and crossing the A1301 where the speed limit is 60mph on either foot or cycle is dangerous, particularly at peak times.

We do not accept that the amount of traffic to be generated by this development will have minimal impact on the A1301 and A505. The Pampisford roundabout and the stretch of the A505 to the M11 are already above capacity at peak times with traffic queuing back as far as the M11 and even on the M11 at times.

The site is described as being in an urban area. This is so when viewed from London Road but not so from the Sawston bypass which is predominantly a rural landscape. The height and size of the proposed buildings will have a severe intrusion into this rural landscape as well as being out of keeping with adjacent buildings such as the old tannery.

The application does not include any drawing of the exterior of the proposed multideck car park nor give its height. Judging from the number of spaces per deck

shown in the drawings it would appear to have at least 4 decks. It is also sited adjacent to the by-pass. Multideck car parks are usually ugly. We consider this proposal of this height above ground and in this rural landscape to be unacceptable.

Permission should only be considered if the development is of a much smaller scale, the buildings are lower in height, car parking is largely underground, a safe crossing is provided across the A1301 for pedestrians and cyclists, cycle ramps are provided on Whittlesford Parkway footbridge and road improvements to the A505 and the A1301 are funded.

## **Representations**

85. 4 letters of objection have been submitted. The following points of objection have been made: -

- 1400 employees and 670 cars will have negative consequences for local roads.
- The proposals will compound existing traffic problems.
- Traffic problems have not been adequately considered or addressed.
- Big visual impact in this rural landscape.
- The height, size and scale of the proposals.
- Ugly, modern and not in keeping is unacceptable.
- The height and size of the multideck car park so close to the bypass.
- Increased traffic problems on already overloaded A1301, which is already gridlocked nearly all the way up to Hinxton at peak periods.
- The decked car park will be an eye sore and will block out light.
- This will turn the Green Belt into a massive gridlock of traffic jams.
- Drainage will be affected.
- Local roads are not safe to cross for pedestrians and cyclists.
- Buildings would be crammed / shoehorned onto the site without much thought (e.g. landscaping) of reducing the visual impact of the new development.
- The proposals are too large for the site.
- Unit B and the decked car park are to be built either on or immediately adjacent to the location of setting tanks which served earlier buildings on the site which were used as a tannery. The site of these tanks and the land immediately surrounding are contamination hotspots. There is potential for the proposals to create or exacerbate problems for the adjacent Eastern Counties Leather's land to the north.

2 letters of comment have been submitted. The following comments have been made:

-

- The development should be smaller in scale.
- The buildings should be lower in height and partially underground.
- There should be safe crossings for cyclists and pedestrians.
- There should be cycle ramps at Whittlesford Parkway footbridge.
- There should be road improvements to the A505 and A1301.
- Where will all the future employees come from? They will not be local.
- How high is the decked car park going to be?
- Does this part of the district need a biotech park?
- There are other sites for this, such as the Wellcome Genome Campus.
- The proposals should be reduced significantly in size to say 400 or 500 employees and a more limited number of architecturally pleasing buildings.
- The pedestrian / bike route to the nearest train station does not have a direct

path. An improved pathway with lighting and safety considerations need to be in place.

### **Planning Assessment**

86. The key issues in relation to this application are considered to be Planning Policy and Principle, Sustainability, Scale of Development, Access, Highway Safety and Parking, Design Considerations, Residential Amenity, Landscape and Visual Amenity, Source Protection Zone Contamination, Flood Risk & Drainage, Trees and Ecology and Mitigation and Developer Contributions

### **Planning Policy and Principle**

87. Policy ST/7 of the South Cambridgeshire Core Strategy DPD 2007 classifies Pampisford as an 'Infill Village'. The supporting text to Policy ST/7 states that Infill Villages are generally amongst the smallest villages and have a poor range of services and facilities and it is often necessary for residents to travel outside the village for most of their daily needs. Infill Villages generally lack any food shops, have no primary school etc and therefore development on any scale would be unsustainable in these villages.
88. Unlike Pampisford, Policy ST/4 of the South Cambridgeshire Core Strategy DPD 2007 classifies Sawston as a 'Rural Centre'. The supporting text to Policy ST/4 states that Rural Centres are the larger more sustainable villages with good access to education, employment, shops, services and facilities and good public transport and given these positive sustainability credentials there is considered to be no strategic constraint on the amount of development or redevelopment.
89. Having regard to the location of the site within the framework of a less sustainable Infill Village and contiguous with the framework of a more sustainable Rural Centre, an important consideration of this application is to assess whether the size and scale of the development proposed is appropriate to this particular location.

### **The Campus Environment Business Park**

90. The principle of redeveloping the existing, developed employment allocation to create a Use Class B1 Business Park Campus environment, consisting of a combination of refurbished and new buildings and associated open space, hub building, new access, roads and decked car park is considered to be acceptable.
91. Although the site is located within the framework of a less sustainable Infill Village' (Pampisford), the proximity of the site to Sawston; a more sustainable 'Rural Centre' is an important and significant material consideration which enhances the accessibility and sustainability credentials of the site. As such it is considered that the location is one which is capable of supporting the amount and scale of development proposed. The location is considered to be accessible by a variety of modes of travel, including foot, cycle and public transport (rail and bus). Furthermore, the site is predominantly previously developed.
92. There is strong national planning and also adopted and emerging Local Plan support for economic investment, development, growth, wealth creation and employment generation, and in this regard it is considered that the proposals would have significant positive socio-economic and environmental sustainability outcomes, notably job retention and creation and environmental improvements.

93. The proposals are not speculative. The applicants intend to develop and manage the site, which will offer accommodation to a wide range of occupiers, including those businesses forming part of, and those businesses supporting, the South Cambridge Bio Pharma cluster and other R&D / life science based businesses.
94. Policy ST/8 of the adopted Core Strategy seeks ensure the delivery of sufficient employment land and Policy SP/12(b) of the adopted Site Specific Policies DPD allocates part of the site for Class B1 employment uses. In addition, Policy ET/2 of the adopted Development Control Policies DPD supports development proposals in suitable locations which support the development of clusters, including biotechnology and biomedical. Furthermore, planning permission has previously been granted for new employment development on the two vacant parcels of land adjacent to the existing Trade Park.
95. Therefore, despite the fact that the site is located within the framework of the infill village of Pampisford, much of the site already comprises a developed and well established employment estate, and / or a site allocated for employment, and other recent permissions for employment development have been granted on the undeveloped parts of the site. In addition, there is employment land and buildings directly to the north and south of the site, and this overall amalgamation of employment land uses is contiguous with the larger and more sustainable Policy ST/4 Rural Centre of Sawston. Set within this context it is considered that the creation of almost 20,000sqm of employment floor space in 7 buildings employing up to 1400 employees and the provision of 700 car parking spaces, principally in a decked car park building is an amount, size and scale of development which can be satisfactorily accommodated on the site, and it is considered that significant weight should be given to the economic investment and job creation benefits of this proposal and the proximity and accessibility of the site to the regional city of Cambridge.
96. The applicants own and rent out the existing employment buildings to a number of existing tenants. The loss of employment to development is a material planning consideration and it is inevitable that these will have to vacate the site and look for alternative premises. However, this loss should be balanced against the fact that the development proposals will provide significant and greater employment opportunities across all sectors and levels and the proposals are likely to provide opportunities for existing employees to transfer their skills to professions within the new development.

#### New Vehicular Access to A1301

97. The proposed new access to the A1301 is considered to be acceptable and comprises a new Priority T-Junction access into the site from the A1301 is considered to be acceptable.

#### Decked Car Park

98. The principle of a decked or multi-storey car park on the site is considered to be acceptable. The exact location, size, height and appearance are reserved at this stage but the height is expected to be 13.5m, accommodating 616 cars over 4 decks, with the top deck uncovered. The acceptability of this size and scale of building in this location is determined having regard to the context and characteristics of the site and surroundings, where there are other large and tall buildings and structures in close vicinity, including the Iconix buildings to the south and the Leather factory to the north with its tall chimney structure.
99. The decked car park building will also be seen within the context of the other

proposed large and tall buildings proposed for the site by this application. It is noted that there is undeveloped open countryside to the east, west and south, which is protected from development by virtue of being in Green Belt. However, given that the application site itself is within the framework, is outside the Green Belt and is predominantly previously developed, there is a logic to using this land effectively and efficiently.

#### Refurbishment / Re-Purposing of Unit H

100. There are no objections to the principle of improving the external appearance and changing the use of this existing building from store / warehouse to offices and laboratories.
101. Overall it is considered that the principle of the proposals are acceptable, having regard in particular to the prevailing site character and the surrounding context, the favourable location and accessibility credentials of the site, notability its accessibility by a variety of modes of transport, the previously developed nature of the site, the fact that it is already a well established employment estate and having regard to the fact that other undeveloped parts of the site are allocated for employment and / or have recent albeit unimplemented planning consents for further employment development. Whilst the proposals are undeniably large and will comprise tall buildings, the proposals will not encroach out into open countryside, and with careful consideration to detailed layout, scale, appearance and landscaping at the reserved matters stage it is considered that an appropriate development can be achieved for the site.

#### **Sustainability**

102. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.

#### **Economic**

103. The proposals will positive economic sustainability benefits in the form of significant economic investment in the district and significant employment creation, during both the demolition, construction and operational phases of the development. The creation of up to 1400 operational phase jobs should be regarded as a significant material planning consideration weighing heavily in favour of the development. The district must deliver a significant number of new homes over the Plan period, therefore the provision of local jobs for new residents is a key planning and economic strategy for the district. Many of the 1400 employees will live locally and will spend income on local services and facilities resulting in significant multiplier benefits.

#### **Social**

104. The proposals will deliver some important social sustainability benefits, not least the provision of jobs and thus regular incomes to many families and the piece of mind and wellbeing this brings.
105. Through the use of a dedicated Travel Plan and Car Park Management Plan the applicants are also committing to ensuring that up to 50% of future employees and visitors access the site by sustainable modes of travel. Walking and cycling to work will have important health and welfare benefits.
106. Conversely, there may be negative social sustainability outcomes for some residents

who do not wish to see the site developed with tall buildings in the manner proposed and who are concerned about the social consequences of increased traffic on local roads.

### **Environmental**

107. The proposals will have positive environmental sustainability benefits in terms of improving the landscape and visual amenity of the existing site, which contains a number of tired old buildings with high maintenance requirements and adjacent land used for ad hoc storage and parking. This will be replaced by a high quality university campus style environment, comprising a landscaped environment to work, learn and interact. The re-use of previously developed land is an important national and local planning policy objective. The proposals also include comprehensive green planting and a surface water detention basin, which along with other biodiversity enhancement proposals have the capacity to result in biodiversity gain for the site.
108. Set against these positive outcomes it is acknowledged that the proposals have the potential to create some negative environmental sustainability outcomes, such as increases in traffic, traffic jams and the introduction of several large buildings in what a number of Parish Councils and local residents consider to be a rural area. The compatibility of the proposals with their context and the potential for significant increases in car borne traffic must therefore be given careful consideration and balanced against the stated positive economic outcomes.
109. Furthermore, the site abuts the designated Green Belt and the underground aquifer is also a source protection zone (SPZ) for regional strategic drinking water and base flow for the River Cam and its associated Sites of Special Scientific Interest. It is therefore essential for the potential contaminative impacts of the development proposals in relation to the aquifer, SPZ and SSSI to be carefully managed and controlled. Likewise, development abutting the Green Belt needs to be appropriately mitigated.

### **Scale of Development**

110. The scale of the development is large, comprising 3.09 hectares of land, 8 buildings, almost 20,000sqm of employment floor space, 1400 employees and 700 car parking spaces, 616 contained within a 4 level decked car park. The majority of the buildings are to be of three storey scale, albeit their detailed design, scale and appearance are presently reserved. Nevertheless, buildings will have heights of 10, 13 and up to 16 metres, taking account of plant. It is inevitable that this scale of development will be visible but the landscape and visual effects of the development should be judged having regard to the prevailing site context, which is already developed with a number of large buildings, and which Members can view on site.
111. The scale is also large in terms of potential traffic generation, however mitigation measures can be used to influence travel mode patterns and practices to reduce car usage and dependency. Evidence from other similar scaled employment land uses in the district suggest that single private car mode can be limited to 50-65% through robust Travel Plans and Car Park Management Plans.

### **Access, Highway Safety and Parking**

112. The application is supported by a Transport Statement and additional Highways Technical Notes.

- 113. Access from London Road will be maintained, however this will principally be for cyclists and pedestrians, with controls to be built into the internal site layout (currently reserved) to prevent movement through.
- 114. The proposals also include off-site highway improvements, comprising a new / improved footpath / cycleway along the western side of London Road connecting to the A1301 to the south.
- 115. The Local Highways Authority has no objections subject to conditions regarding falls, levels and construction methods for the proposed new access and submission and approval of a traffic management plan.
- 116. The Transport Assessment Team has reviewed the latest supporting data and is now satisfied that the scheme is acceptable subject to safeguarding conditions and a legal agreement is necessary to secure implementation of a robust Travel Plan and Car Park Management Plan to influence and control travel mode patterns to and from the site as well as improvements to the local network, including footpaths and cycleways.

#### Car Parking

- 117. The application proposes the provision of 703 car parking spaces, (including disabled car parking) and 670 cycle spaces. 616 of the total 703 car parking spaces are to be accommodated on four levels of a new purpose built decked car park building located to the north west of the site. The full planning application proposal for the refurbishment and re-purposing of Unit H includes a temporary car park of 235 car parking spaces, 12 disabled spaces and 235 cycle parking spaces. The building will be accessed from the new A1301 access road.
- 118. The provision of one car parking space per 30sqm allowing for 703 parking spaces in the opinion of the Highway Authority has the potential to place more pressure on the surrounding highway network than a lower provision of parking, which could still cater for the needs of the site. The provision of one space per 30sqm seems excessive given the range of opportunities for non-car travel in the area, and particularly the nearby Whittlesford Railway Station, Citi 7 bus service to Cambridge, and the proximity to cycle routes connecting to the wider area. The existing policy states that:
 

‘opportunities for reduced levels of parking will be explored in locations close to transport interchanges (including bus stops) facilities and services’.
- 119. South Cambridgeshire District Council are the authority with regard to the parking standards. Accordingly, Cambridgeshire County Council recommends to SCDC that the applicant reduces the proposed level of parking. This is accepted by SCDC Officers.
- 120. Cambridgeshire County Council remains concerned that the proposed level of parking represents an over-provision and takes the view that, in addition to ‘demand-side’ travel plan measures, the most effective way to ensure that the single car driver mode share to the site meets targets is by providing a level of car parking commensurate with the travel plan targets as an integral Travel Plan measure, thereby addressing the supply of parking spaces.
- 121. Should approval be given, both a specific Travel Plan for this site and a Car Park Management Plan should be secured through S106, both to be submitted and agreed with the County Council prior to occupation which seeks to reduce the level of parking.

Both the Car Park Management Plan and the Travel Plan should be integrated and the spaces allocated to car drivers to fulfil the Travel Plan targets.

122. There are no objections to the application as far as the Highways Agency is concerned.

### **Design Considerations**

123. Section 7 of the National Framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, paragraph 58 of the NPPF states that developments should, amongst other things, add to the overall quality of the area, establish a strong sense of place, respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation, and be visually attractive with appropriate landscaping. These aspirations are echoed in policies DP/2 and HQ/1 of the adopted and emerging Local Plans respectively and the District Design Guide.
124. The layout, scale, appearance and landscaping of the site are reserved, therefore assessments and decisions about the acceptability or otherwise of the detailed layout of the site, the scale and appearance of the buildings and the landscaping of the site are to be considered under separate applications. Nevertheless, the indicative masterplan plan layout confirms that it is possible to accommodate 7 buildings of up to 20,000sqm of employment floor space in a landscaped environment served from the A1301 with a central green space.
125. Notwithstanding the local concerns about the size, scale and height of the proposed buildings, which are expected to be three storeys for the offices / laboratories (10 – 16m) and 4 storeys for the decked car park (13.5m), set within the prevailing site context and surroundings of other large buildings and structures and the numerous principal transport thoroughfares in the locality, it is considered that these heights can be successfully accommodated. It will not be possible to use boundary planting to completely screen these structures, and in any case such an approach would be contrived and inappropriate. However, well designed and well considered boundary and within site planting will help to soften the landscape and visual impacts of the development.
126. The Council's Urban Design and Landscape Consultancy Teams have been formally consulted and are supportive in principle, subject to agreeing detailed layout, scale, appearance and landscaping at the reserved matters stage, particularly the location, height and detailed appearance of the decked car park, plus integration and connectivity with the Iconix site to the south and in terms of sustainability transport connections.
127. The proposals were also presented to the Design Enabling Panel at pre-applications stage where the philosophy of the creation of a campus style environment was supported, again subject to detailed consideration of the location, height and appearance of the decked car park in particular.
128. Conditions can be used to agree specific details of materials, hard and soft landscaping, boundary treatments and lighting, either within this or the subsequent reserved matters application(s). Subject to agreeing these details it is considered that the design implications of the proposals will be acceptable.



## **Residential Amenity**

129. There are no immediately adjacent residential properties to be directly affected by the proposals, therefore adverse effects on neighbour amenity are not anticipated. This view is reached having regard to the fact that the site is an existing employment estate and / or employment allocation, with other employment land directly to the north and south. The nearest residential properties are located 250-300 to the north, buffered and screened from the application site by existing employment land and buildings.
130. Conditions have been recommended by the Council's Environmental Health Department and the County Highways Authority with respect to hours of construction and deliveries, pile foundations, dust control, waste management and minimisation, lighting and a traffic management plan, electric vehicle charging, boilers and combined heat and power, to protect the amenities of the locality during the demolition, construction and operational phases of the development.

## **Landscape and Visual Amenity, Including Development Abutting Green Belt**

131. The landscape and visual amenity effects of the development proposals are considered to be acceptable, albeit, it is important to be clear that many of the detailed aspects of the development, notably layout, scale, appearance and landscaping are reserved for formal consideration under subsequent applications.
132. Judgements as to the landscape and visual amenity implications of the development should be reached having regard to the prevailing site characteristics and surrounding landscape and visual amenity context. The landscape and visual amenity envelope is one within which there are a number of immediately adjacent existing employment land uses with several large buildings and structures, including immediately north and south of the application site. Set within this established context the proposals seek to visually enhance the character and appearance of the existing old and tired buildings on the site in a significant way through the creation of a university campus style environment.
133. The concerns of a number of Parish Councils and local residents with regards to there being too much development proposed for the site, too many buildings and buildings which are too large and too high and not in keeping with the rural context are noted, however, having regard to the site characteristics and surrounding context, and taking account of other planning permissions for the development of the vacant parts of the site, it is considered that the site is one capable of satisfactorily absorbing the amount, size, scale and height of development proposed, and the current detailed proposals for the refurbishment of Unit H are equally considered to be acceptable.
134. In all therefore, it is considered that the proposals, despite being large scale and involving some large and tall buildings, would be in keeping with the character of the site and the locality. The Council's Urban Design officer is supportive of the proposals, likewise the Landscape officer, subject to detailed considerations of layout, scale, appearance and landscaping under reserved matters.
135. The application site is located outside of the Green Belt, albeit the Green Belt abuts the site to the east and west. It would be neither feasible nor appropriate to completely screen the site from view, therefore an appropriate planting scheme will be needed to blend and fuse the site with its surroundings. This will be considered at a reserved matters stage, however the submitted strategic boundary planting plans do demonstrate that there is space to accommodate appropriate soft landscaping

proposals along the key A1301 and London Road frontages. This includes a minimum width of 5 metre strategic planting belts, wider in places, and a comprehensive green gateway feature at the new A1301 entrance. The landscape and visual amenity effects of the development should also be considered in the context of other existing wider landscape planting, such as copses, woodlands and hedges lining the public highway which together with the proposed site boundary planting should soften and break up short, medium and longer views of the proposals within the immediate and wider landscape.

## **Groundwater Source Protection Zone and Contamination**

### Groundwater Source Protection Zone (SPZ)

136. The site is located in a groundwater source protection zone (SPZ), namely SPZ3 (Total Catchment). This means the site lies within the catchment of a groundwater abstraction used for public water supply. The site is therefore vulnerable to pollution as contaminants entering the groundwater at the site may contaminate the protected water supply. The regional use of groundwater in this area makes the site highly vulnerable to pollution.
137. Conditions are recommended by the Environment Agency with respect to a remediation strategy for contamination, a scheme for surface water disposal, piling and foundation designs, foul water disposal, and a scheme to treat and remove suspended soils from surface water run-off during construction.
138. Natural England has also expressed about the potential for adverse impact to controlled waters, including water dependent statutorily designated sites such as Sawston Hall Meadows Site of Special Scientific Interest (SSSI) and therefore would wish to be consulted on the discharge of condition applications recommended by the Environment Agency.

### Contamination

139. The site currently has an industrial / commercial use, including a petrol filling station, and is within an area known to have extensive historical groundwater contamination. The potential for contamination at the site is therefore relatively high. The Council's contaminated land officer has been formally consulted and has no objections subject to further intrusive ground investigations and any necessary appropriate mitigation and verification, given the contaminative historic uses of parts of the application site. A standard condition is therefore recommended.

## **Flood Risk and Drainage**

### Flood Risk

140. The vast majority of the application site, and all of the built development proposals are to be located in flood zone 1 and is therefore not at risk from flooding. The Environment Agency has no objections with respect to flood risk.

### Surface Water

141. The applicant has demonstrated that surface water can be dealt with on site using offline detention basin(s) and an offline underground storage cell system, with permeable paving to the east of the site for water quality purposes and to provide a delay in the peak flow entering the systems.

142. A small part of the site is located within the 1% and 0.1% chance of flood risk per year area from Surface Water, according to the latest Environment Agency published mapping (along the western edge of the site where there is a ditch). The Local Flood Authority is supportive of the use of Sustainable Urban Drainage Systems (SuDS) features to prevent the increased risk of flooding, and to improve and protect water quality and improve habitat and amenity in a brownfield site.
143. Conditions are recommended by the Lead Local Flood Authority and SuDS Engineer to secure the submission and agreement of detailed surface water drainage and maintenance schemes for the site.
144. An informative is advised with respect to the Awarded Watercourse drain on the site, for which South Cambridgeshire District Council has a 5 metre byelaw strip for maintenance. Any works to the drain will require prior written consent from the Lead Local Flood Authority.

#### Foul Water

145. The foul drainage from the development is in the catchment of Sawston Water Recycling Centre. Anglian Water has confirmed that this facility has available capacity for these flows. Furthermore, the sewage system has available capacity for these flows via a gravity connection to manhole 9101 in London Road.

#### **Trees and Ecology**

##### Trees

146. There are a number of trees on the site, some of which are proposed for felling, or works and others for retention. The Council's tree officer has been formally consulted and has no objections subject to approval and installation of tree protection measures through the demolition and construction phase of the development.

##### Ecology

147. The Council's Ecology Officer has been formally consulted and has no significant concerns or objections in relation to adverse effects on protected species or loss of their habitats. Conditions are recommended to secure ecological protection and biodiversity enhancement.
148. Natural England has some concerns about the potential contamination of controlled waters, including water dependent statutorily designated sites such as Sawston Hall Meadows Site of Special Scientific Interest, and would wish to be consulted on the additional information requested by the Environment Agency under planning conditions to ensure that the proposal will not pose any risk of contamination to ground or surface waters likely to supply the SSSI or other designated sites.

#### **Other Matters**

##### Archaeology

149. The County Archaeologist has been formally consulted and has no objections or requirements, given that the majority of the site is previously developed and disturbed.

### Sustainable Construction and Energy

150. The Council's Sustainability officer has been formally consulted on the applicant's submitted Energy Statement. At the time of writing no response has been received. Members will be provided with an update on this matter, however it is anticipated that energy from renewable sources can be secured by planning condition.

### Health Impact

151. The Council's Health Impact officer has been formally consulted on the applicant's submitted Health Impact Statement. At the time of writing no response has been received. Members will be provided with an update on this matter.

### **Mitigation and Developer Contributions**

152. The County Highway Authority Transport Assessment Team has outlined that a legal agreement should be sought to secure the delivery of a robust Travel Plan and Car Park Management Plan, to influence and secure reduced reliance on the private car and the use of more sustainable modes of travel.
153. The sum of £7,000 per bus stop shelter for future maintenance by Sawston Parish Council to be secured;
154. That provisions be made to widen the footway along the A505 in place of the grass verge to allow mixed walking and cycling between Station Road.

### **Conclusion**

155. The proposals are considered to comprise a sustainable form of development, and will deliver significant economic investment and job creation to the district. It is considered that significant weight should be given to these outcomes.
156. Local Parish Council and resident concerns about the amount, size, scale, and height of the proposals, their impacts on the character and amenity of the area and their impacts on the local highway network are noted, however none of these concerns are considered to be sufficient to substantiate grounds for refusal on these grounds. The detailed layout, scale and appearance of the site and buildings and the landscaping of the site will all be considered under later applications for approval of reserved matters.
157. The impacts of the proposals on a local groundwater source protection zone, ecology, trees, and residential amenity have all been carefully considered and can be managed and controlled using suitable planning conditions,
158. Having regard to national and local planning policies, it is considered that the application proposals are acceptable and therefore the recommendation is one of approval subject to the conditions set out below.
159. A legal agreement is required to secure the design and delivery of a robust Travel Plan and Car Park Management Plan.

### **Recommendation**

160. Delegated approval subject to ;
- A. Planning Obligations secured by way of a S106 Agreement or Unilateral

undertaking with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission

i) The sum of £7,000 per bus stop shelter for future maintenance by the Parish Council to be secured;

ii) That provisions be made to widen the footway along the A505 in place of the grass verge to allow mixed walking and cycling between Station Road East and the A505 roundabout to a width of 2.0m. The details of this should be agreed with the Local Planning Authority in consultation with Local Highway Authority. The trigger for implementation by the applicant prior to the occupation of > 14,000sqm of floor area;

iii) That provisions be made for the improvement to the A1301 north arm of the A505 roundabout is agreed with the Local Highway Authority to increase capacity of this arm to mitigate the highway impact in the PM peak. As agreed in principal in drawing SBSAWSTON.1/13.

A S106 agreement should be secured detailing that the improvements are either (a) implemented by the applicant prior to the occupation of > 14,000sqm of floor area, or (b) If requested by CCC, that an equivalent financial contribution will be provided to CCC to deliver capacity improvements as part of a wider scheme on the roundabout.

iv) The County Council require a Travel Plan performance and evaluation Fee of £900 per year for five years.

161. B. Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:

**Conditions applicable to the full application only:**

**1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**

(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

**2. The development hereby permitted shall be carried out in accordance with the following approved plans:**

- 718-NHA – (PL)001 – Location Plan.
- 718-NHA – (PL)005 – Existing Site Plan
- A(0)100 – Unit H – Existing Plans
- A(0)101 – Unit H – Existing Elevations.
- 718-NHA – (PL)011 – Full Application Works
- A(2)100 – Unit H – Proposed Floor Plan Level 0
- A(2)101 – Unit H – Proposed Floor Plan Level 1
- A(2)102 – Unit H – Proposed Floor Plan Roof Level
- A(2)103 – Unit H – Proposed Floor Plan Level 0 Entrances
- A(2)201 – Unit H – Proposed Building Elevations
- A(2)203 – Unit H – Proposed Typical Bay Elevations.
- 1379b-01 Rev C – Proposed East and West Boundaries and Unit H Soft

- Landscape Arrangements.
- 1379b-02 Rev C – Proposed East and West Boundaries and Unit H Soft Landscape Details
- 1379b-02 Sht.1 Rev C – Proposed East and West Boundaries and Unit H Soft Landscape Details.
- 1379b-02 Sht.2 Rev C – Proposed East and West Boundaries and Unit H Soft Landscape Details.
- 1379c-01 Rev A – East and West Boundaries and Unit H Soft Landscape Arrangements.
- 1379c-02 Rev A – East and West Boundaries and Unit H Soft Landscape Details.
- 1379c-02 Sht.1 Rev A – East and West Boundaries and Unit H Soft Landscape Details.
- 1379c-02 Sht.2 Rev A – East and West Boundaries and Unit H Soft Landscape Details.
- SBSAWSTON. 1/11 – Proposed Site Access Layout.
- SBSAWSTON. 1/12 – Proposed Footway / Cycleway Improvements.

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- 3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in the first full planning season following completion of the building or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 4. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

Conditions applicable to the outline application only:

- 5. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping with the exception of the boundary landscaping shown on drawings drawing 1379b-01 rev C; 1379b-02 rev C; 1379b-02 Sht1 rev C; 1379b-02 Sht2 rev C; 1379c-01 rev A; 1379c-02 rev A; 1379c-02 Sht1 rev A; 1379c-02 Sht2 rev A (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.**

(Reason - The application is in outline only.)

- 6. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

(Reason - The application is in outline only.)

- 7. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

(Reason - The application is in outline only.)

- 8. The development hereby permitted shall be carried out in accordance with the following approved plans:**

- **718-NHA-(PL)001 – Location Plan.**
- **718-NHA-(PL)010-00 – Indicative Masterplan**
- **SBSAWSTON. 1/11 – Proposed Site Access Layout.**
- **SBSAWSTON. 1/12 – Proposed Footway / Cycleway Improvements**

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- 9. Prior to occupation of the development, or each part of the development, a Waste Management & Minimisation Strategy (WMMS), including the completed RECAP Waste Management Design Guide Toolkit and supporting reference material, addressing the management of municipal waste generation during the occupation stage of the development shall be submitted to and approved by the local planning authority. It shall thereafter be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.**

**The Waste Management & Minimisation Strategy (WMMS) must demonstrate how waste will be managed in accordance with the requirements of the RECAP Waste Management Design Guide Supplementary Planning Supplementary Planning Document 2012 and the principles of the waste hierarchy, thereby maximising waste prevention, re-use and recycling from domestic households and commercial properties and contributing to sustainable development. The WMMS should include:**

- i. A completed RECAP Waste Management Design Guide Toolkit and supporting reference material**
- ii. A detailed Waste Audit to include anticipated waste type, source, volume, weight etc. of municipal waste generation during the occupation stage of the development**
- iii. Proposals for the management of municipal waste generated during the occupation stage of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable materials; access to storage and collection points by users and waste collection vehicles**
- iv. Arrangements for the provision, on-site storage, delivery and installation of waste containers prior to occupation of any unit**
- vi. Arrangements for the efficient and effective integration of proposals into waste and recycling collection services provided by the Waste**

**Collection Authority**

**vii. A timetable for implementing all proposals**

**viii. Provision for monitoring the implementation of all proposals**

**The approved facilities shall be provided prior to the occupation, use or opening for business of any building that will be used for residential, commercial or employment purposes and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.**

(Reason – In the interests of environmental protection).

**Conditions applicable to both the full and outline applications:**

**10. The proposed access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.**

(Reason – For the safe and effective operation of the highway).

**11. The access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.**

(Reason – In the interests of highway safety).

**12. No demolition or construction works shall commence on site until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are:**

**(i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway).**

**(ii) Contractor parking, for each phase, shall be within the curtilage of the site and not on the street.**

**(iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).**

**(iv) Control of dust, mud and debris, in relation to the functioning of the adopted public highway.**

(Reason – In the interests of highway safety).

**13. Development shall not begin until a detailed surface water drainage scheme for the site, or each part of the site, based on the agreed Flood Risk Assessment (FRA) and Drainage Strategy prepared by Canham Consulting (ref:203052-353-P4) dated 8 August 2017, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development, or each part of the development, is completed. The comments of no objection in principle to this proposed development is conditional upon the accurate representation of the existing drainage system in the submitted FRA. Upon excavation of the site, the discharge of existing outfalls for pipe numbers S3.003 and S5.000 into S3.004 must be confirmed with the LLFA with photographic evidence. Should these outfalls not discharge into S3.004 as outlined in the revised existing drainage plan, the greenfield runoff rate for the 'southern' catchment of the site must be**



**calculated. In this case the proposed attenuation storage must be designed to restrict discharge from this area to the greenfield rate and a revised detailed surface water drainage scheme will need to be submitted to and approved in writing by the Local Planning Authority.**

(Reason – To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity).

- 14. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features), or for each part of the surface water drainage system, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.**

(Reason – To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

- 15. No development shall take place until details of tree protection measures for all trees to be retained on site, or each part of the site, have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 16. No construction work and/or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no construction works or collection / deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise approved in writing by the local planning authority.**

(Reason – In the interests of local amenity).

- 17. During the period of demolition or construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the local Planning Authority in accordance with any agreed noise restrictions.**

(Reason – In the interests of local amenity).

- 18. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.**

(In the interests of local amenity).

- 19. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site, or part of the site, during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing.**

(In the interests of local amenity).

- 20. A scheme for the insulation of each building(s) and/or associated plant / equipment or other attenuation measures, in order to minimise the level of noise emanating from the said building(s) and/or plant, shall be submitted to and approved in writing by the local planning authority. The scheme as approved for each building(s) shall be fully implemented before the use of that building(s) hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details.**

(Reason – In the interests of local amenity).

- 21. Prior to the commencement of the development an artificial lighting scheme for the site, or each part of the site, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011”.**

**The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.**

Reason: To protect local residents from light pollution / nuisance and protect /

safeguard the amenities of nearby residential properties in accordance with NE/14- Lighting Proposals

(Reason – In the interests of local amenity).

**22. No development shall commence, unless otherwise agreed in writing, until:**

- (a) The application site has been subject to a further scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.**
- (b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the Local Planning Authority.**
- (c) The works specified in the Remediation Method Statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**
- (d) If, during remediation works, any contamination is identified that has not been considered in the Remediation Method Statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.**

(Reason – To ensure that risks from land contamination to the future users of the land and neighboring land are minimized, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.

**23. No development shall commence until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:**

- 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.**
- 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.**
- 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.**
- 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and implemented as approved.**

(Reason – To protect and prevent the pollution of controlled waters from potential

pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 12 and Environment Agency Groundwater Protection Position Statements.

- 24. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.**

(Reason – To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 12 and Environment Agency Groundwater Protection Position Statements.

- 25. No development shall take place until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approved details.**

(Reason – Infiltration through contaminated land has the potential to impact on groundwater. This condition is imposed to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF) paragraphs 109, 120, 121 and Environment Agency Groundwater Protection Position Statements.

- 26. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

(Reason – To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 12 and Environment Agency Groundwater Protection Position Statements.

- 27. The development hereby permitted shall not be commenced until such time as a scheme for the disposal of foul water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**

(Reason – The proposals submitted to date are only indicative. The final design requires confirming, with more detail regarding water quality protection. Inadequate foul water disposal arrangements could pose a risk to surface and / or ground water).

- 28. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in**

**writing by, the local planning authority. The scheme shall be implemented as approved.**

(Reason – The Anglian River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class and / or prevent the recovery of and / or cause deterioration of the River Cam / Granta.

- 29. The development shall be implemented strictly in accordance with the recommendations set out in Section 5 of the Ecological Appraisal Report by LUC dated June 2017 and the addendum letters by LUC dated 8 August 2017 and 11 September 18 2017, unless otherwise agreed in writing by the Local Planning Authority.**

(Reason - To minimise disturbance, harm or potential impact on protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and the Wildlife and Countryside Act 1981 (as amended)).

- 30. No development shall take place until a scheme of ecological enhancement, management and maintenance has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.**

(Reason – To provide habitat for wildlife and enhance the site the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NE/6 of the adopted Local Development Framework 2007).

- 31. If trees, hedges or grassland are to be removed during 1 March to 1 September inclusive in any given year, a nesting bird inspection shall be completed by a suitably qualified ecologist within 48 hours prior to removal. If active nests are found, they shall be left undisturbed with at least a 5m buffer area until chicks have fledged. No inspection is required outside of this time period.**

(Reason: To minimise disturbance, harm or potential impact upon protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and their protection under the Wildlife and Countryside Act 1981).

- 32. No part of the development hereby approved shall be occupied until parking, turning, loading and unloading space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 33. No part of the development hereby approved shall be occupied until cycle parking has been provided within the site in accordance with a scheme to be**

**submitted to and approved in writing by the Local Planning Authority.**

(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

**34. No buildings shall be occupied until a Travel Plan for both staff and visitors has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.**

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

**35. No materials or equipment shall be stored on the site outside the buildings save that waste materials may be kept in bins for removal periodically.**

(Reason - In the interests of visual/residential/rural amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**36. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the premises other than the 'Hub Building' shall be used for Use Class B1, and the 'Hub Building' shall be used for Use Classes B1, A3, D1 and D2 and for no other purpose (including any other purposes in the aforementioned classes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).**

(Reason -

- (a) To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.
- (b) To safeguard the character of the area in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**37. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) - for a period of ten years from the date of first occupation of each of the hereby permitted buildings, they shall only be used and occupied as follows:**

- (a) **Offices**
  - (i) **Normally to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices; or**
  - (ii) **To a maximum floorspace of normally 300 square metres;**

**and/or**

- (b) **Research and Development**
  - (i) **To the provision for high technology research and development firms, or organisations, which can show a special need to be closely related to the universities, or other established facilities or associated services in the**

**Cambridge area;**

(Reason - To comply with Policy ET/1 of the adopted Local Development Framework 2007, which limits employment development in the Cambridge area to uses that need to be located close to Cambridge.)

- 38. No development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.**

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)

- 39. Prior to the installation of any roof plant on any building hereby permitted, details of screening for the roof plant on that building shall be submitted to and approved by the Local Planning Authority. The approved screening shall be fully implemented prior to the first occupation of the building to which it relates.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

- 40. Prior to the commencement of any development above ground level of any building hereby permitted, a Water Conservation Strategy for that building shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be fully implemented prior to the first occupation of that building and thereafter retained.**

(Reason - To ensure the buildings operate acceptably in terms of their use of water in accordance with policy NE/12 of the adopted Local Development Framework 2007.)

- 41. Prior to the commencement of development, a Carbon Reduction Statement, which demonstrates that at least 10% of the development's total predicted carbon emissions will be reduced through the implementation of on-site renewable and/or low carbon energy sources, shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include the following details:**
- a) SBEM calculations demonstrating the total energy requirements of the whole development, set out in Kg/CO2/annum based on a Part L Compliant Scheme;**
  - b) A schedule of how the proposed on-site renewable and/or low carbon energy technologies will impact on the carbon emissions presented in (a) above.**
  - c) A maintenance programme for the technologies presented in (b) above. The approved renewable energy technologies shall be fully installed and operational prior to the first use of the building to which they relate and shall thereafter be maintained in accordance with the approved maintenance programme.**

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies DP/1, NE/1 and NE/3 of the adopted Local Development Framework 2007 and government guidance in PPS1 Delivering Sustainable Development and

PPS22 Renewable energy.)

- 42. Prior to the first occupation of either building, hereby permitted, a scheme for screened refuse storage for that building shall be submitted to and approved in writing by the Local Planning Authority and fully implemented. The screened refuse storage shall thereafter be retained for so long as that building remains unless otherwise agreed in writing by the Local Planning Authority.**

(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 43. Prior to the first occupation of any building hereby permitted, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full and retained thereafter in perpetuity unless otherwise agreed in writing by the Local Planning Authority.**

(Reason - To mitigate the impact of development on the transport network in accordance with policy DP/2 of the adopted Local Development Framework 2007.)

- 44. Prior to the commencement of development, a site-wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to:**

- a) Construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers;**
- b) Location of contractors compound and method of moving materials, plant and equipment around the site;**
- c) Construction and demolition hours, which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed procedures for deviation;**
- d) Prior notice and agreement procedures for works outside agreed limits and hours;**
- e) Delivery and collection times for construction purposes;**
- f) Ecological restrictions and considerations including:**
  - a. Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been submitted to and approved in writing by the Local Planning Authority.**
  - b. No building shall be demolished or tree removed which has been identified as having the potential to support roosting bats until a detailed bat survey has been carried out of that building or tree. Should any buildings or trees be found to support bats, a detailed mitigation strategy will be developed and implemented under licence from Natural England.**
  - c. Details of the precautionary measures to ensure that contravention of legislation does not occur with respect to badgers**
  - g) Noise and Vibration (including piling) impact / prediction assessment, monitoring, recording protocols and consideration of mitigation measures in accordance with BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded) including the use of best practical means to minimise noise and vibration disturbance from construction works;**



- h) Dust suppression management and wheel washing measures, including the deposition of all debris on the highway;
- i) Material management strategy - soil will be stripped, handled, stored and reinstated using best practice procedures, in accordance with appropriate guidelines, such as DEFRA's 2009 Code of Practice for the Sustainable Use of Soils on Construction Sites. Any material used for landscaping, piling or engineering, purposed should be free of contamination and suitable for use;
- j) Lighting details during construction;
- k) Drainage control measures including the use of settling tanks, oil interceptors and bunds;
- l) Screening and hoarding details;
- m) Access and protection arrangements around the site for pedestrians, cyclists and other road users during construction;
- n) Arrangements for community liaison, complaints, and identification of a dedicated point of contact;
- o) Consideration of ecological and other sensitive receptors;
- p) Membership of the Considerate Contractors Scheme;
- q) Details of cranes and other tall construction equipment;
- r) Control of activities likely to produce dust and smoke etc.;
- s) Details of temporary lighting;
- t) Height of storage areas for materials or equipment;
- u) Control and disposal of putrescible waste to prevent attraction of birds;
- v) Site restoration.

Development shall be carried out in accordance with approved details.

**REASON:** To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with policy DP/6 of the South Cambridgeshire Development Control Policies Document, Local Development Framework, 2007; to avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981; to comply with the National Planning Policy for Waste October 2014 and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.

- 45. Prior to commencement of works on the development, a comprehensive EV Charging Plan should be submitted to and approved in writing by the Local Planning Authority (LPA). The Plan should include the details of the number, location, installation and management of EV charging points having regard to parking associated with various planning class uses and the provision of cabling infrastructure.**

(Reason: In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/1, NE/2 and NE/3 - and TR/1-4)

- 46. Prior to occupation of the development, the evidence of the implemented charging points should be submitted to and approved in writing by the LPA.**

(Reason: In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/1, NE/2 and NE/3 - and TR/1-4)

- 47. The development shall utilise low NO<sub>x</sub> boilers that meet the NO<sub>x</sub> emission**

rating of 40 mg/kWh.

**A: Prior to commencement of works on the development, details of the boilers shall be submitted to the local planning authority for approval.**

**B: Prior to occupation of the development, the manufacturers NO<sub>x</sub> emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority.**

(Reason: In the interest of reducing nitrogen dioxide and particulate matter emissions, in accordance with National Planning Policy Framework (NPPF), and South Cambridgeshire Development Control Policy (DPD 2007) policy NE/16. This requirement will align with BREEAM sustainable building certification.)

**48. Development shall utilise low NO<sub>x</sub> emission CHPs for space heating and domestic hot water. Prior to commencement of works on the development, details of the boilers shall be submitted to the local planning authority for approval and prior to occupation of the development and following installation, emissions certificates shall be provided to the council to verify CHP and boiler emissions. This should be approved in writing by the LPA.**

(Reason: In the interest of reducing nitrogen dioxide and particulate matter emissions, in accordance with National Planning Policy Framework (NPPF), and South Cambridgeshire Development Control Policy (DPD 2007) policy NE/16. This requirement will align with BREEAM sustainable building certification.)

(Reason: In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/2. This requirement will align with BREEAM sustainable building certification.)

**49 Prior to occupation to widen the footway in place of the grass verge to allow mixed walking and cycling between the site entrance and the A505 roundabout along London Road and the A1301 to a width of 2.0m. The details of this should be agreed with the Local Planning Authority in consultation with the Local Highway Authority. This should be secured via a condition with the works implemented by the applicant prior to occupation. These works have been agreed in principal in the drawing SBSAWSTON.1/12;**

**50. Prior to occupation for the improvement to the existing bus stops on London Road in the vicinity of Park Road Sawston to be agreed with The LPA in consultation with CCC Highways. Bus stop shelters type should be agreed with CCC and directly implemented by the applicant at the northbound and southbound stops. This should be secured via a condition that the shelters are implemented by the applicant prior to occupation.**

**51. Prior to the occupation of any building, a travel plan**

### **Informatives**

1. The granting of planning permission does not constitute a permission or license to

a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. Separate permission must be sought from the Highway Authority for such works.

2. The drain on site is and Awarded Watercourse. Under the Land Drainage act 991, development that involves a culvert or any change or impediment to flow within the watercourse will require prior written consent from Cambridgeshire County Council as Lead Local Flood Authority. This is applicable to both permanent and temporary works. In addition, South Cambridgeshire District Council has a 5 metre byelaw strip which prevents development on this land and allows the Council to access the site to carry out any necessary work. Additional consent is required from South Cambridgeshire District Council for works on the byelaw strip. The applicant is advised to apply the LLFA for a land drainage consent at the same time as the submission of the reserved matters application, for ease. Further guidance on our ordinary Watercourse Consent can be found within Cambridgeshire County Council's Culvert Policy.
3. It is noted that the site is situated within a groundwater Source Protection Zone. The applicant may wish to consider additional SuDS features, such as filter drains and strips or a rain garden in the 'Central Square' area for water quality purposes in addition to the permeable paving planned for the North East corner of the site.
4. It is advised that as part of the detailed design process, an investigation should be undertaken of the clocked culvert under the A1301 on the western boundary of the site. The survey should include the risk of the culvert becoming unblocked and the resultant risk to the site, proposed SuDS features and discharge rates.
5. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.
6. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking / washing / repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.
7. Anglian Water recommends the installation of properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.
8. Before the existing property is demolished, a Demolition Notice will be required from the Building Control Section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
9. The developer is advised to contact the Environmental Health and Licensing Team, South Cambridgeshire District Council, for advice concerning the proposed premises design/layout, Food and Occupational Safety/Welfare Regulations/requirements, Food Premises Registration and Licensing, Tel No: 01954 713111.
10. Due regard should be given to the South Cambridgeshire District Council

Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10- Environmental Health & associated appendices.

11. The Environment Agency has advised that any trade effluents produced will either have to be disposed of by foul sewer, only with the consent of the foul sewerage undertaker; kept contained until removed for transport to appropriate off-site treatment facilities; or discharged to the environment only in accordance with a corresponding Environmental Permit issued by the Environment Agency.
12. The Environment Agency recommends the inclusion of an oil separator and shut-off valve prior to discharge in the final drainage design, given the size of the car parking areas and the potential for use of the development to evolve over time. Pollution incidents cannot be ruled out and appropriate measures to contain pollutants on site should be provided.
13. The Environment Agency has advised that previous environmental reports reviewed by the Environment Agency indicate the presence of historic groundwater pollution in the area. Activities associated with the tannery works have been identified as the main source of this pollution as demonstrated by extensive investigation works carried out in the areas on and adjacent to the site. These activities include the use of the former settling tanks which were located within the red line boundary. As such, the Environment Agency expects a comprehensive soil investigation focusing on the high risk areas as identified in the report and extensive groundwater monitoring should be undertaken to obtain detailed groundwater quality data beneath the site. The Environment Agency states that the potential on-site sources of contamination, as identified within the Phase I Environmental Review, including the former tannery settling tanks and the former petrol filling station underground tanks, will require further investigation, assessment and remediation as may be required in the interest of the protection of controlled waters. This should include the investigation of groundwater quality followed by the evaluation of the associated risk to controlled waters to inform the requirement for further action a appropriate.
14. The Environment Agency has advised that land contamination investigations should be carried out in accordance with BS 5930:1999-2010 'Code of Practice for Site Investigations' and BS 10175:2011 'Investigation of Potentially Contaminated Sites – Code of Practice', as updated / amended. Site investigation works should be undertaken by a suitably qualified and experienced professional. Soil and water analysis should be fully MCERTS accredited.
15. The Environment Agency has advised that any further site investigation, demolition, remediation or construction works on site must not create new pollutant pathways or pollutant linkages in the underlying principal aquifer to avoid generating new contaminated and liabilities for the developer. Clean drilling techniques may be required where boreholes, piles etc penetrate through contaminated ground.
16. The Environment Agency considers that any infiltration Sustainable Drainage System (SuDS) greater than 2.0m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1.2m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. Soakaways must not be constructed in contaminated ground where they could re-mobilise any pre-existing contamination and result in pollution of groundwater. Soakaways and other infiltration SuDS need to meet the criteria in

the Environment Agency's 'Groundwater Protection Position Statements G1 and G9 to G13.

17. The Environment Agency advises that only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components.

### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014

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## **S/2284/17/OL – Sawston Trade Park Draft Conditions**

### Conditions applicable to the full application only:

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**

(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**

- 718-NHA – (PL)001 – Location Plan.
- 718-NHA – (PL)005 – Existing Site Plan
- A(0)100 – Unit H – Existing Plans
- A(0)101 – Unit H – Existing Elevations.
- 718-NHA – (PL)011 – Full Application Works
- A(2)100 – Unit H – Proposed Floor Plan Level 0
- A(2)101 – Unit H – Proposed Floor Plan Level 1
- A(2)102 – Unit H – Proposed Floor Plan Roof Level
- A(2)103 – Unit H – Proposed Floor Plan Level 0 Entrances
- A(2)201 – Unit H – Proposed Building Elevations
- A(2)203 – Unit H – Proposed Typical Bay Elevations.
- 1379b-01 Rev C – Proposed East and West Boundaries and Unit H Soft Landscape Arrangements.
- 1379b-02 Rev C – Proposed East and West Boundaries and Unit H Soft Landscape Details
- 1379b-02 Sht.1 Rev C – Proposed East and West Boundaries and Unit H Soft Landscape Details.
- 1379b-02 Sht.2 Rev C – Proposed East and West Boundaries and Unit H Soft Landscape Details.
- 1379c-01 Rev A – East and West Boundaries and Unit H Soft Landscape Arrangements.
- 1379c-02 Rev A – East and West Boundaries and Unit H Soft Landscape Details.
- 1379c-02 Sht.1 Rev A – East and West Boundaries and Unit H Soft Landscape Details.
- 1379c-02 Sht.2 Rev A – East and West Boundaries and Unit H Soft Landscape Details.
- SBSAWSTON. 1/11 – Proposed Site Access Layout.
- SBSAWSTON. 1/12 – Proposed Footway / Cycleway Improvements.

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- 3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in the first full planning season following completion of the building or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years**

**from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 4. No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

Conditions applicable to the outline application only:

- 5. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping with the exception of the boundary landscaping shown on drawings drawing 1379b-01 rev C; 1379b-02 rev C; 1379b-02 Sht1 rev C; 1379b-02 Sht2 rev C; 1379c-01 rev A; 1379c-02 rev A; 1379c-02 Sht1 rev A; 1379c-02 Sht2 rev A (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.**

(Reason - The application is in outline only.)

- 6. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

(Reason - The application is in outline only.)

- 7. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

(Reason - The application is in outline only.)

- 8. The development hereby permitted shall be carried out in accordance with the following approved plans:**

- **718-NHA-(PL)001 – Location Plan.**
- **718-NHA-(PL)010-00 – Indicative Masterplan**
- **SBSAWSTON. 1/11 – Proposed Site Access Layout.**
- **SBSAWSTON. 1/12 – Proposed Footway / Cycleway Improvements**

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)



Conditions applicable to both the full and outline applications:

- 9. The proposed access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.**

(Reason – For the safe and effective operation of the highway).

- 10. The access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.**

(Reason – In the interests of highway safety).

- 11. No demolition or construction works shall commence on site until a construction traffic management plan for the development, or each part of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are:**

- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway).**
- (ii) Contractor parking, for each phase, shall be within the curtilage of the site and not on the street.**
- (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).**
- (iv) Control of dust, mud and debris, in relation to the functioning of the adopted public highway.**

(Reason – In the interests of highway safety).

- 12. Development above ground level shall not begin until a detailed surface water drainage scheme for the site, or each part of the site, based on the agreed Flood Risk Assessment (FRA) and Drainage Strategy prepared by Canham Consulting (ref:203052-353-P4) dated 8 August 2017, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development, or each part of the development, is completed.**

(Reason – To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity).

- 13. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) for the site, or for each part of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.**

(Reason – To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

- 14. No development shall take place on the site, or part of the site, until details of tree protection measures for all trees to be retained on site, or each part of the site, have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 15. No development shall commence on the site, or part of the site, until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site, or part of the site, during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing.**

(In the interests of local amenity).

- 16. A scheme for the insulation of each building(s) and/or associated plant / equipment or other attenuation measures, in order to minimise the level of noise emanating from the said building(s) and/or plant, shall be submitted to and approved in writing by the local planning authority. The scheme as approved for each building(s) shall be fully implemented before the use of that building(s) hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details.**

(Reason – In the interests of local amenity).

- 17. Development above ground level on the site, or part of the site, shall not begin until an artificial lighting scheme for the site, or each part of the site, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of**

use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011”.

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with NE/14- Lighting Proposals

(Reason – In the interests of local amenity).

**18. No development shall commence on the site, or part of the site, unless otherwise agreed in writing, until:**

- (a) The site, or part of the site, has been subject to a further scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.**
- (b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination on the site, or part of the site, (the Remediation Method Statement) have been submitted to and approved in writing by the Local Planning Authority.**
- (c) The works specified in the Remediation Method Statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**
- (d) If, during remediation works, any contamination is identified that has not been considered in the Remediation Method Statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.**

(Reason – To ensure that risks from land contamination to the future users of the land and neighboring land are minimized, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.

**19. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no**

**resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

(Reason – To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 12 and Environment Agency Groundwater Protection Position Statements.

- 20. The development, or part of the development, hereby permitted shall not be commenced until such time as a scheme for the disposal of foul water for the development, or part of the development, has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**

(Reason – The proposals submitted to date are only indicative. The final design requires confirming, with more detail regarding water quality protection. Inadequate foul water disposal arrangements could pose a risk to surface and / or ground water).

- 21. Development above ground level on the site, or part of the site, shall not be commenced until such time as a scheme for the development, or part of the development, to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**

(Reason – The Anglian River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class and / or prevent the recovery of and / or cause deterioration of the River Cam / Granta.

- 22. The development, or part of the development, shall be implemented strictly in accordance with the recommendations set out in Section 5 of the Ecological Appraisal Report by LUC dated June 2017 and the addendum letters by LUC dated 8 August 2017 and 11 September 18 2017, unless otherwise agreed in writing by the Local Planning Authority.**

(Reason - To minimise disturbance, harm or potential impact on protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and the Wildlife and Countryside Act 1981 (as amended)).

- 23. If trees, hedges or grassland are to be removed during 1 March to 1 September inclusive in any given year, a nesting bird inspection shall be completed by a suitably qualified ecologist within 48 hours prior to removal. If active nests are found, they shall be left undisturbed with at least a 5m buffer area until chicks have fledged. No inspection is required outside of this time period.**

(Reason: To minimise disturbance, harm or potential impact upon protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and their protection under the Wildlife and Countryside Act 1981).

**24. No part of the development hereby approved shall be occupied until the associated cycle parking, car parking, turning, loading and unloading has been laid out.**

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**25. No building(s) shall be occupied until a Travel Plan for both staff and visitors for the development, or each part of the development, has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.**

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

**26. No materials or equipment shall be stored on the site outside the buildings save that waste materials may be kept in bins for removal periodically.**

(Reason - In the interests of visual/residential/rural amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**27. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the premises other than the 'Hub Building' shall be used for Use Class B1, and the 'Hub Building' shall be used for Use Classes B1, A3, D1 and D2 and for no other purpose (including any other purposes in the aforementioned classes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).**

(Reason -

- (a) To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.
- (b) To safeguard the character of the area in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**28. Prior to the installation of any roof plant on any building(s) hereby permitted, details of screening for the roof plant on that building shall be submitted to and approved by the Local Planning Authority. The approved screening shall be fully implemented prior to the first occupation of the building to which it relates.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

**29. Prior to the commencement of any development above ground level of any building hereby permitted, a Water Conservation Strategy for that building shall be submitted to and approved in writing by the Local Planning**

**Authority. The approved strategy shall thereafter be fully implemented prior to the first occupation of that building and thereafter retained.**

(Reason - To ensure the buildings operate acceptably in terms of their use of water in accordance with policy NE/12 of the adopted Local Development Framework 2007.)

- 30. Development above ground level on the site, or part of the site, shall not begin until a Carbon Reduction Statement, which demonstrates that at least 10% of the development's, or each part of the development's, total predicted carbon emissions will be reduced through the implementation of on-site renewable and/or low carbon energy sources, shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include the following details:**
- a) SBEM calculations demonstrating the total energy requirements of the whole development, set out in Kg/CO<sub>2</sub>/annum based on a Part L Compliant Scheme;**
  - b) A schedule of how the proposed on-site renewable and/or low carbon energy technologies will impact on the carbon emissions presented in (a) above.**
  - c) A maintenance programme for the technologies presented in (b) above.**
- The approved renewable energy technologies shall be fully installed and operational prior to the first use of the building to which they relate and shall thereafter be maintained in accordance with the approved maintenance programme.**

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies DP/1, NE/1 and NE/3 of the adopted Local Development Framework 2007 and government guidance in PPS1 Delivering Sustainable Development and PPS22 Renewable energy.)

- 31. Prior to the first occupation of any building hereby permitted a scheme for screened refuse storage for that building shall be submitted to and approved in writing by the Local Planning Authority and fully implemented. The screened refuse storage shall thereafter be retained for so long as that building remains unless otherwise agreed in writing by the Local Planning Authority.**

(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 32. Prior to the first occupation of any building hereby permitted, a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full and retained thereafter in perpetuity unless otherwise agreed in writing by the Local Planning Authority.**

(Reason - To mitigate the impact of development on the transport network in accordance with policy DP/2 of the adopted Local Development Framework 2007.)

- 33. Construction Environment Management Plan – wording to follow.**

**Informatives**

1. The granting of planning permission does not constitute a permission or license to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. Separate permission must be sought from the Highway Authority for such works.
2. The drain on site is and Awarded Watercourse. Under the Land Drainage act 1991, development that involves a culvert or any change or impediment to flow within the watercourse will require prior written consent from Cambridgeshire County Council as Lead Local Flood Authority. This is applicable to both permanent and temporary works. In addition, South Cambridgeshire District Council has a 5 metre byelaw strip which prevents development on this land and allows the Council to access the site to carry out any necessary work. Additional consent is required from South Cambridgeshire District Council for works on the byelaw strip. The applicant is advised to apply the LLFA for a land drainage consent at the same time as the submission of the reserved matters application, for ease. Further guidance on our ordinary Watercourse Consent can be found within Cambridgeshire County Council's Culvert Policy.
3. It is noted that the site is situated within a groundwater Source Protection Zone. The applicant may wish to consider additional SuDS features, such as filter drains and strips or a rain garden in the 'Central Square' area for water quality purposes in addition to the permeable paving planned for the North East corner of the site.
4. It is advised that as part of the detailed design process, an investigation should be undertaken of the clocked culvert under the A1301 on the western boundary of the site. The survey should include the risk of the culvert becoming unblocked and the resultant risk to the site, proposed SuDS features and discharge rates.
5. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.
6. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking / washing / repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.
7. Anglian Water recommends the installation of properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.
8. Before the existing property is demolished, a Demolition Notice will be required from the Building Control Section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
9. The developer is advised to contact the Environmental Health and Licensing Team, South Cambridgeshire District Council, for advice concerning the proposed premises design/layout, Food and Occupational Safety/Welfare

Regulations/requirements, Food Premises Registration and Licensing, Tel No: 01954 713111.

10. Due regard should be given to the South Cambridgeshire District Council Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10- Environmental Health & associated appendices.
11. The Environment Agency has advised that any trade effluents produced will either have to be disposed of by foul sewer, only with the consent of the foul sewerage undertaker; kept contained until removed for transport to appropriate off-site treatment facilities; or discharged to the environment only in accordance with a corresponding Environmental Permit issued by the Environment Agency.
12. The Environment Agency recommends the inclusion of an oil separator and shut-off valve prior to discharge in the final drainage design, given the size of the car parking areas and the potential for use of the development to evolve over time. Pollution incidents cannot be ruled out and appropriate measures to contain pollutants on site should be provided.
13. The Environment Agency has advised that previous environmental reports reviewed by the Environment Agency indicate the presence of historic groundwater pollution in the area. Activities associated with the tannery works have been identified as the main source of this pollution as demonstrated by extensive investigation works carried out in the areas on and adjacent to the site. These activities include the use of the former settling tanks which were located within the red line boundary. As such, the Environment Agency expects a comprehensive soil investigation focusing on the high risk areas as identified in the report and extensive groundwater monitoring should be undertaken to obtain detailed groundwater quality data beneath the site. The Environment Agency states that the potential on-site sources of contamination, as identified within the Phase I Environmental Review, including the former tannery settling tanks and the former petrol filling station underground tanks, will require further investigation, assessment and remediation as may be required in the interest of the protection of controlled waters. This should include the investigation of groundwater quality followed by the evaluation of the associated risk to controlled waters to inform the requirement for further action a appropriate.
14. The Environment Agency has advised that land contamination investigations should be carried out in accordance with BS 5930:1999-2010 'Code of Practice for Site Investigations' and BS 10175:2011 'Investigation of Potentially Contaminated Sites – Code of Practice', as updated / amended. Site investigation works should be undertaken by a suitably qualified and experienced professional. Soil and water analysis should be fully MCERTS accredited.
15. The Environment Agency has advised that any further site investigation, demolition, remediation or construction works on site must not create new pollutant pathways or pollutant linkages in the underlying principal aquifer to avoid generating new contaminated and liabilities for the developer. Clean drilling techniques may be required where boreholes, piles etc penetrate through contaminated ground.
16. The Environment Agency considers that any infiltration Sustainable Drainage System (SuDS) greater than 2.0m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1.2m



clearance between the base of infiltration SuDS and peak seasonal groundwater levels. Soakaways must not be constructed in contaminated ground where they could re-mobilise any pre-existing contamination and result in pollution of groundwater. Soakaways and other infiltration SuDS need to meet the criteria in the Environment Agency's 'Groundwater Protection Position Statements G1 and G9 to G13.

17. The Environment Agency advises that only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components.

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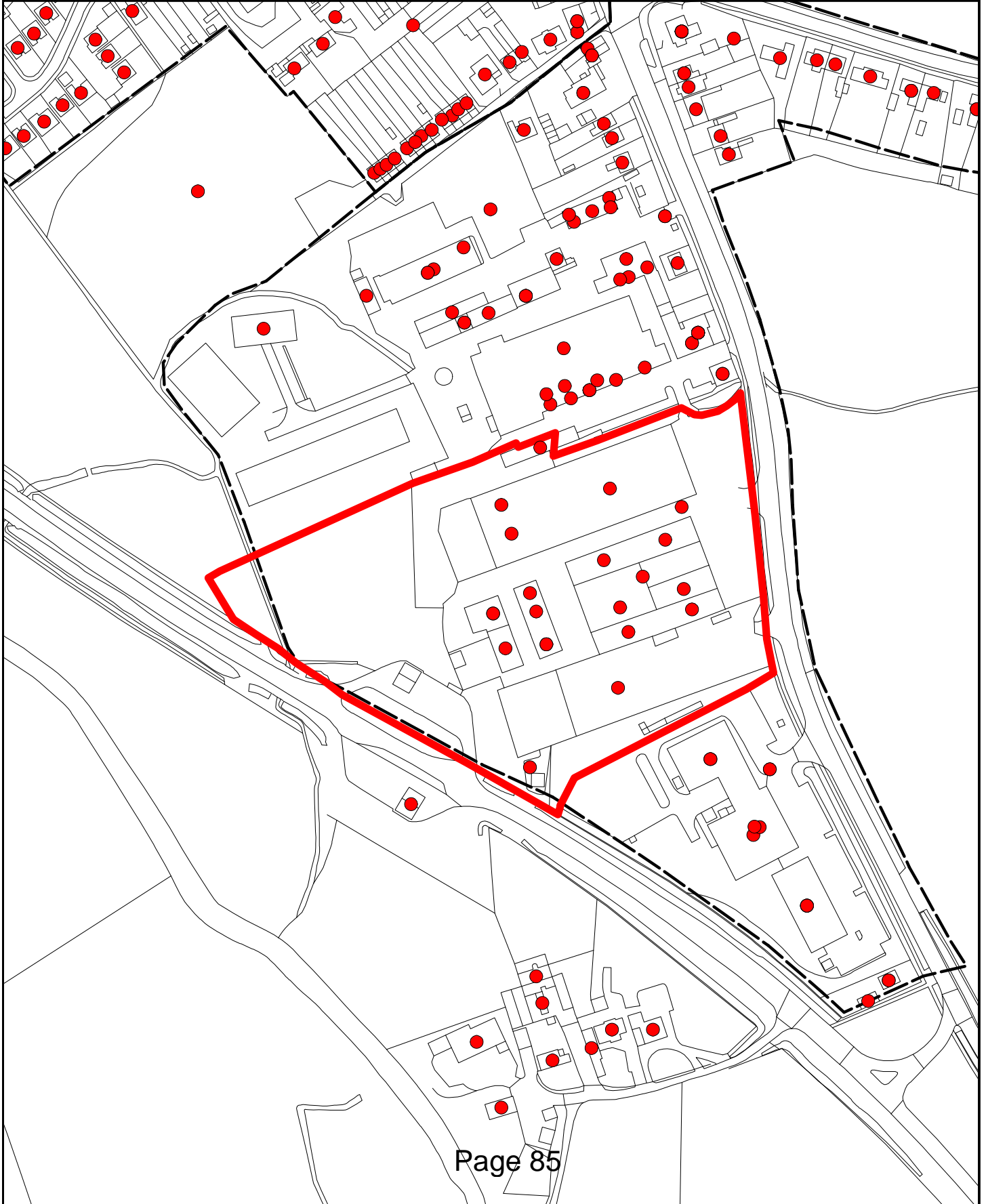
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District Council**

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# Agenda Item 6

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee 10 January 2018  
**AUTHOR/S:** Joint Director for Planning and Economic Development

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**Application Number:** S/1769/17/OL

**Parish(es):** Great Shelford

**Proposal:** Outline Planning Permission for Demolition of Existing Garage on the site and development of 3 detached dwellings with access and layout included all other matters are to be reserved.

**Site address:** Land off Macaulay Avenue, Great Shelford

**Applicant(s):** Laurence Castle, South Cambridgeshire District Council

**Recommendation:** Approval

**Key material considerations:** Five year supply of housing land  
Principle of development  
Sustainability of the location  
Density of development and affordable housing  
Impact to the local area  
Residential amenity of neighbouring properties  
Highway safety - access  
Surface water and foul water drainage  
Provision of formal and informal open space  
Section 106 Contributions

**Committee Site Visit:** Yes, 31 October 2017

**Departure Application:** No

**Presenting Officer:** Rebecca Ward, Principal Planning Officer

**Application brought to Committee because:** Applicant is South Cambridgeshire District Council

**Date by which decision due:** January 2018

### Executive Summary

1. The application was granted delegated approval on 9 August 2017 subject to a section 106 agreement to secure affordable housing provision and the plots as self-build properties. The application remains undetermined pending the completion of the agreement. It has been brought back to planning committee due to a change in the Council's application of affordable housing policy.
2. On 11 December 2017, the Planning Portfolio Holder (PPH) considered a report on

Affordable Housing Thresholds. A copy of that report is attached as appendix 1. In summary, the PPH has noted that affordable housing provision will only be required on developments of 11 dwellings or more, or on sites of less than 11 units if the combined gross internal floorspace of the proposed development exceeds 1,000 sqm. This is in accordance with the Government's Written Ministerial Statement 2014.

3. The proposed scheme would fall under this threshold and therefore it would be both inappropriate and unreasonable to secure any affordable housing obligations in this instance. Officers therefore advise members to note and remove this provision.
4. In addition, given the site's location within the village framework, the need for a legal agreement to secure the units specifically as self-build plots is not required to make the development acceptable. This does not stop them coming forward as such and that still remains the intention. The planning assessment and the conclusions in this report have therefore been amended to reflect these material changes in circumstances. The scheme has still been reconsidered in accordance with paragraph 14 of the National Planning Policy Framework (NPPF). No further consultation has been considered necessary.

### **Planning History**

5. None of relevance

### **National Guidance**

6. National Planning Policy Framework 2012 (NPPF)  
Planning Practice Guidance

### **Development Plan Policies**

7. The extent to which any of the following policies are out of date and the weight to be attached to them is addressed later in the report.

### **South Cambridgeshire LDF Core Strategy DPD, 2007**

ST/2 Housing Provision  
ST/5 Minor Rural Centres

### **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
NE/6 Biodiversity  
NE/9 Water and Drainage Infrastructure  
NE/11 Flood Risk  
CH/4 Development in the setting of Listed Buildings  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact

8. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Affordable Housing SPD - Adopted March 2010

Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Biodiversity SPD - Adopted July 2009  
District Design Guide SPD - Adopted March 2010

9. **South Cambridgeshire Local Plan Submission - March 2014**

S/1 Vision  
S/2 Objectives of the Local Plan  
S//3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/6 The Development Strategy to 2031  
S/7 Development Frameworks  
S/9 Minor Rural Centres  
HQ/1 Design Principles  
H/7 Housing Density  
H/8 Housing Mix  
H/9 Affordable Housing  
NH/4 Biodiversity  
NH/14 Heritage Assets  
CC/1 Mitigation and Adaptation to Climate Change  
CC/3 Renewable and Low Carbon Energy in New Developments  
CC/4 Sustainable Design and Construction  
CC/6 Construction Methods  
CC/8 Sustainable Drainage Systems  
CC/9 Managing Flood Risk  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision  
TI/8 Infrastructure and New Developments

**Consultation (as originally undertaken)**

10. **Great Shelford Parish Council** - No objections
11. **Strategic Housing Department** - No comments received
12. **Cambridgeshire County Council (Local Highway Authority)** - No objections to the proposed development. However, comments that the loss of off street car parking may result in an increase of demand for on street car parking which may result in some loss of residential amenity. The following standard conditions were also recommended; use of a bound material for driveways and suitable levels.
13. **Drainage Officer** - No objections subject to conditions for a foul and surface water drainage scheme
14. **Contaminated Land Officer** - The above site comprises a number of disused domestic garages with asbestos roofing and surrounded by poor quality concrete hard standing. The proposed use is one which is highly sensitive to the presence of contamination (residential) and the EPS report has identified a number of potential contaminant linkages. The report makes recommendations for intrusive investigation and subsequent risk assessment of the site to assess its suitability for the proposed use. Therefore a full-contaminated land condition has been requested.
15. **Tree Officer** - No objection to this application in principle. The application has the benefit of an arboricultural report, which is clear and fit for purpose but includes

comment only upon the constraints imposed by trees because there is no layout upon which to comment.

A forthcoming detailed application will be expected to be supported by an updated arboricultural report and tree protection strategy. The acceptability of the development will be dependent upon the proposed layout and its juxtaposition with trees.

Prior to commencement the applicant should submit an updated arboricultural report and tree protection strategy via planning condition.

16. **County Council Archaeology Team** - Our records indicate that the site lies in an area of high archaeological potential, situated in a significant multi-period landscape. Archaeological investigations adjacent to the site identified multi-period remains (Historic Environment Record reference ECB1197) including medieval settlement evidence (CB15542), with Romano-British settlement evidence to the north east (CB15538). Granham's Manor is located roughly 220m to the north of the application area (01002). This site consists primarily of the remains of a rectangular moated site with a wet ditch. Attached to this on the eastern side and running almost to the foot of the Gog Magog Hills, is an embanked enclosure of roughly rectangular plan. Archaeological investigations at Granham's Farm have also identified Saxon occupation (MCB20044). In addition, to the north of Granham's Farm is Iron Age settlement (CB15540). A standard condition has therefore been recommended.

#### **Representations (as originally undertaken)**

17. No comments received

#### **Site and Surroundings**

18. The site is located within the defined village development framework of Great Shelfrod. The site is not located within a Conservation Area and does not form the setting of any Listed Buildings or other built heritage asset, albeit No.32-38 Granhams Road (Grade II) is situated to the north of the site on Granhams Road. The site is within a Flood Zone 1 and furthermore, the site is not within the Green Belt.

#### **Proposal and Justification**

19. Substantial new parking zones have been created since the original estate was planned and built by Chesterton Rural District Council. These new bays were created by the Council's Housing department as a result of local requests for more convenient parking closer to resident's homes. As a result of the creation of the requested new parking bays the demand for lock-up garages substantially diminished and the garage blocks fell into disrepair.
20. The proposal involves the demolition of the existing lock-up garages and the erection of three plots for self-builders. The application is submitted as an outline planning permission at this stage with access. Matters relating to appearance and landscaping are to be reserved.

#### **Planning Assessment**

21. The key issues to consider in the determination of this application are the principle of development and whether the development meets the definition of sustainable development in relation to proximity to services and facilities.



22. An assessment is required in relation to the impact of the proposals on the character of the village, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity.

### **Principle of Development**

#### Housing Supply and self-build plots

23. The District is currently unable to demonstrate a five year supply of housing sites. Set within this context, relevant policies for the supply of housing should not be considered up-to-date and housing applications should be considered in the context of the presumption in favour of sustainable development.
24. Paragraph 50 of the NPPF states that local planning authorities should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. A mix of housing should be planned for based on current and future demographic trends, market trends and the needs of different groups of the community, such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes.
25. In March 2015 the government introduced the Self-build and Custom Housebuilding Act 2015 (the 2015 Act). This places a duty on certain public authorities to maintain a register of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects and places a duty on public authorities to have regard to those registers in carrying out planning and other functions including housing, regeneration. The 2015 Act now also places a legal duty on authorities to grant sufficient development permission to meet the demand for self-build and custom build in its area.
26. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications shall be determined in accordance with the development plan, unless material considerations indicate otherwise. At present Council does not have a specific adopted or emerging local planning policy for the provision of self-build and custom build sites in the district. Therefore, in determining this application members will need to have regard to national planning policy.
27. The proposed development if approved will make a small contribution to the demands of the register. This remains a relatively new concept for the Council as a vanguard authority and officers advise that weight should be given to this factor in favour of the development if there was a need to balance this against any perceived harm. In the absence of any such harm, there is no need to secure a legal agreement to ensure they are sold off as self-build plots.
28. In a wider sense, the development of three new dwellings would help, in a modest way, to increase the supply of housing in the district.

#### Sustainability of the site

29. The National Planning Policy Framework sets out that there are three dimensions to sustainable development; (1) Economic, (2) Social and (3) Environmental and at the heart of the NPPF is a presumption in favour of sustainable development. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or the relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

30. It is considered that Great Shelford, a Rural Centre, is a sustainable location and the site has good accessibility to services and facilities, employment opportunities and public transport provision. The adopted and emerging Development Plans outline that Rural Centres are a sustainable option to accommodate housing delivery. The site is within the framework and therefore accords with policy DP/7 of the NPPF, albeit only limited weight can be given to this policy given the current housing land supply deficit.

### **Housing density, mix and affordable housing**

#### Housing density

31. The area of the site is 0.10 hectares, with the provision of 3 residential units, this would equate to a development of 30 dwellings per hectare. This would accord with the councils adopted and emerging planning policies HG/1 and H/7.

#### Housing mix

32. The mix of housing will be determined at reserved matters stage, whereby local circumstances should dictate the size of the dwellings, in accordance with emerging policy H/8. The Council are now giving full weight to this policy given the emerging plans stage of preparation. Given the site is for self-build houses the local circumstances of the people on the register will be given weight at reserved matters stage.

#### Affordable Housing

33. As mentioned previously, planning law requires that planning applications shall be determined in accordance with the development plan, unless material considerations indicate otherwise.
34. Policy HG/3 requires that a minimum of 40% (i.e. 1) of the proposed dwellings should be affordable. This was agreed when the planning committee first considered the application. The affordable provision was to be secured by means of a commuted sum.
35. On 11 December 2017, the PPH considered a report on Affordable Housing Thresholds. A copy of that report is attached as appendix 1. In summary, the PPH has noted that affordable housing provision will only be required on developments of 11 dwellings or more, or on sites of less than 11 units if the combined gross internal floorspace of the proposed development exceeds 1,000 sqm. This is in accordance with the Government's Written Ministerial Statement 2014 (WMS) and the anticipated findings of the Inspector reporting on the modifications to the emerging Local Plan.
36. The proposed scheme would fall beneath the threshold set out in the report. In the light of the WMS and the anticipated Inspector's report, it would be both inappropriate and unreasonable to secure any affordable housing obligations in this instance. Given that the necessary section 106 agreement has not yet been completed, officers advise

members to note the report to the PPH and to remove this requirement.

37. For clarity, whilst the Strategic Housing Team have confirmed that this scheme will continue to providing funding back into affordable housing in the district, the Planning Committee cannot give this material weight in the determination of this application as it would now be secured outside of the planning application process.

### **Layout and Neighbouring Amenity**

38. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people. Amongst other things, good design should function well over the lifetime of the development, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character without preventing or discouraging appropriate innovation, be safe and accessible and be visually attractive in terms of architecture and landscaping.
39. The NPPF states that local planning authority decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
40. The site is previously developed with two rows of lock-up garages. The site is rather un-kept in appearance and there would be positive planning gain outcomes from a small scale redevelopment scheme.
41. There are existing residential dwellings to the east, south and west of the site. Detailed designs including their scale will not be submitted until reserved matter stage and therefore will offer the self-builders some flexibility. Notwithstanding this, the district council has to be comfortable that the amount of units can fit within the parameters of the site without having a detrimental impact to neighbouring occupiers.
42. The proposed layout demonstrates that three units, along with garages and parking spaces could fit on the site. The south-east elevation on plot 1, the north-west elevation on plot 2, the north-east elevation on plot 3 all sit within 3m of the shared boundaries. Given the proximity to the neighbour's gardens, no first floor windows or doors will be located on the specified elevations (at reserved matters stage), unless they are obscure glazed and non-opening.
43. Officers consider the potential to over-look could be designed out through by the careful orientation of the rooms. There also seems to be some room to pull plot 1 away from the boundary with No.46 to increase separation distances.
44. Based on the submitted plans officers consider any reserved matters scheme is likely to accord with policy DP/3 of the Local Development Framework and not cause significant or adverse harm.

### **Highway safety and parking**

45. The site is located at the end of a cul-de-sac and is currently used for 23 lock-up garages, all of which would have generated historic traffic movements. The removal of these garages and their replacement with three dwellings is likely to result in the

reduction of traffic movements relative to the historic situation. The proposed development and the allocation of parking to the existing dwellings are therefore considered to generally comply with policies DP/3 and TR/1 of the Local Development Framework.

46. The indicative plans submitted with the application demonstrate each dwelling could accommodate up to two on-site spaces with additional visitor spaces. Therefore the development would appear to be in compliance with parking standards set out in policy TR/2 of the Local development Framework.

### **Trees and Landscaping**

47. There are some existing trees on the boundaries of the site. An arboricultural assessment has been submitted with the application which accurately plots the existing trees and their root protection areas to determine the developable areas of the site and to inform any necessary tree protection measures during construction.
48. Any reserved matters application will be expected to be supported by an updated arboricultural report and tree protection strategy. The acceptability of the development will be dependent upon the proposed layout and its juxtaposition with trees.
49. On this basis the Councils Tree Officer has raised no objections to the proposed development and it would accord with policy DP/2 and NE/6 of the Local Development Framework.

### **Other matters**

50. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses.”
51. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving or enhancing the character or appearance of that area”.
52. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
53. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
54. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.

55. Given the distance, the development would continue to preserve the setting of the No.32-38 Grahams Road in accordance with section 66 and policy CH/4 and CH/5 of the Local Development Framework and section 66 of the Conservation Area and Listed Buildings Act.
56. Conditions covering surface water drainage and foul water drainage are necessary as the application does not detail the arrangement at this stage. A contamination condition and archaeological condition is also necessary following the comments from consultees.

### **Conclusion**

57. The proposed development would accord with the development plan being inside the village framework. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
58. The provision of three self-build plots in a sustainable location will benefit the local self-build register, although there is no material planning reason to oppose the application without this requirement.
59. The proposed scheme would not provide any affordable housing in accordance with policy HG/3. However, as already noted, it would now be both inappropriate and unreasonable to secure any affordable housing obligations in this instance.
60. It is therefore considered that the proposal achieves the definition of sustainable development as set out in the NPPF despite the removal of affordable housing provision.

### **Recommendation**

57. Delegated approval subject to:

### **Conditions and Informatives**

Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:

### **Conditions**

- 1) Approval of the details of the scale of the buildings, appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
(Reason - The application is in outline only.)
- 2) Application for the approval of the reserved matters, for each plot, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
(Reason - The application is in outline only.)

- 3) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
(Reason - The application is in outline only.)
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1553-P-501, 1553-P-502  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- 5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 6) Prior to the occupation of each of the dwellings, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for that dwelling shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 7) Prior to the commencement of development on each of the plots, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- 8) Prior to the commencement of development on each of the plots, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
- 9) No construction site machinery or plant shall be operated, no construction related deliveries taken at or despatched from the site before 0800 hours and after 1800 hours on weekdays, before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- 10) The proposed access road shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public water. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 11) The proposed access road shall be constructed using a bound material to prevent debris spreading onto the adopted public highway. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 12) Prior to commencement, site preparation or the delivery of materials to site the each plot shall submit an updated arboricultural impact assessment and tree protection strategy in accordance with British Standard BS5837 for the approval of the Local Planning Authority to reflect the detailed layout. The tree protection measures must be implemented in accordance with the details provided in the approved arboricultural impact assessment and tree protection strategy and remain in position until practical completion of the implementation of the development. (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with the policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- 13) No demolition/development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:
  - the statement of significance and research objectives;
  - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
  - The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme. (Reasons - To protect and record any archaeological features that might be found on the site in accordance with policy CH/2 of the Local Development Framework)
- 14) No development approved by this permission shall be commenced, unless otherwise agreed, until:
  - a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
  - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
  - c) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

d) If, during remediation and/or construction works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007)

### **Informative**

- 1) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

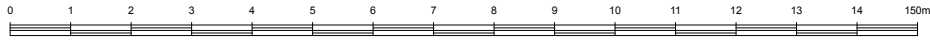
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1769/17/OL

### **Report Author:**

Rebecca Ward  
Telephone Number:

Principal Planning Officer  
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Scale - 1:1250

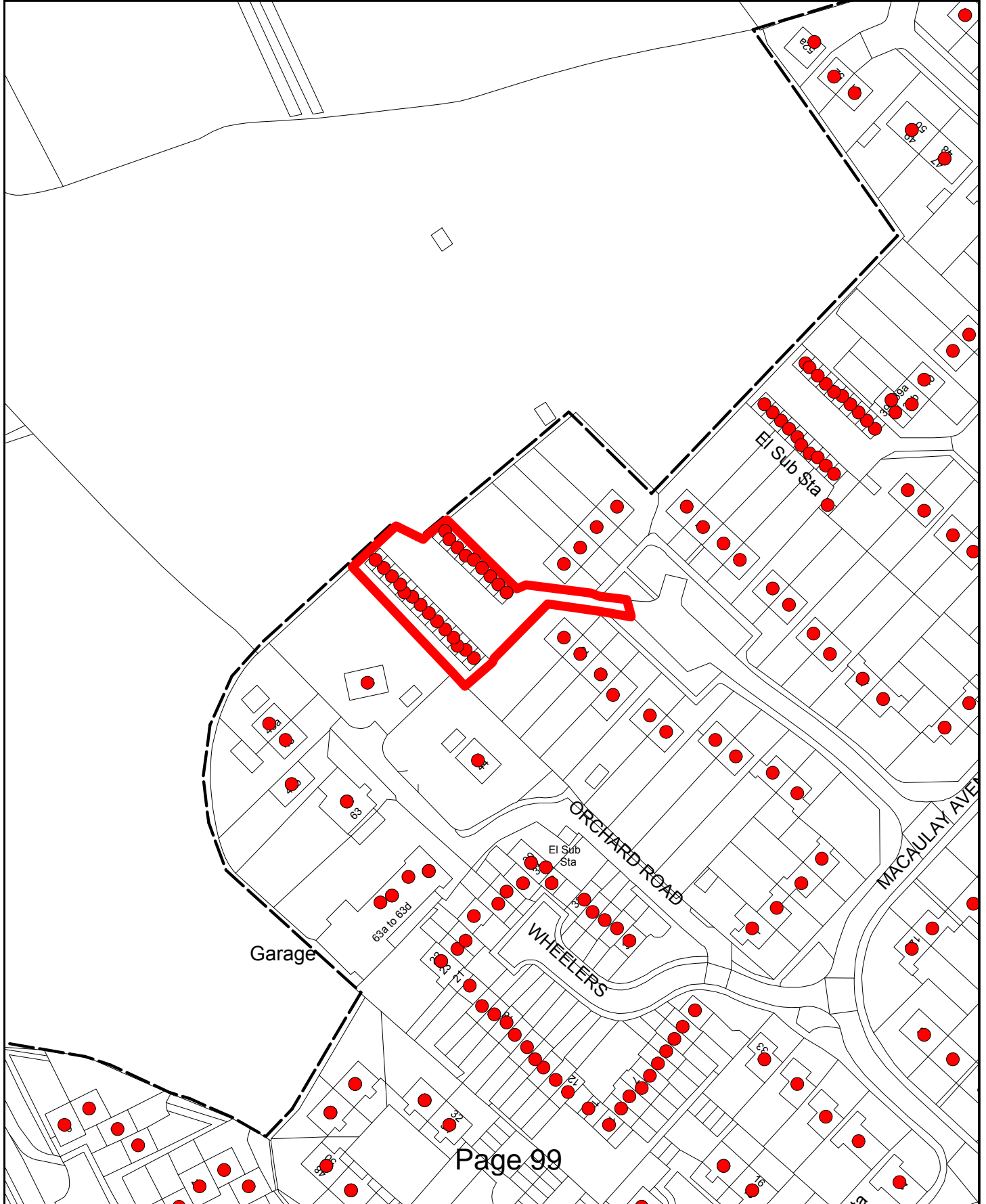
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Date of plot: 20/12/2017



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# Agenda Item 7

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

10 January 2018

**AUTHOR/S:** Joint Director for Planning and Economic Development

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<b>Application Number:</b>	S/1524/16/OL
<b>Parish(es):</b>	Caldecote
<b>Proposal:</b>	Outline planning permission for the erection of 6 dwellings (self build) including access
<b>Site address:</b>	Land to the West of Casa De Foseta, St Neots Road, Hardwick, Cambridgeshire
<b>Applicant(s):</b>	Mr Norman Marles
<b>Recommendation:</b>	Delegated approval to complete section 106 (or similar agreement)
<b>Key material considerations:</b>	Five year supply of housing land Principle of development Density of development Affordable housing (including viability considerations) Self-build Impact on the countryside Highway safety Residential amenity Surface water and foul water drainage Trees Ecology
<b>Committee Site Visit:</b>	No
<b>Departure Application:</b>	Yes (advertised on 26 July 2016)
<b>Presenting Officer:</b>	Rebecca Ward, Principal Planning Officer
<b>Application brought to Committee because:</b>	The application needs to be reconsidered in the light of changes in the application of the Council's adopted policy to secure affordable housing
<b>Date by which decision due:</b>	31 August 2017 (Extension of time agreed)

### Executive Summary

1. The application was granted delegated approval on 9 August 2017 subject to a section 106 agreement to secure affordable housing provision and the plots as self-build properties. The application remains undetermined pending the completion of the

agreement. It has been brought back to planning committee due to a change in the Council's application of affordable housing policy.

2. On 11 December 2017, the Planning Portfolio Holder (PPH) considered a report on Affordable Housing Thresholds. A copy of that report is attached as appendix 1. In summary, the PPH has noted that affordable housing provision will only be required on developments of 11 dwellings or more, or on sites of less than 11 units if the combined gross internal floorspace of the proposed development exceeds 1,000 sqm. This is in accordance with the Government's Written Ministerial Statement 2014.
3. The proposed scheme would fall under this threshold and therefore it would be both inappropriate and unreasonable to secure any affordable housing obligations in this instance. Officers therefore advise members to note and remove this provision.
4. The planning assessment and the conclusions in this report have also been amended to reflect the material change in circumstances. The scheme has been reconsidered in accordance with paragraph 14 of the National Planning Policy Framework (NPPF). No further consultation has been considered necessary.
5. The proposed development would continue provide a modest number of dwellings, all of which will be homes for self-builders. These are benefits which should be given significant weight in the determination of the planning application. Although the site is located outside the development framework of a group village, accessibility to services and to public transport is considered adequate. The weight that can therefore be attached to the conflict with policies DP/1(a) and DP/7 which are intended to ensure that development is directed to the most sustainable locations in the district is limited under the current circumstances.
6. It is considered the proposal would result in only limit harm on the character of the landscape and visual impacts from St Neots Road. The design and appearance of the units will need to be resolved at the reserved matters stage. However, it is considered that the number of units proposed could be achieved in a manner that would preserve the residential amenity of neighbouring properties.
7. In terms of the balance required by paragraph 14 of the NPPF, the absence of a five year housing land supply means the conflict with these policies is not considered to significantly and demonstrably outweigh the benefits of the proposal particularly in terms of the contribution which it would make to providing self-build plots.

#### **Relevant Planning History**

8. S/1112/81/F Erection of House and Outbuildings - Refused 1981  
S/0265/83/D Erection of Bungalow - Refused 1983

#### **National Guidance**

9. National Planning Policy Framework 2012 (NPPF)  
Planning Practice Guidance

#### **10. Development Plan Policies**

The extent to which any of the following policies are out of date and the weight to be attached to them is addressed later in the report.

11. **South Cambridgeshire LDF Core Strategy DPD, 2007**  
ST/2 Housing Provision

ST/6 Group Villages

12. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
  - DP/1 Sustainable Development
  - DP/2 Design of New Development
  - DP/3 Development Criteria
  - DP/4 Infrastructure and New Developments
  - DP/7 Development Frameworks
  - HG/1 Housing Density
  - HG/2 Housing Mix
  - HG/3 Affordable Housing
  - NE/4 Landscape Character Areas
  - NE/6 Biodiversity
  - NE/8 Groundwater
  - NE/9 Water and Drainage Infrastructure
  - NE/15 Noise Pollution
  - NE/17 Protecting High Quality Agricultural Land
  - CH/2 Archaeological Sites
  - SF/10 Outdoor Playspace, Informal Open Space, and New Developments
  - SF/11 Open Space Standards
  - TR/1 Planning For More Sustainable Travel
  - TR/2 Car and Cycle Parking Standards
  - TR/3 Mitigating Travel Impact
  
13. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
  - Open Space in New Developments SPD - Adopted January 2009
  - Affordable Housing SPD - Adopted March 2010
  - Trees & Development Sites SPD - Adopted January 2009
  - Landscape in New Developments SPD - Adopted March 2010
  - Biodiversity SPD - Adopted July 2009
  - District Design Guide SPD - Adopted March 2010
  
14. **South Cambridgeshire Local Plan Submission - March 2014**
  - S/1 Vision
  - S/2 Objectives of the Local Plan
  - S/3 Presumption in Favour of Sustainable Development
  - S/5 Provision of New Jobs and Homes
  - S/6 The Development Strategy to 2031
  - S/7 Development Frameworks
  - S/10 Group Villages
  - HQ/1 Design Principles
  - H/7 Housing Density
  - H/8 Housing Mix
  - H/9 Affordable Housing
  - NH/2 Protecting and Enhancing Landscape Character
  - NH/3 Protecting Agricultural Land
  - NH/4 Biodiversity
  - CC/8 Sustainable Drainage Systems
  - SC/6 Indoor Community Facilities
  - SC/7 Outdoor Playspace, Informal Open Space, and New Developments
  - SC/8 Open Space Standards
  - SC/10 Lighting Proposals
  - SC/11 Noise Pollution
  - TI/2 Planning for Sustainable Travel
  - TI/3 Parking Provision

**Consultation (as originally undertaken)**

15. **Hardwick Parish Council** - No recommendation

**Caldecote Parish Council** - The Parish have no objections in principle to the development, subject to the following:

1. We would like to understand any precedent that are set by this application with respect to future self build schemes. Large self-build schemes of 150 homes or more exist elsewhere, e.g: [http://www.selfbuildportal.org.uk/latest-news-  
archive/349-plans-submitted-for](http://www.selfbuildportal.org.uk/latest-news/12-news-archive/349-plans-submitted-for) We would be very concerned and oppose any precedent that are set on small scale self build schemes that might used as a back door to allow large self build schemes (potentially even larger than Gladman) in Cambridge to proceed. Also we have concerns where a self build scheme that is approved house-by-house does not invest in required shared infrastructure (see comment 4 below).

2. From Gladman appeal please note the inspectors recommendation from APP/W0530/W/16/3149854 clause 50 that "A design code is to be submitted and agreed with the aim of ensuring a high quality development which is generally not higher than 2 storeys ...". We would like this recommendation applied to this application, and all other future applications applications considered (or re-considered) by the planning committee, for the Caldecote parish.

3. We note that some of the house images used as representative designs in section 9 of the design an access statement appear quite large. We would want to ensure that these houses are not of excessive size for the plots. We assume this will be addressed in later stages of planning, not at outline.

4. It will be no surprise to you that this is an area that flooded a couple of years ago following heavy rain due to the surface water issue that have been covered before at length. We believe that with no surface water management system (could not see any details of SUDS etc on plans) on site the increased run off from roofs and hard surfaces does, despite section of their application 12, increase the local flood risk due to increased peak surface water run off. Clearly if the detailed applications are simply approved house-by-house this (probably shared) infrastructure might not get mandated. We would like to see a surface water management solution or the site that does not increase the rate of surface water run off to the ditch or surface water piped drain, even under heavy rainfall, compared with the existing run off. We do not believe that some simple rain water harvesting solution installed house by house that might be proposed can mitigate the peak flows.

5. When considered with other applications in this area, and recent builds in this area, we do have concerns that the local foul water/sewage can cope with the additional load. This is not just concerns with the pumping station, but the local pipe capacity within 500m of this build. I do not know how we address this with piecemeal development.

16. **Cllr Tumi Hawkins (Local Member for Caldecote)** - This application for 6 self-build properties on the land west of Casa-de-Foseta in Caldecote is a welcome development, which I support.

As this local authority is now a Right To Build Vanguard Authority (since 2015), it is befitting that such a collaborative project as this has come forward, as a first in the District.

The site is at the approach to Caldecote coming from the Hardwick direction, next to the BP garage and is currently looking worse for wear. Development of the site for self-build houses means that the character of the area will be enhanced. Building 6 dwellings on the site makes good use of the available land, and provides 6 families the opportunity to shape their own homes for the foreseeable future.

The site is also within walking distance to the bus stop at the Childerley Roundabout, giving access to public transport.

The issues of surface water and foul drainage will need to be addressed at the reserved matters stage, bearing in mind the historical issues with the pumping station.

17. **Cllr Harford (Housing Portfolio Holder)** - As members will be aware, South Cambridgeshire District Council is a Vanguard Authority for the Government's Self/Custom Build policy. Officers have been working hard to deliver not just the Council's own obligations in that respect but have also led on providing information and advice for prospective self builders through a series of well-attended workshops and the Council is intent upon offering a register management service to other local authorities.

The circumstances relating to the application that Committee is being asked to consider are not currently covered by policy, a situation that will be remedied in due course but which I ask does not further delay a decision for this applicant. The fact that the landowner wishes to enter into just one conveyance for all 6 self build plots and that as a consequence just one planning application is being made, triggers the obligation to make provision for affordable housing. [SCambs' policy is currently that any development of 3+ properties is required to make such provision.]

Following much discussion between Housing and Planning Officers, the proposal has been made that you see detailed in the Officer's report. As Housing PfH which role includes responsibility for Self/Custom Build, I am concerned to ensure support for this popular means of housing provision and to protect the Council's reputation as a Vanguard Authority.

In the same role I am also concerned to ensure that all sources of provision of affordable homes are protected. The proposal for a commuted sum contribution, fifty percent of which will be payable up-front and where claw-back of the remainder will be triggered by a sale within 3 years, seems to me to be a good basis on which to serve both the Council's obligations for promoting self-build and for protecting a source of providing affordable homes.

This view is also supported by my Cabinet colleagues, Robert Turner [Planning PfH] and Tim Wotherspoon [Strategic Planning & Infrastructure PfH and Self Build Champion]. I trust that members of the Planning Committee will also support this view and approve the application in line with Officers' recommendation.

18. **District Councils Self-build Officer** – South Cambridgeshire DC is one of 11 Vanguard Authorities piloting the Right to Build Agenda as laid out initially in the Self - Build Custom Housebuilding Act 2015. The Council is leading on delivering our commitment as a Vanguard Authority e.g. we have identified 100 self build plots on land in our ownership subject to planning which then brings a receipt into HRA for

further housing construction or other housing activity. The Council is also leading on best practice in the region.

The Act requires all local Authorities to set up and administer a Self Build / Custom Build Register of interested parties.

The Housing and Planning Act 2016 requires all Local Authorities to grant sufficient suitable development permissions on serviced plots of land to meet the demand for self - build and custom housebuilding in their area. Demand for Self build and Custom build is evidenced by the number of people on the register.

There are 697 people on the register. We have worked closely with this Group for two years and this will be the first group self build scheme that we are assisting through the process.

19. **District Council Affordable Housing Officer** – No objections following amendments to policy through Planning Portfolio Holder 11 December 2017.

20. **District Council Environmental Health Officer (EHO)** - At this stage the noise report provided has confirmed certain noise criteria will not be achieved and therefore mitigation measures have been proposed. The report goes on to conclude that further noise analysis will be required at the detailed design stage to establish the required mitigation for each property. It is therefore suggested that an informative is attached to ensure this occurs before any planning consent is granted. Upon completion of the further noise analysis the completed report should be forwarded to our department for consideration.

In addition to the above, as standard with any development we would suggest our standard amenity protection conditions during the construction phase should be attached to any consent granted.

21. **District Council Contaminated Land Officer** - The site's proposed end use is sensitive to potential contamination but the current and former uses of the site and surrounding area appear relatively innocuous. An electricity sub-station is noted to be on site, which could be considered as a potential source of contamination, although it is understood to be of modern construction and still in use, so therefore likely poses negligible risk to end users. As such, although we don't consider that any further works or remedial measures are necessary to achieve safe development, to ensure this is the case we would recommend attaching the following informative to this planning permission just to make the developer aware of their responsibilities.

*If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.*

22. **District Council Tree Officer** - No objections to the proposed outline development. A condition should be applied to ensure compliance with the tree protection plan and strategy that has been provided by Writtle Forest.

23. **District Council Ecology Officer** - Revision 2 of the *Extended Phase 1 Habitat*



Survey report addresses my previous comments, with the exception of 2c. To minimise risks of colonisation by great crested newt during construction, all loose materials such as piles of brick/stone, sand or gravel must be stored off the ground e.g. on pallets or in skips. If this is not possible, Temporary Amphibian Fencing would be required to deter GCN from moving through the works area. However, given the distance from GCN ponds, I am satisfied that this additional requirement can be conditioned and that, providing the approach recommended by the ecological consultants is followed, the works should comply with UK and EU law.

Therefore, please attach an appropriately-worded condition to cover the following to any consent granted:

- 1) Ecological Mitigation
- 2) A Biodiversity Management Plan (BMP)

All applications should achieve net ecological gain to meet the NPPF and SCDC planning policy including Biodiversity SPD and LDF Policy NE/6. Any Reserved Matters applications would need to demonstrate compliance with law and planning policy. I would have to object or raise concerns for any applications which did not demonstrate legal compliance or net ecological gain. Therefore, it would be prudent for the Biodiversity Management Plan to be produced before/alongside detailed design to provide a framework for the development.

24. **Archaeologist Cambridge County Council** - I am writing to you concerning the potential of archaeological implications of the above planning application.

Our records indicate that the site lies in an area of high archaeological potential, situated to the south of Roman settlement (Historic Environment Record reference MCB16337). To the north west is post-medieval moated site (01099). To the north east is Middle Iron Age farmstead (MCB16338) and Roman droveway (MCB18507). Geophysical and aerial photography surveys at Bourn Airfield to the west have revealed extensive cropmark evidence (ECB4694) and archaeological investigations to the south east at Highfields Road have revealed evidence of Iron Age settlement and occupation and post-medieval cultivation (ECB4622).

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition such as the model condition 'number 55' contained in DoE Planning Circular 11/95:

"No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority."

This will secure the preservation of the archaeological interest of the area either by record or *in situ* as appropriate. The model condition also indicates:

*Developers will wish to ensure that in drawing up their scheme, the timetable for the investigation is included within the details of the agreed scheme.*

A brief for the archaeological work can be obtained from this office upon request.

**Representations (as originally undertaken)**

25. Leyland's, Highfields Road – Support the proposals but would ask that the poplars that form the South boundary are only trimmed to allow the scheme to proceed. This will protect the established tree line. Consideration should also be given to privacy when plans are drawn up for plot 3.

### **Site and Surroundings**

26. The application site is located outside of the village development frameworks of Caldecote and Hardwick and in the countryside (NB while the address is in Hardwick, the site lies within Caldecote parish). To the east of the site is an existing residential property known as Casa de Foseta. To the west of the site is a petrol filling station and shop. To the south is a static mobile home park and residential property known as Leylands. The site has been unmanaged for some time and as a result the site is heavy treed and is aligned with an established hedgerow.

### **Proposal**

27. The applicant seeks outline planning permission for the erection of 6 dwellings (self-build) including access only. All other matters including appearance, landscaping, layout and scale are to be reserved.

### **Planning Assessment**

28. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether the proposal is considered to meet the definition of sustainable development. An assessment is required in relation to affordable housing provision, the impact of the proposals on the character of the surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity.

### **Principle of Development**

Five-year housing land supply

29. The National Planning Policy Framework (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
30. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.5 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory December 2017). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
31. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal

interpretation of “policies for the supply of housing” which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies “for the supply of housing”.

32. Further guidance as to which policies should be considered as ‘relevant policies for the supply of housing’ have emerged from the decision of the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF. The term “relevant policies for the supply of housing” has been held by the Supreme Court to be limited to “housing supply policies”.
33. The effect of the Supreme Court’s judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as “relevant policies for the supply of housing”. They are therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policy ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
34. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date “albeit housing supply policies” do not now include policies ST/6, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”
35. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
36. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in

terms of the delivery of new homes that planning permission should be refused.

37. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
38. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
39. The site is located outside both the Caldecote and Hardwick village frameworks, in the open countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of 6 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.
40. Development in Group Villages (the current and emerging status of Caldecote) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings, or in exceptional cases 15, where development would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.
41. By proposing 6 dwellings, the scheme would meet the indicative maximum of 8 on a greenfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in the earlier Over appeal decision (18 January 2017) stated that '...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.'
42. In light of the above, it is not appropriate, in the case of all Group Villages, to attach the same weight to policy DP/7 and DP/1(a) in the 'blanket' way. It is necessary to consider the circumstances of each Group Village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development. Similarly, each planning application must be assessed on its own merits.
43. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

### **Environmental Sustainability**

#### *Landscape and Countryside Impact*

44. The site is enclosed by development on all three of its shared boundaries. Whilst there would be a clear intensification to the site the impact to the landscape and countryside would be negligible in this instance. The proposed development would accord with

policy DP/2 and NE/4 of the Local Development Framework by preserving local character. Another more detailed assessment will need to be made when considering each of the reserved matters schemes.

*Loss of trees, hedgerows and ecology enhancements*

45. The Council's Tree and Landscape Officer has worked alongside the applicant to retain the most important trees/hedgerows on and around the application site including the Tree Preservation Orders.
46. There are a number of trees in the centre of the site at present that are of limited ecological value and will need to be removed as part of any reserved matters scheme. A condition will be implemented on any decision notice for details of ecological enhancement.

**Social Sustainability**

Sites accessibility to services and facilities

47. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. As such, this scale of development must be considered in light of the facilities in Caldecote and the impact of the scheme on the capacity of public services.
48. The site lies adjacent to a petrol filling station which has a small convince store. On the opposite side of the road adjacent to the roundabout, is a bus stop with regular bus services into Cambridge and into Cambourne Monday-Sunday. The site is within an accessible distance form these facilities.
49. Other facilities within Caldecote including the primary school, social facilities and sports facilities would be some distance from the site and therefore, might put off some occupiers from walking and cycling to the facilities on a daily basis. However, those people that do wish to walk or cycle would be able to do so on a safe and lit footway with the majority of the route being aligned with residential houses.
50. In this instance, there would be some conflict with policy DP/1(a) and para 7, however, it is not considered to be adverse to an extent that it would outweigh the benefits of the provision of additional housing and self-build housing in the context of the Council's lack of a 5 year housing land supply and the Councils status as a Vanguard authority.
51. The Council would not request any contributions toward community facilities or public open space given the size of the site and the proposal being under 10 units.

Self-build and custom-build concept in decision-making

52. In March 2015 the government introduced the Self-build and Custom Housebuilding Act 2015 (the 2015 Act). This places a duty on certain public authorities to maintain a register of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects and places a duty on public authorities to have regard to those registers in carrying out planning and other functions including housing, regeneration. The 2015 Act now also places a legal duty on authorities to grant sufficient development permission to meet the demand for self-build and custom build in its area.

53. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications shall be determined in accordance with the development plan, unless material considerations indicate otherwise. At present Council does not have a specific adopted or emerging local planning policy for the provision of self-build and custom build sites in the district. Therefore, in determining this application members will need to have regard to national planning policy.
54. In terms of national planning policy, paragraphs 47 and 50 of the NPPF seek to significantly boost and deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mix communities.
55. National Planning Guidance Note paragraph 14 states 'registers that relate to the area may be a material consideration in decision taking'. The concept does, however, need to be weighed against all other material considerations by the decision maker.
56. In 2015 South Cambridgeshire District Council successfully bid for and won DCLG funding to become a Right to Build Vanguard Authority. Since then the Council has created a self and custom build function which aims to support people to design and build their own homes at potentially a lower cost than buying an existing property.
57. Off the back of this and in accordance with the 2015 Act, the Council maintains a register which currently is 700 people interested in a serviced plot within the district. Given that the Council have progressed to becoming a vanguard authority and given the number of members on the register, both factors are considered to be a material consideration to the determination of any planning application. The provision of serviced plots will also meet the aims of paragraph 50 which seek to deliver a wide choice of homes which in turn could significantly boost the supply of housing.
58. The proposed development if approved will make a small contribution to the demands of the register at first observation, but given, that it's a relatively new concept for the Council as a vanguard authority and that it's unusual for a site of six units to come forward under a single consent, officers advise that substantial weight should be given to these factors in favour of the development.

*Affordable housing provision*

59. As mentioned previously, planning law requires that planning applications shall be determined in accordance with the development plan, unless material considerations indicate otherwise.
60. Policy HG/3 requires that a minimum of 40% (i.e. 3) of the proposed dwellings should be affordable. This was agreed when the planning committee first considered the application. The affordable provision was to be secured by means of a commuted sum.
61. On 11 December 2017, the PPH considered a report on Affordable Housing Thresholds. A copy of that report is attached as appendix 1. In summary, the PPH has noted that affordable housing provision will only be required on developments of 11 dwellings or more, or on sites of less than 11 units if the combined gross internal floorspace of the proposed development exceeds 1,000 sqm. This is in accordance with the Government's Written Ministerial Statement 2014 (WMS) and the anticipated findings of the Inspector reporting on the modifications to the emerging Local Plan.
62. Given that there are not any detailed plans at this stage, the proposed scheme would fall beneath the threshold set out in the report. In the light of the WMS and the anticipated Inspector's report, it would be both inappropriate and unreasonable to

secure any affordable housing obligations in this instance. Given that the necessary section 106 agreement has not yet been completed, officers advise members to note the report to the PPH and to remove this requirement.

### **Economic Sustainability**

63. The provision of 6 new dwellings might give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will have limited benefit to the local economy given the size of the development.
64. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development.

### **Density and Mix of development**

65. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 at approximately 8 dwellings per hectare. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement in the countryside and that it is a self-build pilot site it is considered that this proposal would meet the exception tests of the current and emerging policy with regard to the density of development.

### **Design, appearance and scale**

66. All of these matters are to be considered at reserved matters stage. Officers are of the understanding that each of the individuals will be submitting a reserved matters application for each plot. This is likely to be at different times.
67. The application is for six units only therefore officers do not consider it necessary to impose a condition for a design code. This is no different than any other application of this scale within the district. However, design clues and the general scale of development should be taken into account together with the surrounding area before drawing up a reserved matters application.
68. The majority of development along this part of St Neots Road is single storey or one-half storey units. The units are set back from the main road in order to retain a treed/hedgerow frontage. These factors help in retaining the semi-rural and edge of village feel to the area. Therefore, tall two or three storey buildings are unlikely to be acceptable in this location. At this stage, officers do not think it's reasonable to restrict heights of the development given that these matters can be addressed in the reserved matters.

### **Trees**

69. The District Council Tree Officer has raised no objections to the proposals subject to a condition should be applied to ensure compliance with the tree protection plan and strategy that has been provided by Writtle Forest.

### **Ecology**

70. The Ecology Officer has raised no objections to the application following the submission of Great Crested Newt details. Measures to protect nesting birds and ecology enhancements will need to be included on any decision notice. Updated biodiversity

management plan will need to be submitted addressing the points raised by the ecology officer. As such the proposals comply with policy NE/6.

### **Highway safety and parking**

71. Given the relatively low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking. The plans were updated to ensure the access has the requested visibility splays.
72. The proposals are therefore considered to comply with the requirements of policy DP/3 in terms of highway safety and the traffic generated as agreed by the Local Highways Authority.

### **Residential amenity**

73. The application is in outline and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties. Given the low density of the site, officers consider there will be sufficient room on the site accommodate the dwellings.
74. Issues relating to overlooking, overshadowing or causing a loss of privacy cannot be assessed at outline stage given the limited details that have been submitted with the application. Any reserved matters application will need to ensure each factor has been sufficiently mitigated in accordance with the Councils standards in the District Design Guide SPD. Once each reserved matters application is approved this will become a material consideration for the other plots to address in the design.
75. Given the site lies adjacent to the petrol filling station a noise assessment was submitted and considered by the Council's Environmental Health Officer. The report recommended that noise mitigation measures should be included in any detailed design stage and that the existing noise impacts would not cause adverse impacts to residential amenity.
76. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice.
78. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of the occupants of each of the plots within the development in accordance with policy DP/3 which seeks to prevent an unacceptable impact on residential amenity.

### **Surface water and foul water drainage**

78. The site is located within flood zone 1 (lowest risk of flooding). Specific details on site levels, existing surface water run off rates, full details of the capacity of attenuation measures, flow control mechanisms and maintenance will be required at the reserved matters stage and can be secured by condition at the outline stage.
79. On the issue of foul water drainage capacity, the Inspector determining the appeal for 140 dwellings east of Highfields Road stated that 'incidents of flooding and breakdown have occurred at the pumping station, leading to smells and noise, but Anglian Water



has indicated that the pumping station has the capacity to pump the additional outflow from the proposed development. On the face of the evidence, there is no reason to consider that foul drainage is a reason to dismiss the appeal.'

80. Whilst the issues relating to drainage are noted, given that there is capacity within the network and the issues are connected to maintenance of the network, there are no grounds to refuse the application in this regard that could be successfully defended at appeal. A condition will be included on any decision notice for a foul water.

### **Other matters**

#### Contamination

81. The site is considered to be a low risk in relation to land contamination and as such an informative as recommended by the Contaminated land officer can be included.

#### Archaeology

82. Cambridgeshire County Council records indicate that the site lies in an area of high archaeological potential, situated to the south of Roman settlement (Historic Environment Record reference MCB16337).
83. To the north west is post-medieval moated site (01099). To the north east is Middle Iron Age farmstead (MCB16338) and Roman driveway (MCB18507). Geophysical and aerial photography surveys at Bourn Airfield to the west have revealed extensive cropmark evidence (ECB4694) and archaeological investigations to the south east at Highfields Road have revealed evidence of Iron Age settlement and occupation and post-medieval cultivation (ECB4622).
84. The County Council have not objected to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition such as the model condition.

### **Conclusion**

85. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
86. The proposed development would provide a modest number of dwellings, all of which will be homes for self-builders. These are benefits which should be given weight in the determination of the planning application.
87. Although the site is located outside the development framework of a group village, accessibility to services and to public transport is considered adequate. The weight that can therefore be attached to the conflict with policies DP/1(a) and DP/7 which are intended to ensure that development is directed to the most sustainable locations in the district is limited under the current circumstances.
88. It is considered the proposal would result in only limit harm on the character of the landscape and visual impacts from St Neots Road. The design and appearance of the units will need to be resolved at the reserved matters stage. Nonetheless, it is considered the proposal would not result in a significant adverse impact on the

character of the landscape or visual impacts from St Neots Road. The number of units proposed could also be achieved in a manner that would preserve the residential amenity of neighbouring properties.

89. The proposed scheme would not provide any affordable housing in accordance with policy HG/3. However, as already noted, it would now be both inappropriate and unreasonable to secure any affordable housing obligations in this instance.
90. In terms of the balance required by paragraph 14 of the NPPF, the absence of a five year housing land supply means the conflict with the aforementioned policies is not considered to significantly and demonstrably outweigh the benefits of the proposal particularly in terms of the contribution which it would make to providing self-build plots.

### **Recommendation**

91. Delegated approval subject to:

### **Legal Agreement**

92. a Section 106 (or other appropriate) legal agreement as set below, final wording to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission. The agreement to comprise measures to secure the development for self-builders.

### **Conditions and Informatives**

93. Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:
- (a) The development shall be carried out in accordance with the following approved plans: 0140-001revB, Location Plan 1:2500  
(Reasons - To facilitate any future application to the Local Planning Authority)
  - (b) Approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
(Reason - The application is in outline only.)
  - (c) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
(Reason - The application is in outline only.)
  - (d) Prior to the commencement of any development on the specific plot the development relates to, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- (e) Prior to the commencement of any development on the specific plot the development relates to, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
- (f) No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
- (g) Two 2.0 x 2.0 metres visibility splays shall be provided in accordance with drawing no.0140/001B. The splays are to be included within the curtilage of each of the new dwellings. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.  
(Reason - In the interest of highway safety in accordance with DP/3 of the Local Development Framework)
- (h) During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (i) All works shall proceed in strict accordance with the recommendations detailed in section 4.2 of the Extended Phase 1 Habitat Survey report Revision 02 (Prime Environment Limited, March 2017). This shall include avoidance and mitigation measures for great crested newts, reptiles, nesting birds, bats and badgers. In addition all loose materials which could be colonised by great crested newts shall be stored off-ground during work for examples on skips or pallets. If any amendments or recommendations as set out in the report are required, the revisions shall be submitted in writing to and agreed by the Local Planning Authority.  
(Reason - To minimise disturbance, harm or potential impact on protect species in accordance with policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007)
- (j) A Biodiversity Management Plan (BMP) for the whole of the site shall be submitted to the Local Planning Authority for approval in writing before any works commence on site (this does not include site clearance or any other investigation work). The content of the BMP shall include:
- Description and plan showing the features to be managed including areas of retained habitats and a specification for created or enhanced habitats including an area suitable as a reptile Receptor Site;

- A protocol for how works will proceed if more than five reptiles are found during site clearance or if any reptile is killed or injured;
- Aims and objectives of management;
- Prescription of management actions;
- A work schedule i.e. an annual work plan; and
- Details of responsibilities for the long-term funding and implementation of the plan including ongoing monitoring and remedial measures.

The plan shall be implemented in accordance with the approved details.  
(Reason - To protect existing priority habitats and to enhance the site for biodiversity in accordance with the NPPF and policy NE/6 of the adopted Local Development Framework 2007)

- (k) Any reserved matters application should take into account the recommendations and findings of the Acoustical Control Engineers and Consultants report dated 5 December 2016. Further noise analysis will be required at detailed design stage.  
(Reasons - To ensure the development does not have an adverse impact on indoor or outdoor acoustic environment in accordance with NE/15 of the adopted Local Development Framework 2007)
- (l) All works shall proceed in strict accordance with the recommendations detailed in Writtle Forest Plan No.001Rev1 and Arboricultural Implication Assessment dated 03.08.2016.  
(Reasons - To ensure the development preserves the character of the local area in accordance with DP/2 and NE/16 of the adopted Local Development Framework 2007)

### **Informative**

1. If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.

### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1124//17/OL

### **Report Author:**

Rebecca Ward

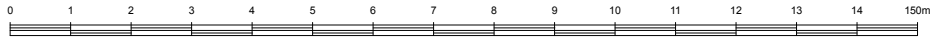
Telephone Number:

Principal Planning Officer

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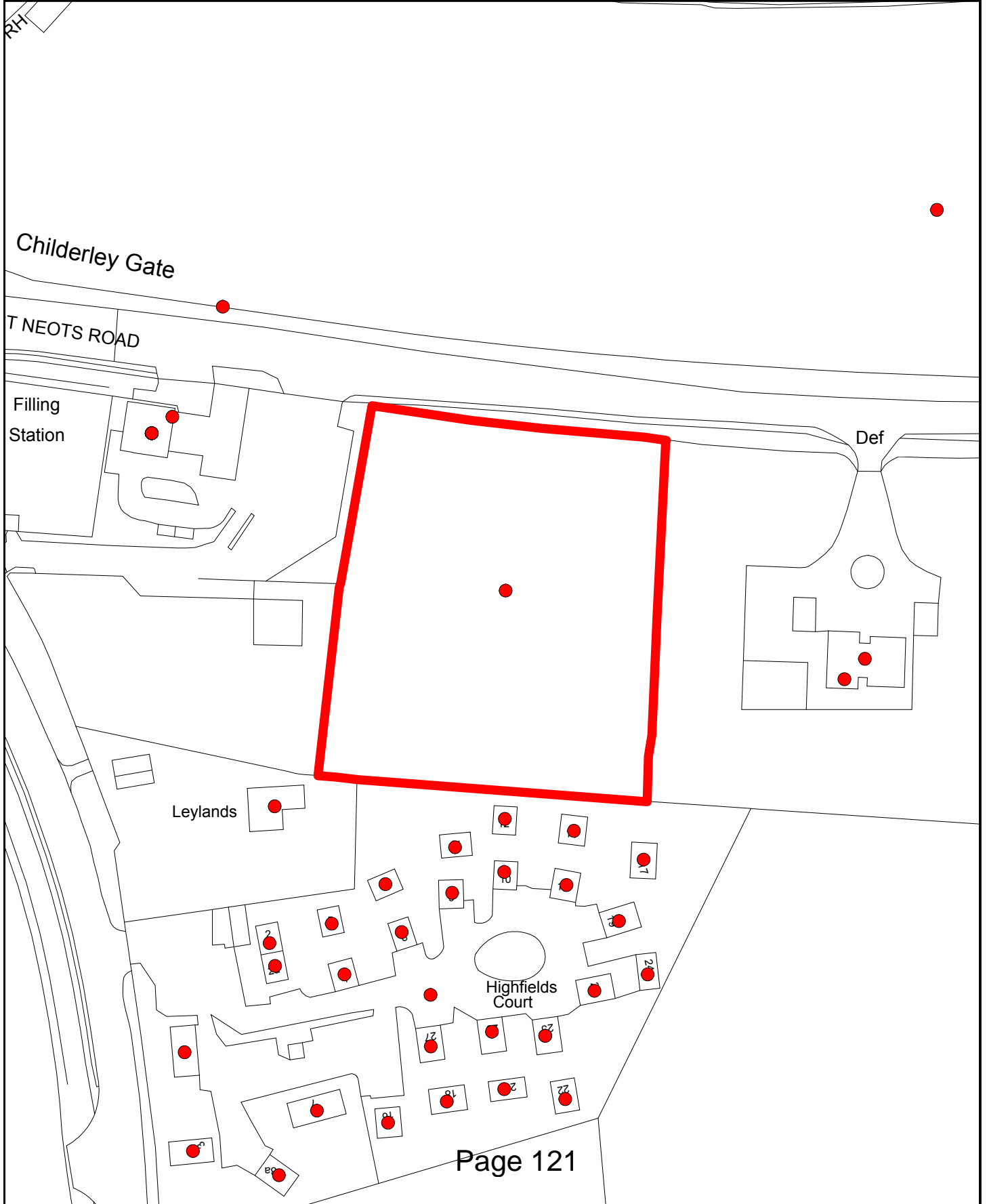
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District Council

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# Agenda Item 8

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee 10 January 2018  
**AUTHOR/S:** Joint Director for Planning and Economic Development

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**Application Number:** S/1032/17/FL

**Parish(es):** Melbourn

**Proposal:** Full planning application for the construction of 23 dwellings with associated access from The Moor, infrastructure and open space

**Site address:** Land to the rear of numbers 46 - 56 The Moor, Melbourn

**Applicant(s):** John Hanson, Hanson Services Ltd

**Recommendation:** Delegated Approval subject to complete section 106 (or similar) agreement

**Key material considerations:** Five year supply of housing land  
Principle of development  
Housing Delivery  
Scale of Development, Cumulative Impact and Services  
Density  
Housing Mix  
Affordable Housing  
Developer contributions  
Loss of agricultural land  
Loss of trees, hedgerows and ecology enhancements  
Ecology, trees and hedging  
Scale, layout and appearance  
Landscaping  
Biodiversity  
Highway Safety, parking and sustainable travel  
Flood risk and drainage  
Residential amenity  
Contamination  
Other matters

**Committee Site Visit:** Yes

**Departure Application:** Yes (advertised 19 April 2017)

**Presenting Officer:** Michael Sexton, Senior Planning Officer

**Application brought to Committee because:** Approval of the planning application would represent a departure from the Local Development Framework.

**Date by which decision due:** 31 January 2018 (current extension of time to facilitate Section 106 agreement)

## Executive Summary

1. This is a Full Application which seeks permission for a residential development of 23 dwellings, including 9 affordable dwellings, outside the Melbourn village framework and in the countryside.
2. Melbourn is classified as a Minor Rural Centre where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the village framework. Although the number of dwellings proposed falls below this threshold, the development would not normally be considered acceptable in principle as a result of its out of village framework location. However, the Council acknowledges at present it cannot currently demonstrate a five-year housing land supply.
3. Given that the Council cannot currently demonstrate a five year housing land supply, its “housing supply policies” remain out of date (albeit “housing supply policies” do not include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court in the Hopkins Homes appeal, paragraph 14 of the NPPF is engaged and planning permission for housing development should be granted, inter alia, “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of [the] Framework taken as a whole ...”.
4. The proposed dwellings will be a mix of terraced houses and apartments (9 dwellings), link-detached and detached houses (14 dwellings). Access to the site would be taken from The Moor, via the existing access road between numbers 50 and 52 The Moor. The development would comprise a spine road off which there would be three cul-de-sacs incorporating dwellings and some shared parking courts.
5. Parking would be located within each individual residential plot in the form of garages and driveways (for the larger houses), as well as off-street allocated parking spaces and courtyard parking for the smaller units. Cycle parking is also proposed to be provided for each unit by either dedicated space within each of the proposed garages, or by external lockable, timber cycle stores in the rear gardens of each property.
6. Open space is proposed adjacent to the entrance on the southern side of the access road. The area would be split into two by the access to plots 22 and 23. An informal play space would be incorporated within a section of open space, adjacent to the gable end of plot 9.
7. There are no objections to the proposed development from the Council’s internal consultees, or from the Highway Authority, the Lead Local Flood Authority or the Environment Agency, subject to appropriate conditions
8. The proposed development is considered to demonstrate that the residential amenity of neighbouring properties would be preserved, and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development. The presence of a bus service at commuting times in relatively close proximity to the site, and the provision of a good range of services and facilities present in Melbourn, are factors which are considered to render the scheme socially and environmentally sustainable.
9. The benefits from the development include the provision of 23 dwellings towards housing land supply, the provision of 9 affordable dwellings towards the identified

need across the district, the provision of public open space including within the development, developer contributions towards education , open space and community facilities, employment during construction to benefit the local economy and greater use of local services and facilities to contribute to the local economy.

10. These benefits must be weighed against adverse impacts of the development. These are identified as the location outside village framework and the objectives of policies DP/1(a) and DP/7 and only limited landscape harm.
11. In this case, it is considered that none of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

### **Planning History**

12. None relevant.

### **Environmental Impact Assessment**

13. The application does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and would not exceed the criteria in section 10b of Schedule 2 of the regulations. The application does not therefore require the submission of an Environmental Impact Assessment.

### **National Guidance**

14. National Planning Policy Framework 2012 (NPPF)  
Planning Practice Guidance

### **15. Development Plan Policies**

The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.

16. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**  
ST/2 Housing Provision  
ST/5 Minor Rural Centres

### **17. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
NE/1 Energy Efficiency  
NE/3 Renewable Energy Technologies in New Development  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/8 Groundwater

- NE/9 Water and Drainage Infrastructure
  - NE/10 Foul Drainage – Alternative Drainage Systems
  - NE/11 Flood Risk
  - NE/12 Water Conservation
  - NE/14 Lighting Proposals
  - NE/15 Noise Pollution
  - NE/17 Protecting High Quality Agricultural Land
  - CH/2 Archaeological Sites
  - CH/4 Development within the Curtilage or Setting of Listed Buildings
  - SF/10 Outdoor Playspace, Informal Open Space, and New Developments
  - SF/11 Open Space Standards
  - TR/1 Planning For More Sustainable Travel
  - TR/2 Car and Cycle Parking Standards
  - TR/3 Mitigating Travel Impact
18. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
- District Design Guide SPD - Adopted March 2010
  - Affordable Housing SPD - Adopted March 2010
  - Landscape in New Developments SPD - Adopted March 2010
  - Biodiversity SPD - Adopted July 2009
  - Open Space in New Developments SPD - Adopted January 2009
  - Trees & Development Sites SPD - Adopted January 2009
19. **South Cambridgeshire Local Plan Submission - March 2014**
- S/1 Vision
  - S/2 Objectives of the Local Plan
  - S/3 Presumption in Favour of Sustainable Development
  - S/5 Provision of New Jobs and Homes
  - S/6 The Development Strategy to 2031
  - S/7 Development Frameworks
  - S/9 Minor Rural Centre
  - HQ/1 Design Principles
  - H/7 Housing Density
  - H/8 Housing Mix
  - H/9 Affordable Housing
  - NH/2 Protecting and Enhancing Landscape Character
  - NH/3 Protecting Agricultural Land
  - NH/4 Biodiversity
  - NH/14 Heritage Assets
  - CC/1 Mitigation and Adaptation to Climate Change
  - CC/3 Renewable and Low Carbon Energy in New Developments
  - CC/4 Sustainable Design and Construction
  - CC/6 Construction Methods
  - CC/7 Water Quality
  - CC/8 Sustainable Drainage Systems
  - CC/9 Managing Flood Risk
  - SC/2 Heath Impact Assessment
  - SC/6 Indoor Community Facilities
  - SC/7 Outdoor Playspace, Informal Open Space, and New Developments
  - SC/8 Open Space Standards
  - SC/10 Lighting Proposals
  - SC/11 Noise Pollution
  - TI/2 Planning for Sustainable Travel
  - TI/3 Parking Provision
  - TI/8 Infrastructure and New Developments

## Consultation

20. **Melbourn Parish Council** – Recommends refusal of the proposal (please see Appendix 1 for full comments). The key concerns are summarised as follows: -
- i. Accumulative effect of this development on the individual characteristics of Melbourn – in total there are plans to build 296 houses of which 121 are affordable (excluding this proposal).
  - ii. Traffic density and highway safety.
  - iii. Inadequacy of services: accessibility, sewage and drainage.
21. Additional comments were received to an amendment consultation which raised several questions relating to highway safety and the volume of traffic. These comments were shared with the Local Highways Authority who have provided a response and which is set out in appendix 2. Both appendix 1 and 2 are provided electronically
22. **Affordable Housing Officer** – no objection to amended affordable housing scheme layout.

### *Original Scheme*

All developments that increase the net number of dwellings on a site by 3 or more need to provide 40% affordable housing suitable to address local housing needs. This proposed scheme is for 23 dwellings; therefore 9 would need to be affordable.

The tenure mix for affordable housing in South Cambridgeshire District is 70% affordable rented and 30% intermediate housing. As at May 2016 there were 1,689 applicants registered on the housing register for South Cambridgeshire.

In Major Developments, Rural Centres and Minor Rural Centres the type (house, flat, bungalow) and size (bedrooms) of affordable housing will be based on the need across the district as a whole. The application form shows the proposed affordable housing mix as Social Rented housing, comprising 4 x 1bed houses; 4 x 2bed houses, and 1 x 3bed house. Contrary to the applicants planning statement, there has been no record of any consultation between the applicant and the Council's Affordable Homes service regarding the affordable housing tenure mix or layout on this scheme. Therefore, a proposal to for an Affordable Housing Scheme that fails to meet the advised tenure mix would be difficult for the Council's Affordable Homes Service to approve.

The affordable housing tenure mix required is for 6 affordable rented and three intermediate dwellings. The block plan shown in drawing 194.14 and the affordable layout plans for block 1 and 2 in drawings 194.04 and 194.06 fail to demonstrate the different affordable housing tenures. In particular, both blocks show 1 bed apartments, meaning that it would not be possible for the blocks to comprise distinct tenures. Mixing affordable tenures within blocks of affordable housing would create significant management and maintenance issues for any prospective registered provider, which would have an adverse impact of the value of the affordable housing scheme. Therefore, a proposal to for an Affordable Housing Scheme that fails to discretely demise private open space and parking for different affordable housing tenures would be difficult for the Council's Affordable Homes Service to approve.

Although there is currently no local plan policy regarding residential space standards, Registered Providers may be compelled to meet the DCLG standards as a funding

condition if they are in receipt of Homes and Communities Agency funding in support of their development programme. Therefore, a proposal to for an Affordable Housing Scheme that falls below the DCLG space standards would be difficult for the Council's Affordable Homes Service to approve.

Proposed Submission South Cambridgeshire Local Plan July 2013 Policy H/8 (3) requires 100% of affordable homes to meet the Lifetime Homes standard. The Lifetime Homes standard has been superseded by new Building Regulations. We now advise that across the district there is a requirement for 5% of all affordable housing to be accessible and adaptable that meet Building Regulations Part M4(2). In this scheme, we would recommend that the 1 no. affordable dwellings are built to this standard, with the remainder of the affordable housing built to Part M4 (1): Category 1 – Visitable dwellings.

The site is outside the development framework and would normally be considered an Exception site (DCP HG/5, Proposed Submission Local Plan H/10) requiring all affordable housing in the development to be allocated to applicants with a specific local connection. As this site is a '5 year land supply' site, it should therefore provide a policy compliant (40%) level of affordable housing. As a starting point for discussions on the requirement for a local connection criteria on 5 year land supply sites:

- The first 8 affordable homes will be occupied by those with a local connection; affordable homes thereafter will be split 50/50 between local connection and on a Districtwide basis.
- If there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to relet.

#### *Amended Affordable Housing Scheme layout*

We have reviewed the revised affordable housing layouts drawings 194.06B and 194.04B which have partially responded to the concerns raised in our earlier consultation response. We still have concerns with the ground floor WC layouts, which as drawn show no possibility for adaptation for disabled users.

The affordable housing site layout has been improved and addresses our earlier concerns.

We would urge the applicant to engage with registered providers and seek their input in the detailed design of the scheme.

23. **Anglian Water** – Has no objections. Comments that the foul drainage is in the catchment of Melbourn Water Recycling Centre that will have available capacity for these flows. Requests a condition covering the foul drainage strategy to ensure no unacceptable risk of flooding downstream. The proposed methods of surface water disposal do not relate to Anglian Water operated assets. Suggests a condition requiring a foul water strategy.
24. **Cambridgeshire County Council Flood and Water Team** – Has no objections following the submission of additional drainage information. Requests a condition requiring infiltration testing and a final surface water strategy based on the results of this testing and an informative stating that the second public drain is an awarded

watercourse be imposed on any consent.

25. **Cambridgeshire County Council Historic Environment Team** – Has no objections to development proceeding subject to a condition to secure a written scheme of investigation.
26. **Cambridgeshire County Council Education Team** – Comments that there is insufficient early year's provision and primary school provision in the village to accommodate the development and contributions are therefore sought to mitigate the impact. There is currently a project to expand the early years places at Melbourn primary school through the addition of 52 places. There is currently a project to expand the primary places at Melbourn primary school through the provision of an additional 3 classrooms. The cost would need to be apportioned to the cumulative developments in the village and would be £249,955 for early years and £1,713,463 for primary education. The proposed development will significant impact on the secondary education places at Melbourn Village College, however, the County Council have not yet considered a viable project to expand the school.
27. **Cambridgeshire County Council Libraries Team** – Comments that the development falls within the South Cambridgeshire mobile library catchment area for which there is insufficient capacity for which a contribution would normally be sought. However, the mobile library service already has 5 S106 contributions pooled; therefore, the County Council is prevented from seeking a further S106 towards this until an additional project has been identified.
28. **Cambridgeshire County Council Waste Team** – Comments that the development falls within the Thriplow Household Recycling Centre (HRC) catchment area for which there is currently insufficient capacity. The County Council has advised that this development would generate a contribution of £192.97 (£8.39 x 23 dwellings). However, the HRC already has 5 S106 contributions pooled; therefore, the County Council is prevented from seeking a further S106 Strategic Waste contribution.
29. **Cambridgeshire Fire and Rescue Service** – Requires adequate provision for fire hydrants through a condition of any consent.
30. **Contaminated Land Officer** – No objection, request condition relating to the identification of previously unidentified contamination on the site.
31. **Ecology Officer** – Has no objections following the submission of additional bat surveys. Recommendations made within the file note should be followed to avoid legislative conflict in the future. If after a period of 1 year should the development not have commenced, or these trees still require further works, then updated surveys may be necessary.

Welcome the management plan for the compensation area; however, would like to see a more detailed grass mix identified for the proposed orchard area. Currently only ryegrass is identified to add to the wildflower mix. Coarse species such as bents, cock's foot, fescues, downy oat-grass, and false brome will help overwintering insect species if left uncut over the winter for example.

There needs to be an ongoing management plan to maintain the orchard. The grassland and wildflower areas need to be careful managed in order to prevent ruderal and scrub habitats from returning. A detailed mowing regime will need to be instigated; this should include the removal of all grass cuttings once seeds have been allowed to fall from the cut grass.

In order to further refine the issues above suggest two conditions; 1) ecological measures and / or works carried out in accordance with detailed contained in the File Note already submitted, and 2) a Landscape and Ecology Management Plan (LEMP) to be submitted prior to occupation.

32. **Environment Agency** – Has no objections in principle, stating that the application falls within Flood Risk Standing Advice. Puts forward a number of recommendations and informatives relating to groundwater issues, contaminated land issues, foul water drainage, pollution prevention and a condition relating to pollution control
33. **Environmental Health Officer** – No objection, request conditions relating to noise / vibration and dust impact, artificial lighting and renewable energy strategy / report.
34. **Landscapes Officer** – Has no objections in principle following the submission of amended / additional details. Applicant to include a native hedgerow on the east boundary as per District Design Guide SPD March 2010:  
*6.15. The edges of new development should blend into the landscape by means of lower density towards the premier, with increased planting predominately of native species. The use of close-boarded fencing along development edges is not appropriate within a rural context, which is generally local hedging species or a post and rail fence.*
35. **Local Highways Authority** – No objection following submission of drawing number PL01 Rev B (proposed build out at site access / egress junction). Requests a condition requiring the submission of a traffic management plan.
36. **NHS England** – no response received (as below the consultation threshold).
37. **Section 106 Officer** – Requires contributions in relation to sports, formal children’s playspace, indoor community space, waste receptacles, library and monitoring. Informal open space and informal children’s play space would be provided on site.
38. **Sustainable Drainage Engineer** – Has no objections following the submission of additional drainage information.
39. **Trees Officer** – Further to comments given earlier in the year by Lisa Camps, Interim tree Officer, I have no arboricultural objections to this application. Virtually all trees were removed from this well treed site before application submission. Requests a condition that the ‘Arboricultural Planning Statement dated July 2017’ be listed as an approved document.
40. **Urban Design Officer** – No objections in principle following submission of amended layout plans with previous comments addressed by drawing number 194.14 Rev F. Suggest small trees on entrance to road between plots 1-6 and plot 7, also some landscaping / hedge to soften car park area in front of plots 1-6.

### **Representations**

41. 11 letters of objection have been received from local residents that raise the following concerns: -
  - i. Access is in private ownership – unacceptable and unsuitable to have this many houses served by a private access way.
  - ii. Adequacy of services – doubts about the availability of the usual utility services.



- iii. Bus service to Royston recently reduced to 1 bus every two hours.
- iv. Cumulative impact of other developments in village
- v. Existing congestion and parking issues.
- vi. Foul drainage issues in the area.
- vii. Impact upon environment, wildlife, biodiversity and trees.
- viii. Increase in traffic, congestion and highway safety issues for vehicles, pedestrians and cyclists.
- ix. Insufficient infrastructure to cope with the development i.e. roads, schools, doctors surgeries, shops, sewerage system.
- x. Neighbour amenity – loss of privacy, loss of light, noise.
- xi. Not really adding affordable housing to village – addressed by completed bigger developments and recent approval for 199 houses in new road.
- xii. Out of character development to the village outskirts and The Moor.

### **Site and Surroundings**

- 42. The application site lies to the north of the village, just outside, but adjacent to, Melbourn village framework.
- 43. The site has an area of approximately 0.83 ha. It is bounded to the east by a narrow drainage ditch that runs approximately north-south, and to the west by the rear gardens of existing residential properties in The Moor (Nos. 46 – 56 even). The southern boundary of the site is formed by the long rear garden of number 44 The Moor. The northern boundary of the site adjoins the rear garden of number 60 The Moor, which contains several large outbuildings.
- 44. Within the immediate vicinity of the site, there are footways on both sides of the road on The Moor. These link the site to the surrounding residential areas, and Melbourn High Street. The road is subject to a 30 mph speed limit, and benefits from street lighting. To the west of the site is Melbourn recreation ground. To the south of the site, on the western side of The Moor, is Melbourn Village College.
- 45. The site is located within Flood Zone 1 (low risk).

### **Planning Assessment**

- 46. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether Melbourn generally, and this site specifically, allow the proposal to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the village edge and surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

### **Housing Land Supply**

- 47. The National Planning Policy Framework (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
- 48. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.5 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This

shortfall is based on an objectively assessed housing need of 19,000 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory December 2017). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.

49. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
50. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' has emerged via the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF. The term "relevant policies for the supply of housing" has been held by the Supreme Court to be limited to "housing supply policies" rather than more being interpreted more broadly so as to include any policies which "affect" the supply of housing, as was held in substance by the Court of Appeal.
51. The effect of the Supreme Court's judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as "relevant policies for the supply of housing". They are therefore not "out of date" by reason of paragraph 49 of the NPPF. None of these adopted policies are "housing supply policies" nor are they policies by which "acceptable housing sites are to be identified". Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policy ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
52. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date "albeit housing supply policies" do not now include policies ST/5, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia "unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ..."
53. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/5, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable

weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/5, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.

54. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/5, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
55. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.

#### **Principle of Development**

56. As the site is located outside the Melbourn village framework and, in the open countryside, policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of 23 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.
57. The development would not therefore comply with Policy DP/7 of the LDF.
58. Development in Minor Rural Centres (the current and emerging status of Melbourn) is normally limited to schemes of up to 30 dwellings, within the village framework boundary. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a more limited range of services to meet the needs of new residents in a sustainable manner than in Rural Centres.
59. While the development would fall within the accepted threshold of 30 dwellings, it would not strictly accord with Policy ST/5 of the LDF, by virtue of its location outside of the village framework.
60. The principal consideration however is that the NPPF requires Local Planning Authorities to boost the supply of housing and to assess development against the definition of sustainable development within that context. Specifically in relation to the size of development in or on the edge of settlements, the Inspector in the Over appeal decision (18 January 2017) stated that ‘...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.’

61. In light of the above, it is not appropriate to attach the same weight to policy DP/7 and DP/1(a) in a 'blanket' way to all settlements. Minor Rural Centres such as Melbourn are amongst the larger settlements within the District. Within the context of the lack of a five year housing land supply, Officers are of the view that sites on the edges of these locations generally and Melbourn specifically, can accommodate at least the indicative maximum of 30 units and still achieve the definition of sustainable development due to the level of services and facilities provided in these villages.
62. Whilst the site is outside of the village framework, it is below the indicative maximum number of units considered to be suitable within the defined village boundary and given the close proximity of the framework boundary, it is considered that this factor is worthy of considerable weight in assessing the sustainability credentials of the proposals.
63. Paragraph 7 of the NPPF states there are three dimensions to sustainable development: economic, social and environmental, which are mutually dependent. These are assessed below in relation to the proposed development.

### **Economic**

64. The provision of 23 new dwellings will give rise to employment during the construction phase of the development and would have the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

### **Social**

#### *Housing Delivery*

65. Chapter 6 of the NPPF relates to 'delivering a wide choice of high quality homes' and seeks to 'boost significantly the supply of housing' placing importance on widening the choice of high quality homes and ensuring sufficient housing (including affordable housing) is provided to meet the needs of present and future generations.
66. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
67. There remains a significant shortage of deliverable housing sites in the district. The development would provide a clear public benefit in helping to meet the current housing shortfall in South Cambridgeshire in the delivery of 23 dwellings. Officers are of the view significant weight should be afforded to this benefit in the decision making process.
68. The applicant does not own the site. However, the application is a Full Application and therefore will only require the relevant discharge of conditions application(s) prior to works commencing on site. The agent has provided the following delivery schedule for the proposed development, which shows the intention to build out the development at the earliest opportunity:
- S106 agreement finalised, signed off and permission issued – by end of March 2018.
  - Clearance of pre-commencement conditions – by end of May 2018.
  - Site preparation and commencement – by end of July.
  - Construction period – c.18 months – completion of development by early/mid

2020.

*Scale of Development, Cumulative Impact and Services*

69. This proposal is for 23 dwellings, and along with the proposals under the following planning application references would result in a total of 379 new dwelling units (including 75 bed care home) if all schemes were approved
- S/0287/15/OL for 18 dwellings (approved);
  - S/2791/14/OL for 199 dwellings (appeal allowed);
  - S/2791/14/OL for a care home of up to 75 beds (appeal allowed); and
  - S/2048/14/FL for 64 dwellings (approved).

In addition, under reference S/2141/17/OL, an additional scheme for 160 dwellings is also pending decision (to be determined on its own particular merits).

70. Given the current lack of a 5 year housing land supply and that policy ST/5 is out of date, it therefore needs to be determined whether the scale of the development is acceptable for this location in terms of the size of the village and the sustainability of the location.
71. The Services and Facilities Study (March 2014) states that in mid-2012 Melbourn had an estimated population of 4,700 and a dwelling stock of 2,020. It is one of the larger villages in the district. An additional 379 dwellings would increase the number of dwellings by approximately 19%. This is a significant figure but what needs to be considered is whether the development itself would be out of scale and character with the size of the village and its services and facilities.
72. Whilst it is acknowledged that the most preferable location for development is first on the edge of the city of Cambridge and secondly in Rural Centres, it is difficult to state that Melbourn is not a sustainable location for increased housing development. It is considered that Melbourn, as a Minor Rural Centre, is a reasonably sustainable location to accommodate increased housing development.
73. The Services and Facilities Study (March 2014) identifies a wide range of services and facilities in the village that include a secondary school, junior school, infant school, health centre, dentist, pharmacy, post office, 3 food stores (including a small supermarket) and other services such as hairdressers, florists etc., 2 public houses, a village hall and community hub, a recreation ground and a bus route to Cambridge and Royston with a service every hour during the day Mondays to Saturdays (09:30 to 19:00; 2 buses between 07:30 and 09:30), with no service on Sundays. The majority of the services and facilities are located on the High Street, near to the junction with Station Road, while several bus stops are provided along the High Street through the village. It is also noted that there is a train station in close proximity to the site in the adjacent village of Meldreth, located to the north of Melbourn, approximately 1.8 km from the site.
74. The site abuts the village framework towards the northern edge of the village at a distance of approximately 820 metres from the central cluster of shops, and 480 metres from the nearest bus stop. There is an existing public footway on both sides of The Moor that would ensure that there is reasonable accessibility by walking and cycling to the centre of the village.
75. Melbourn is ranked at no.9 in the Village Classification Report (June 2012) in terms of access to transport, secondary education, village services and facilities and employment. It falls below the Rural Centres which have slighter better accessibility to

public transport.

76. Given the above assessment, the future occupiers of the development would not be wholly dependent upon the private car to meet their day-to-day needs and wider demands could be served by public transport.

#### *Density*

77. Housing density Policy HG/1 is applicable in this instance and seeks a minimum density of 30 dwellings per hectare, unless there are exceptional local circumstances that require different treatment.
78. The site is approximately 0.83 hectares in area. The erection of 23 dwellings would equate to a density of 28 dwellings per hectare. Whilst this density would be below the requirement of at least 40 dwellings per hectare for sustainable villages such as Melbourn under Policy HG/1, officers consider it appropriate in this case given the nature of the site on the edge of the village to minimise the visual impact upon the countryside, the character and appearance of the area and the surrounding built environment.

#### *Market Housing Mix*

79. Policy HG/2 of the current LDF requires the mix of market dwellings within developments to be split 40% 1 or 2 bed and approximately 25% 3 bed and the same for 4 or more bed properties. Policy H/8 of the emerging Local Plan is being given significant weight in the determination of planning applications however, due to the limited nature of the unresolved objections to the policy, in accordance with the guidance contained within paragraph 216 of the NPPF. This policy requires a minimum of 30% of each of the three size thresholds to be provided, with the remaining 10% allocated flexibly across developments.
80. The proposed development would allocate 14 of the 23 dwellings for sale on the open market. The application puts forward 4 x two bedroom houses, 4 x three bedroom houses, 3 x four bedroom houses and 3 x five bedroom houses which would provide accommodation in a range of types, sizes and affordability, to meet local needs. In policy terms this equates to a split of 29% 1 or 2-bed, 29% 3-bed and 43% 4-bed or more.
81. The scheme would fall marginally short in meeting the requirement for the smaller market units, however, given the site is providing a range of properties, the strict application of the housing mix ratio should be given some flexibility in this instance.
82. Officers are of the view the provision of 23 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed to this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a demonstrable need for affordable housing in Melbourn (117 people with a local connection and roughly 1,689 people on the district wide register).

#### *Affordable Housing*

83. 9 of the 23 dwellings would be affordable to meet local needs. This would comply with the requirement for a minimum of 40% of the development to be affordable housing to assist with meeting the identified local housing need across the District. The proposed mix of dwellings sizes and tenures, as amended, are satisfactory and is supported in the comments of the Council's Housing Strategy Team. Revised plans have been

submitted following the most recent comments of the Housing Strategy Team to address the matters raised.

84. The 9 affordable dwellings are located in the south east section of the site, split into two terraced units. Whilst it is recognised that the policy states that affordable units should be distributed throughout the site to create a more balanced and inclusive community, with clusters appropriate to the scale of development, the proposed affordable units are of a high quality standard and will form an integral element of an overall quality design.
85. The layout of the development is such that the affordable units are not isolated, but read as part of the site as a whole. The affordable units comprise two terraced blocks; one block containing 6 units and orientated north-south, the second block containing 3 units and orientated east-east, abutting the play area to the west. The design of the affordable units is different to design of the market housing, being terraced rather than detached or link-detached, but can be built in matching materials, which can be secured through a materials condition.
86. Furthermore, given the continuing chronic shortage of affordable homes officers consider that greater weight should be given to securing the delivering on the ground rather than being too prescriptive as to their location.
87. This assessment is backed by the recent appeal decision of 12 September 2017 at 8 Greenacres, Duxford (S/3396/16/RM) where the Inspector stated under paragraph 6:
- Therefore, whilst there is some conflict with the clustering requirement in DCP Policy HG/3 and the SPD it is nevertheless, important to acknowledge that a policy should not be applied rigidly or exclusively when material considerations may indicate an exception may be necessary. It is for the decision taker to weigh any conflict between relevant policies in light of material considerations, including local circumstances. In this instance, given the severe shortfall in housing provision in the area and the chronic shortage of affordable homes, the provision of 14 affordable housing units in this location is a significant benefit carrying very substantial weight.
88. In light of the above assessment, officers consider the development would therefore comply sufficiently with Policy HG/3 of the LDF.

#### *Developer Contributions*

89. Development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
90. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -
- i. Necessary to make the development acceptable in planning terms;
  - ii. Directly related to the development; and,
  - iii. Fairly and reasonably related in scale and kind to the development.

#### *Open Space*

#### *Outdoor Sports Provision*

91. The Recreation and Open Space Study (July 2013) identified that Melbourn had a deficit of 4.36 hectares of sports space. Melbourn is served by Melbourn Recreation Ground at The Moor which contains a cricket ground as well as 2 senior football pitches and a bowling green.
92. The playing fields serving Melbourn Village College run adjacent the recreation ground (due south), and contains a number of sport pitches/courts for rugby, netball, cricket, tennis etc. as well as a floodlit multi use games area. The pitches associated with Melbourn Village College were not included in the recreation study 2013 as the open space in new developments SPD says that outdoor sports, recreational and/or play facilities that are not as a matter of policy and practice available for public use on a regular and frequent basis will be not considered as contribution to the open space quantitative standard. It is acknowledged that a number of these facilities, which are operated by Be Active, are available for public hire during non school hours. In addition, Melbourn Sports Centre contains facilities such as indoor basketball court, squash courts, badminton courts, swimming pool and gym. Set alongside Melbourn Sports Centre is a newly refurbished Pavilion offering sporting and community facilities suitable for parties, fitness classes, functions, events, meetings and hobby clubs. The pavilion hosts the popular youth club. The pavilion is owned and hired by Melbourn Parish Council.
93. In accordance with policies SF/10 and SF/11 the applicant is required to make a contribution towards the increase in demand for provision of outdoor sports provision to mitigate the impacts of the proposed development. Projects / improvements have been identified for the pavilion, including an improved kitchen, external storage for sports equipment and external lighting. A contribution of £23,922.40 towards these projects is required.
94. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.

*Formal and Informal Playspace*

95. The Recreation and Open Space Study (July 2013) identified that Melbourn had a deficit of 3.38 hectares of children's play space. Melbourn currently has 2 equipped play areas located at the recreation ground and at Clear Crescent both catering for the needs of children under 12 years of age. A skate park serving some of the play needs of older children used to be located at the recreation ground but following vandalism was removed in 2014/15.
96. Based on a possible housing mix the development would be required to provide 184sqm of formal play space and 184sqm of informal play space.
97. Melbourn Parish Council has recently reaffirmed its intention to replace the skate park on the recreation ground. Preliminary discussions with users have indicated that the facility at Foxton is popular and caters for a number of different users (i.e. including BMX). The PC would expect the final designs to be influenced by the users but the expected cost sits somewhere between £60,000 and £110,000. A contribution of £31,629.55 is needed in accordance with the charges as set out in the open space SPD.
98. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.

*Informal Open Space*



99. The Recreation and Open Space Study (July 2013) identified that Melbourn had a deficit of 0.15 hectares of informal open space.
100. Open space is proposed within the site adjacent to the entrance on the southern side of the access road. This amounts to a total of approximately 600sqm. The area would be split into two by the access to plots 22 and 23, creating an area of public open space and informal play area. The informal play area would measure approximately 375sqm, with the remaining public open space measuring approximately 225sqm.
101. This falls slightly short of the requirements within adopted policies SF/10 and SF/11 for a development of this size (Children's play 447.8sqm and 245.5sqm informal open space). However given the proximity of a local recreation ground and local informal space, this relatively modest shortfall is deemed acceptable.
102. No off-site contributions are required towards additional informal open space provision to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.

*Maintenance of Open Space and Play Facilities*

103. It is the Local Planning Authority's preference that the public open space is offered to the Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.
104. If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.

*Community Facilities*

105. The Community Facilities Assessment (September 2009) is an assessment of all primary community facilities in each village. At the time of assessment, the only facility that was audited was Melbourn All Saints Community Hall which was described as a "Nearly new community hall adjoining church which is compact, attractive, well designed, well lit (natural), well built and equipped with equipment and management tools to improve efficiency and security, including CCTV and computerised controls of light and heating. In excellent all round order. Good example of small hall".
106. Since 2009 the Melbourn Hub has been built (planning reference S/0571/12/FL) in the village and which hosts the village Library Access Point. Further the building comprises a café area, an IT suite and both a downstairs and upstairs meeting room. Regular services provided at the Hub (in addition to the LAP) include Citizens Advice Bureau, crochet and knitting group, meditation, MIND, Relate relationship counselling, Diabetic prevention group. The Hub is open 9-5 Monday to Friday and 9-4 on Saturdays. The total floorspace of the building is around 270sqm. Based on an indicative housing mix an area of circa 6sqm is required further exacerbating the situation.
107. Melbourn Parish Council has investigated the possibility of providing additional community space within The Hub and initial sketch drawings have been produced

together with a preliminary estimate of cost. At this stage the project is anticipated to cost in the region of £150,000. A financial contribution of £10,892.56 is required based on the housing mix.

108. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.

#### Education

109. The development is expected to generate a net increase of 6 early years aged children, of which 3 are liable for contributions. In terms of early years' capacity, County Education Officers have confirmed that the proposed development will impact on the early years places in Melbourn and that there is currently a project in place to expand early years places at Melbourn primary school. The County Council's proposed solution to mitigate the early years aged children arising from this development, and from others in the area, is to provide provision of an additional 52 spaces with a project cost of £249,955. The cost per place is £4,807; therefore, a contribution of £14,421 (£4,807 x 3) is required.
110. The development is expected to generate a net increase of 4 primary school places. The catchment school is Melbourn Primary School. In terms of primary school capacity, County Education officers have confirmed that the proposed development will impact on the primary school places in Melbourn and that there is currently a project to expand primary places at Melbourn primary school. The County Council's proposed solution to mitigate the primary aged children arising from this development, and from others in the area, is to provide provision of an additional 3 classrooms (90 places) with a project cost of £1,713,463. The cost per place is £19,038 (1,713,463 / 90); therefore, a contribution of £76,152 (£19,038 x 4) is required.
111. The development is expected to generate a net increase of 5 secondary school places. The catchment school is Melbourn Village College. In terms of secondary school capacity, County Education officers have confirmed that the proposed development will have a significant impact on the secondary education places at Melbourn Village Collage. However, the County Council have not yet considered a viable project to expand the school. Therefore, no contributions are sought for secondary education places.

#### Libraries and Lifelong Learning

112. The proposed increase in population from this development is 52 people (23 dwellings x 2.25 average household). The County Council have advised that this development falls within the South Cambridgeshire mobile library catchment area for which there is insufficient capacity for which a contribution would normally be sought. However, the mobile library service already has 5 S106 contributions pooled; therefore, the County Council is prevented from seeking a further S106 towards this until an additional project has been identified.
113. The Council's Section 106 Officer has commented that Melbourn is served by a Library Access Point who could be eligible for section 106 contributions. The level of developer contributions for new library service provision is based on national guidance which sets out the costs per head of population increase to cover building, fitting out, stocking and equipping libraries. Where projects relate to stock purchase serving an existing facility (as is the case here) a contribution equivalent to £28.92 per person is applied resulting in a total contribution of £1,503.84 (based on 52 people). Melbourn LAP would intend using the money to fund the purchase of new computers and

learning software in order to run adult courses. A contribution of £1,503.84 towards library and lifelong learning is required.

114. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.

#### Strategic Waste

115. This development falls within the Thriplow Household Recycling Centre (HRC) catchment area for which there is currently insufficient capacity. The County Council has advised that this development would generate a contribution of £192.97 (£8.39 x 23 dwellings). However, the HRC already has 5 S106 contributions pooled; therefore, the County Council is prevented from seeking a further S106 Strategic Waste contribution.

#### Monitoring Fees

116. To ensure the provision and usage of on-site infrastructure, a monitoring fee of £500 is required.

#### Healthcare

117. In terms of health impact, NHS England has not provided a response on the application. Given the size and scale of the proposed scheme, any contributions towards the upgrades of facilities to Melbourn Surgery would be limited. There is no evidence to suggest that primary healthcare facilities will be unable to accommodate the needs of the development no contribution has been secured from this proposal

#### Conclusions

118. Appendix 3 provides details of the developer contributions required to make the development acceptable in planning terms. It is considered that all of the requested contributions to date meet the CIL tests and would be secured via a Section 106 agreement. The applicants have confirmed agreement to these contributions.
119. Thus in terms of any cumulative impact, there is a lack of objection from consultees and service providers. Given that the infrastructure needs arising from the development can be provided, there is no case for arguing that this relatively modest scheme will place an unreasonable burden on existing services and infrastructure within the village.
120. The development would therefore comply with Policies PP/1, DP/4 and SF/10 of the LDF.

### **Environmental Aspects**

#### *Landscape Impact*

121. The site is currently a piece of arable land situated within the East Anglian Chalk Landscape Character Area. The landscape character of the site and its immediate surrounding are typical of East Anglian Chalk comprising large agricultural fields separated by clipped hedges, set in an open and gently rolling landscape, with long views available both over lower land and to hills featuring wooded tops.
122. The landscaping proposed has undergone revision following alterations to the

proposed layout and in conjunction with comments put forward by the Council's Landscape Officer (and Urban Design Officer), who raise no objection to the proposed development in principle, subject to a native hedgerow on the east boundary as per District Design Guide SPD March 2010. Conditions will be added to any consent requiring the provision of a hard and soft landscaping scheme, landscape implementation, boundary treatment details and compliance with the 'Arboricultural Planning Statement dated July 2017'.

123. It is considered that the application site and proposed development will therefore be satisfactorily softened and screened within wider views in the landscape therefore the proposed landscaping is considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the LDF.

*Loss of agricultural land*

124. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grade 2 agricultural land unless:
- a) Land is allocated for development in the Local Development Framework
  - b) Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
125. The site is not allocated for development in the existing or the emerging Local Plan. However, given the considered sustainable location of the site for residential development and the fact that the Council cannot demonstrate a five year supply of housing land, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, officers consider that compliance with NE/17 should be afforded limited weight.

*Biodiversity*

126. An Ecology Report was submitted in support of the application which found that the site is not covered by any statutory or non-statutory designations; the nearest designated site being Melwood Local Nature Reserve (LNR) which is located approximately 0.73 km to the north-west of the site. Two Sites of special scientific interest (SSSIs) were found to be present within 2 km of the site boundary.
127. The Phase 1 Habitat Survey found that the site was comprised predominately of semi-natural broad-leaved woodland, with a semi-improved neutral grassland track to the north. A large clearing of tall ruderal and scattered scrub was present in the centre of the site, along with a number of recently planted apple trees.
128. A number of the mature trees within the site were found to have the potential to support roosting bats, and the woodland habitat as a whole was considered to be of some value to foraging bats. The habitats present within the site were also likely to be of value to breeding birds.
129. The report made a number of recommendations for any future development, including the provision of bird and bat boxes. A Bat Report was also submitted in support of the application.
130. During the course of the application the initial concerns of the Council's Ecology Officer were overcome, subject to the imposition of conditions which officers consider appropriate as part of any consent.

131. The proposal is therefore considered to add to biodiversity and comply with Policy NE/6 of the LDF.

### **Scale, Layout and Appearance**

#### *Scale*

132. The 23 proposed dwellings will be a mix of terraced houses and apartments, link-detached and detached houses, all of a two storey scale. The dwellings in the immediate area, including those accessed from The Moor, Cook's Garden and Thatcher Stanford Close are typically detached two storey properties fronting onto the public highways. Overall, the scale, mass and bulk of the proposals are considered to be compatible with the local context and will not appear overbearing or out of keeping with their surroundings. Therefore, in terms of scale, officers consider the provision of 23 two storey properties, of varying design, to be compatible with the scale, character and appearance of the existing development in the surrounding area.
133. The proposed scale is considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the LFD.

#### *Layout*

134. Layout relates to how the buildings and public and private spaces are arranged on the site, and the relationship between them and the building and spaces around the site.
135. The layout has been subject to a number of revisions following discussions with the Council's Urban Design Officers; the final layout shown on drawing number 194.14 Rev G is a direct response of these discussions and officers consider it to be acceptable.
136. The dwellings along The Moor generally form a linear pattern of development along both sides of the road. However, Thatcher Standords Close, located to the north west of the site, is a residential development with a layout similar to the current proposal; a spine road with small cul-de-sacs. Furthermore, the approach to layout also ensures that there will be acceptable separation distances between the proposed buildings and existing properties surrounding the application site, to ensure no direct overlooking / loss of privacy and no physical overbearing effects.
137. Overall, the proposed layout is considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the LFD and the Council's adopted Design Guide.

#### *Appearance*

138. Appearance relates to what the buildings and spaces will look like, including building materials and architectural details.
139. The NPPF outlines that the planning system should not be overly prescriptive in terms of its design requirements through unsubstantiated requirements to conform to certain development forms or styles.
140. The general design / appearance of the units is relatively simple and non-obtrusive, compatible with the existing built development. The application proposes a mix of house types, sizes and tenures, helping to meet local needs and facilitating the creation of a diverse community. The properties will be constructed using a mix of

materials reflective of the style and local vernacular. The imposition of a materials condition is considered appropriate to ensure that development is compatible with its location, particularly given the relative sensitivity of its countryside location.

141. Officers consider that the proposed green spaces, landscaping and various boundary treatments and perimeter hedges will collectively compliment and soften the visual and physical impacts of the development and enable it to satisfactorily blend with the surrounding context. Again, landscape and boundary treatment details will be secured through the imposition of appropriate conditions.
142. Overall, the design and appearance of the buildings, and the other integral components, are considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the LFD.

### **Highway Safety, Parking and Sustainable Travel**

143. The vehicular and pedestrian access into the site would be provided between numbers 50 and 52 The Moor via an existing private access, which would be extended to serve the proposed development. The Moor leads from the centre of the village and has a speed limit of 30 miles per hour.
144. Despite the concerns of the parish council, the Highways Authority raises no objection to the proposal. The submission of drawing number PL01 Rev B (proposed build out at site access / egress junction) overcomes the original Highway Authority request for refusal. The Highways Authority have advised that in the event of an approval, they will not be adopting any part of the development as the access road between 50 -52 is not public adoptable highway. The applicant is aware of this, and it has been confirmed that a Management Company would be responsible.
145. Officers consider that a Traffic Management Plan condition, as requested by the Highways Authority, should be imposed on any consent in the interest of highway safety.
146. Melbourn Parish Council raised a number of highway concerns and questions, which the Local Highways Authority responded to. However, in light of the Highway Authority's response and lack of objection from them, the proposed development is considered to have an acceptable impact on highway safety, in accordance with Policy DP/3 of the LDF.
147. All properties will have access to two onsite car parking spaces on each plot, with some properties also benefitting from a garage space. Overall, the proposed car parking provision is considered to be satisfactory and in accordance with Appendix 1 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD, and the scale of the development and the off-street provision proposed are not such that cars are likely to spill out into The Moor. Cycle parking will also be provided.
148. The Travel Plan submitted with the application indicates that new residents will be encouraged to use sustainable transport options through the provision of travel packs, advertising of walking routes and buses on a community notice board and secure cycle parking provision. As noted previously, the site is 480 metres from the nearest bus stop which is serviced by route 26, which runs between Royston and Cambridge once an hour (no service on a Sunday). Furthermore, rail services can be accessed at Meldreth Station, located approximately 1.8 km from the site, providing links to London Kings Cross and Cambridge.

149. The development would therefore comply with Policies DP/3, DP/4, TR/1, TR/2 and TR/3 of the LDF.

### **Flood Risk and Drainage**

150. The application site lies within Flood Zone 1 (low risk) and has therefore passed the sequential and exemption tests as required by the NPPF.
151. The Flood Risk Assessment submitted with the application recognised that historically The Moor has been prone to surface water flooding, and that it is a concern in the local area. The Assessment also considered the risk of flooding across a range of sources and concluded that the development would not increase the risk of flooding elsewhere, and the inclusion of mitigation, would reduce potential flood risks still further.
152. No objection has been raised by the Environment Agency, Lead Local Flood Authority or Sustainable Drainage Engineer to the proposed development, subject to a number of conditions and informatives, which officers consider appropriate as part of any consent.
153. The proposal is therefore considered acceptable in terms of flood risk and drainage and complies with Policies, NE/9, NE/10 and NE/11 of the LDF.

### **Neighbour Amenity**

154. While the existing residents along The Moor would experience an increase in noise and disturbance from vehicular and pedestrian traffic as a result of the proposal, this impact is likely to be negligible to low, and not give rise to material harm given the existing level of traffic in the area. The proposal is not considered to result in a significant increase in air pollution.
155. Although it is noted that there would be a change in the use of the land from an open field to residential dwellings, the development is not considered to result in a significant level of noise and disturbance that would adversely affect the amenities of neighbours. A condition would be attached to any consent in relation to the hours of use of power operated machinery during construction and construction related deliveries to minimise the noise impact upon neighbours.
156. In terms of potential impact upon the existing properties of The Moor, the separation distances between the existing properties and proposed development is considered to mitigate the potential for a loss of privacy, loss of light or sense of overbearance. The Council's District Design Guide states that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. For two storey residential properties, a minimum distance of 25m should be provided between rear or side building faces containing habitable rooms. Where blank walls are proposed opposite the windows to habitable rooms, this distance can be reduced further, with a minimum of 12m between the wall and any neighbouring windows that are directly opposite. Officers are satisfied that the layout adheres to the guidance and that existing properties will not suffer significant adverse impacts to their amenities as a result of the proposed development.
157. In terms of the amenity of the future occupiers of the development, the amended layout shows that the 25 metre guideline separation between elevations containing

habitable room windows and 12 metres between blank elevations and those with habitable room windows would be adhered to. The amount of private amenity space associated with each property is considered to meet the minimum requirements of the Design Guide.

158. In order to protect the amenity of existing residents, officers consider that conditions and informatives relating to the hours of works, construction phase of the development, burning of waste and pile driven foundations should be imposed on any consent.

### **Contamination**

159. The Council's Contaminated Land Officer has raised no objection to the proposed development, requesting a condition relating to the identification of previously unidentified contamination on the site. Officers consider such a condition should be imposed on any consent.

### **Other Matters**

#### *Archaeology*

160. Adopted Development Control Policy CH/2 states that archaeological sites will be protected in accordance with national policy. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
161. No objection to the proposed development has been raised by Cambridgeshire County Council Historic Environment Team, subject to a condition to secure a written scheme of archaeological investigation, recommended as part of any consent.
162. The proposal is therefore considered to add to biodiversity and comply with Policy CH/2 of the LDF.

#### *Energy*

163. The Energy Statement submitted in support of this planning application has demonstrated that the baseline energy demand and the associated CO2 emissions for the proposed development are 163,025KWh and 38.4 tonnes respectively. Demand for energy and associated emissions have been reduced through a fabric approach. In addition it is intended to apply photovoltaic systems to the roofs of 5 of the proposed dwellings. Three additional dwellings will either have solar thermal or air heat pumps installed. This would result in the development meeting the energy demand requirement as set out within policies NE/1 and NE/3 of the LDF.

#### *Environmental Health Comments*

164. The Council's Environmental Health Officer has raised no objection to the proposed development, subject to a number of conditions relating to noise / vibration and dust impact, artificial lighting and renewable energy strategy / report. Officers consider such a condition should be imposed on any consent.

#### *Health Impact Assessment*



165. Policy DP/1 of the Development Control Policies DPD requires applications for major development to be accompanied by a Health Impact Assessment to demonstrate that principles of sustainable development have been applied. A Health Impact Assessment was submitted by the applicant in support of the application which addresses the application against the 11 broad health criteria identified by the Healthy Urban Development Unit, which are set out in Appendix 2 of the District Council's Health Impact Assessment SPD (adopted March 2011). It concluded that the proposals will provide opportunities to improve the health and wellbeing of those vulnerable groups within Melbourn as identified within the report, as well as existing and new residents to the village. Officers recommend the application of a Construction Method Statement condition in the event of an approval to avoid a negative impact on local residents be imposed as part of any consent.

#### *Neighbour Comments*

166. Representation has been made in reference to the bus service to Royston being reduced to 1 bus every two hours. A review of the number 26 bus timetable has been undertaken, noting the Services and Facilities Study is dated March 2014. The timetable currently published (December 2017) indicates that the bus service to Royston, and to Cambridge, remains an hourly service, as stated in the Services and Facilities Study.
167. Representation has been made in reference to the access to the site being in private ownership, and its suitability to serve the proposed development. The Highways Authority have raised no objection to the proposal in highway safety terms and the application has served appropriate notice (certificate B on the application form). The right of access is a civil / legal matter and appropriate discussions will take place outside of the planning process.

#### **Balance**

168. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
169. The benefits from the development are set out below: -
- i. The provision of 23 dwellings towards housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
  - ii. The provision of 9 affordable dwellings towards the identified need across the district.
  - iii. The provision of public open space including within the development.
  - iv. Developer contributions towards education, open space and community facilities.
  - v. Employment during construction to benefit the local economy.
  - vi. Greater use of local services and facilities to contribute to the local economy.
170. Significant weight can be attached to the provision of 23 dwellings including 40% affordable housing (9 units) to meet the lack of housing supply in the district in accordance with the guidance in the NPPF. Significant weight can also be attached to the provision of open space and children's playspace within the development and contributions towards education, open space and community facilities.
171. Moderate weight can be attached to the provision of employment during construction

and the impact upon local services from the development.

172. This report sets out a number of adverse impacts that would result from the development. These are the location outside the village framework and the objectives of policies DP/1(a) and DP/7.
173. Limited weight can be attached to the location of the development given the absence of a five year housing land supply.
174. A number of potential adverse impacts including landscape character harm and infrastructure needs can be appropriately addressed.

### **Conclusion**

175. In this case, the limited adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole, which aim to boost significantly the supply of housing and establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Therefore, it is considered that, on balance, planning permission should, be granted.

### **Recommendation**

176. Delegated approval subject to:

#### **Legal Agreement**

Contributions to be secured by way of a Section 106 (or other appropriate) legal agreement as set below, final wording to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission. The contributions are as set out in appendix 3 attached to this report.

#### **Conditions and Informatives**

Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:

#### General

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
Site & Block:  
Site Location Plan (1:1250)  
194.14G (Block Plan)  
  
Affordable:  
194.16B (Affordable Block 1 Elevations)

194.04B (Affordable Block 1 Floor Plans)  
194.07B (Affordable Block 1 Elevations)  
194.06B (Affordable Block 1 Floor Plans)

Two Bed:

194.25A (Two Bedroom Property Elevations – Plots 18 & 19)  
194.24A (Two Bedroom Property Floor Plans – Plots 18 & 19)  
194.34 (Two Bedroom Property Elevations – Plot 17)  
194.32 (Two Bedroom Property Floor Plans – Plot 17)  
194.36 (Two Bedroom Property Elevations – Plot 13)  
194.35 (Two Bedroom Property Floor Plans – Plot 13)

Three Bed:

194.09C (Three Bedroom Property Elevations – Plot 16)  
194.08A (Three Bedroom Property Floor Plans – Plot 16)  
194.27 (Three Bedroom Property Elevations – Plot 10)  
194.26 (Three Bedroom Property Floor Plans – Plot 10)  
194.23A (Three Bedroom Property Elevations – Plot 11)  
194.22A (Three Bedroom Property Floor Plans – Plot 11)  
194.31A (Three Bedroom Property Elevations – Plot 22)  
194.30A (Three Bedroom Property Floor Plans – Plot 22)

Four Bed:

194.11 (Four Bedroom Property Elevations - Plots 20 & 21)  
194.10 (Four Bedroom Property Floor Plans - Plots 20 & 21)  
194.21 (Four Bedroom Property Elevations – Plot 12)  
194.20 (Four Bedroom Property Floor Plans – Plot 12)

Five Bed:

194.29 (Five Bedroom Property Elevations – Plot 14)  
194.28 (Five Bedroom Property Floor Plans – Plot 14)  
194.12B (Five Bedroom Property Elevations – Plot 15)  
194.13A (Five Bedroom Property Floor Plans – Plot 15)  
194.19A (Five Bedroom Property Elevations – Plot 23)  
194.18A (Five Bedroom Property Floor Plans – Plot 23)

Garages:

194.17 (Detached Garages)

Other:

PL01 Rev B (proposed build out at site access / egress junction)  
Arboricultural Planning Statement (July 2017)

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. No development shall take place above slab level, until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

### Landscaping and boundary treatment

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

### Ecology

7. All ecological measures and/or works shall be carried out in accordance with the details contained in the File Note (ADAS 23/08/2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.  
(Reason - To safeguard species as protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended) and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
8. A Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of development. The content of the LEMP shall include the following:
  - i) Description and evaluation of features to be managed.
  - ii) Ecological trends and constraints on site that might influence management.
  - iii) Aims and objectives of management.
  - iv) Appropriate management options for achieving aims and objectives.
  - v) Prescriptions for management actions.

- vi) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period).
- vii) Details of the body or organisation responsible for implementation of the plan.
- viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

(Reason - To further refine the design and management of the orchard compensation area with Stockbridge Meadows which has been identified to offset the assessed ecological impact of the development and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

#### Highways

9. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
  - i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).
  - ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
  - iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
  - iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Parking provided and retained

#### Drainage

10. Prior to commencement of any development, a scheme for the provision and implementation of pollution control of the water environment shall be submitted and agreed in writing with the local authority. The works/scheme shall be constructed and completed in accordance with the approved plans.  
(Reason - To prevent the increased risk of pollution to the water environment, in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
11. No development shall commence until infiltration testing has been undertaken in accordance with BRE365/CIRIA156 and a final surface water strategy based on the results of this testing has been agreed by the Local Planning Authority, in conjunction with the Lead Local Flood Authority. The scheme shall be based upon the principles within the agreed Flood Risk Assessment prepared by

Herrington Consulting Ltd (Issue 2) dated 9th January 2017 and the accompanying email from Herrington Consulting, titled: 'LLFA objection - The Moor, Melbourn' (sent on 1st December 2017).

The scheme shall also include (and update where relevant following infiltration testing):

- i) Full details of the proposed attenuation, flow control measures and in particular the proposed overflow system.
- ii) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events.
- iii) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance.
- iv) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers.
- v) Site Investigation in accordance with BRE365/CIRIA156 and test results to confirm infiltration rates.
- vi) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.
- vii) Full details of the maintenance/adoption of the surface water drainage system.
- viii) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

(Reason - To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with Policies DP/1, NE/10 and NE/11 of the adopted Local Development Framework 2007.)

12. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

#### Enviromenal Health

13. Prior to commencement of the development hereby approved, a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details

including accessible phone contact to persons responsible for the site works for the duration of the works. Approved details shall be implemented throughout the project period.

(Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

14. No construction work and/or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no construction works or collection / deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise approved in writing by the local planning authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
15. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing. (Reason - To protect the amenities of nearby residential properties in accordance with Policies DP/6, NE/15 and NE/16 of the adopted Local Development Framework 2007.)
16. No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority in writing. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing by the Local Planning Authority. (Reason - To protect the amenities of nearby residential properties in accordance with Policies DP/6, NE/15 and NE/16 of the adopted Local Development Framework 2007.)
17. Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011". The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.

(Reason -To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

18. No development including demolition or enabling works shall take place until a Site Waste Management Plan for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.  
(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007 and Policy ENV7 of the Regional Spatial Strategy for the East of England 2008.)
19. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.  
(Reason - To protect the amenities of nearby residential properties in accordance with Policies DP/6, NE/15 and NE/16 of the adopted Local Development Framework 2007.)
20. Before the development / use hereby permitted is commenced, an assessment of the noise impact of plant and or equipment including any renewable energy provision sources such as any air source heat pump or wind turbine on the proposed and existing residential premises and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the local planning authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.  
(Reason – To protect the amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

#### Fire

21. No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. (Reason - To ensure an adequate water supply is available for emergency use.)

#### Archaeology

22. No development shall take place until a written scheme of archaeological investigation (WSI) has been submitted to, and approved by, the local planning authority in writing. For land that is included within the WSI, no development



shall take place other than in accordance with the agreed WSI which shall include:

- i) The statement of significance and research objectives.
- ii) The programme and methodology of site investigations and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- iii) The programme for post-excavation assessment and subsequent analysis, publication and dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

### Contaminated Land

23. If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.

(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

### Informatives

1. This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated .....
2. The Highway Authority confirm that they will not be adopting any part of this development as the access road between 50-52 The Moor is not public adoptable highway.
3. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
4. The applicant should have consideration of South Cambridgeshire District Council Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10- Environmental Health & associated appendices: <http://www.scambs.gov.uk/content/district-design-guide-spd>
5. The Second Public Drain is an Awarded Watercourse. Under the Land Drainage Act 1991, development that involves a culvert or any impediment to flow on an Awarded Watercourse will require prior written consent from

Cambridgeshire County Council as Lead Local Flood Authority. This is applicable to both permanent and temporary works. In addition, South Cambridgeshire District Council has a 5 metre byelaw strip which prevents development on this land and allows the Council to access the site to carry out any necessary work. Additional consent is required from South Cambs for works on the byelaw strip.

## Heads of terms for the completion of a Section 106 agreement

## Melbourn – The Moor (S/1032/17/FL)

## Affordable housing summary:

Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	First 8 affordable dwellings and 50% of balance to be subject to local connection criteria
Local connection villages	Melbourn

## Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£9,614
Primary School	CCC	£57,114
Sports	SCDC	£23,922.40
Children's play space	SCDC	£31,629.55
Indoor community space	SCDC	£10,892.56
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£500
Library and lifelong learning	SCDC	£1,503.84
<b>TOTAL</b>		<b>£136,866.90</b>
<b>TOTAL PER DWELLING</b>		<b>£5,970.74</b>

## Section 106 infrastructure summary:

Item	Beneficiary	Summary
Public open space	SCDC	Provision and maintenance

## Planning condition infrastructure summary:

Item	Beneficiary	Summary
None		

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<b>Ref</b>	CCC1
<b>Type</b>	Early years
<b>Policy</b>	Development Control Policy DPD DP/4
<b>Required</b>	Yes
<b>Detail</b>	The proposed development will impact on the early years places in Melbourn. There is currently a project to expand early years places at Melbourn primary school. The County Council's proposed solution to mitigating the early years aged children arising from this development and others in the area is to provide provision of an additional 52 places. The total cost of the project is £249,955 (2Q16).
<b>Project</b>	Early years classroom at Melbourn Primary School
<b>Quantum</b>	£9,614
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	100% prior to commencement
<b>Number Pooled obligations</b>	4

<b>Ref</b>	CCC2
<b>Type</b>	Primary School
<b>Policy</b>	Development Control Policy DPD DP/4
<b>Required</b>	Yes
<b>Detail</b>	The proposed development will impact on the primary places in Melbourn. There is currently a project to expand primary places at Melbourn primary school. The County Council's proposed solution to mitigating the primary aged children arising from this development and others in the area is to provide provision of an additional 3 classrooms (90 places). The total cost of the project is £1,713,463(2Q16).
<b>Project</b>	Expansion of Melbourn Primary School
<b>Quantum</b>	£57,114
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	100% prior to commencement
<b>Number Pooled obligations</b>	4

<b>Ref</b>	CCC3
<b>Type</b>	Secondary school
<b>Policy</b>	Development Control Policy DPD DP/4
<b>Required</b>	No
<b>Detail</b>	The proposed development will create 5 secondary school children. The development is served by Melbourn Village College. The County Council have not yet considered a viable project to expand the school

<b>Ref</b>	CCC4
<b>Type</b>	Libraries and lifelong learning
<b>Policy</b>	Development Control Policy DPD DP/4
<b>Required</b>	No
<b>Detail</b>	See Libraries and lifelong learning under South Cambridgeshire District Council

<b>Ref</b>	CCC5
<b>Type</b>	Strategic waste
<b>Policy</b>	RECAP Waste Management Design Guide
<b>Required</b>	No
<b>Detail</b>	This development falls within the Thriplow HRC catchment area for

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	which there is insufficient capacity. This would generate a contribution of £192.97 (£8.39 x 23). However, the HRC already has 5 S106 contributions pooled; therefore, the County Council is prevented from seeking a further S106 Strategic Waste contribution.
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<b>Ref</b>	CCC6
<b>Type</b>	CCC monitoring
<b>Policy</b>	N/A
<b>Required</b>	No

<b>Ref</b>	CCC7
<b>Type</b>	Transport
<b>Policy</b>	Development Control Policy DPD TR/3
<b>Required</b>	No
<b>Detail</b>	No requests made by CCC

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<b>Ref</b>	SCDC1
<b>Type</b>	Sport
<b>Policy</b>	Development Control Policy DPD SF/10 and SF/11 and Open space in new development SPD
<b>Required</b>	No
<b>Detail</b>	<p>Development control policies required all residential development to provide for public open space (sports, play, informal) but contributions may only be secured where a project has been identified.</p> <p>Melbourn Parish Council has not put any sports related projects forward for consideration. Although Council officers have engaged with the head of Melbourn Village College to ascertain what (if any) projects they intend delivering over the medium term, no proposals have been put forward.</p> <p>Officers are, however, aware of a number of improvements (set out below) that could be made to Melbourn Pavilion which is owned and run by the Parish Council.</p> <p>A contribution of £23,922.40 is needed in accordance with the charges as set out in the open space SPD</p>
<b>Project</b>	<p>Improved kitchen</p> <p>External storage for sports equipment</p> <p>External lighting (footpath and on the pavilion)</p> <p>Patio heaters</p> <p>Photo Voltaic panels</p>
<b>Quantum</b>	£23,922.40
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	Prior to occupation of 12 dwellings
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC2
<b>Type</b>	Children's play space
<b>Policy</b>	Development Control Policy DPD SF/10 and SF/11 and Open space in new development SPD
<b>Required</b>	Yes
<b>Detail</b>	<p>Melbourn Parish Council has recently reaffirmed its intention to replace the skate park on the recreation ground. Preliminary discussions with users have indicated that the facility at Foxton is popular and caters for a number of different users (i.e. including BMX). The PC would expect the final designs to be influenced by the users but the expected cost sits somewhere between £60,000 and £110,000.</p> <p>A contribution of £31,629.55 is needed in accordance with the charges as set out in the open space SPD</p>
<b>Project</b>	Skate park on Melbourn recreation ground
<b>Quantum</b>	£31,629.55
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	Prior to occupation of 12 dwellings
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC3
<b>Type</b>	Informal open space

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<b>Policy</b>	Development Control Policy DPD SF/10 and SF/11 and Open space in new development SPD
<b>Required</b>	Yes
<b>Detail</b>	Onsite space as per submitted plans

<b>Ref</b>	SCDC4
<b>Type</b>	Offsite indoor community space
<b>Policy</b>	Development Control Policy DPD DP/4 and Portfolio holder approved policy
<b>Required</b>	Yes
<b>Detail</b>	Melbourn Parish Council has investigated the possibility of providing additional community space within The Hub and initial sketch drawings have been produced together with a preliminary estimate of cost. At this stage the project is anticipated to cost in the region of £150,000.  A financial contribution of £10,892.56 is needed based on the submitted housing mix in accordance with the published charges approved by the Portfolio Holder
<b>Project</b>	Extension to Melbourn Hub
<b>Quantum</b>	£10,892.56
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	Prior to occupation of 12 dwellings
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC5
<b>Type</b>	Household waste receptacles
<b>Policy</b>	RECAP Waste Management Design Guide
<b>Required</b>	YES
<b>Detail</b>	£73.50 per house and £150 per flat
<b>Project</b>	towards the Receptacle provision of household waste receptacles necessitated by the Contribution" Development
<b>Quantum</b>	
<b>Fixed / Tariff</b>	
<b>Trigger</b>	Paid in full prior to occupation of first dwelling
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC6
<b>Type</b>	S106 Monitoring
<b>Policy</b>	Portfolio holder approved policy
<b>Required</b>	YES
<b>Detail</b>	To monitor the timely compliance of the planning obligations, specifically onsite infrastructure including affordable housing and public open space
<b>Project</b>	monitoring of the proper and timely performance of the Owner's covenants under the terms of the Agreement
<b>Quantum</b>	£500
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	Paid in full prior to commencement of development
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC7
<b>Type</b>	Onsite open space and play area maintenance
<b>Policy</b>	Open space in new developments SPD
<b>Required</b>	YES
<b>Detail</b>	Paragraph 2.19 of the Open Space in New Developments SPD advises

	<p>that 'for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space is offered to the Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>
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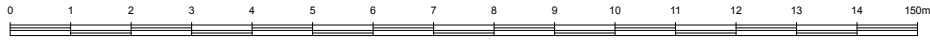
<b>Ref</b>	SCDC8
<b>Type</b>	Libraries and lifelong learning
<b>Policy</b>	Development Control Policy DPD DP/4
<b>Required</b>	Yes
<b>Detail</b>	<p>This development falls within the South Cambridgeshire mobile library catchment area for which there is insufficient capacity for which a contribution would normally be sought. However, the mobile library service already has 5 S106 contributions pooled; therefore, the County Council is prevented from seeking a further S106 toward this until an additional project has been identified.</p> <p>Melbourn is served by a Library Access Point who could be eligible for section 106 contributions. The Melbourn LAP service is run entirely by volunteers, there are no paid members of staff. The Melbourn LAP has been run by volunteers for over 10 years. The library is open 2:30 to 4:30 Monday to Friday and 10am to 12 noon on Saturdays. There are nearly 4500 books on the shelves at the Melbourn Hub.</p> <p>The level of developer contributions for new library service provision is based on national guidance which sets out the costs per head of population increase to cover building, fitting out, stocking and equipping libraries. The guidance is contained in the document: Public Libraries, Archives and New Development: A Standard Charge Approach, May 2010, developed by the Museums, Libraries and Archives Council on behalf of the Department of Culture, Media and Sport, the central government department with overall statutory responsibility for public libraries. Where projects relate to stock purchase serving an existing facility (as is the case here) a contribution equivalent to £28.92 per person is applied resulting in a total contribution of £1,503.84 (based on 52 people).</p> <p>Melbourn LAP would intend using the money to fund the purchase of</p>



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	new computers and learning software in order to run adult courses.
<b>Project</b>	New IT equipment and adult learning software for Melbourn Library Access Point
<b>Quantum</b>	£1,503.84
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	Paid in full prior to occupation of the 15 <sup>th</sup> dwelling
<b>Number Pooled obligations</b>	None

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Cambridgeshire  
District Council

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# Agenda Item 9

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee 10 January 2018  
**AUTHOR/S:** Joint Director for Planning and Economic Development

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**Application Number:** S/2757/17/FL

**Parish(es):** Fowlmere

**Proposal:** Full Planning Application for a residential development comprising 15 dwellings (to include six affordable dwellings), new access and an equipped play area

**Site address:** Land to the west of Chrishall Road, Fowlmere

**Applicant(s):** Colegrove Estates Limited

**Recommendation:** Delegated approval (to complete a Section 106 agreement)

**Key material considerations:** Five-year Housing Land Supply  
Principle of Development  
Design, layout, neighbour amenity, energy efficiency and water conservation  
Impact on the adjacent Green Belt, Landscape and Trees Ecology  
Housing Density and Housing Mix  
Affordable Housing Provision  
Highway Safety and Parking  
Flood Risk and Drainage  
Environmental Health  
Land Contamination  
Archaeology  
Developer Contributions

**Committee Site Visit:** 9 January 2017

**Departure Application:** Yes – Advertised on 16 August 2017

**Presenting Officer:** Bonnie Kwok, Principal Planning Officer

**Application brought to Committee because:** The officer recommendation of approval conflicts with the recommendation of Fowlmere Parish Council

**Date by which decision due:** 31 January 2017 (Extension of time agreed)

## Executive summary

1. As amended, this is an application for full planning permission for the construction of 15 dwellings including six affordable dwellings, a new access road and an equipped play area. The proposed development would not normally be considered acceptable in principle as the site lies outside, albeit immediately adjacent to, the village development framework of Fowlmere. However, as the Council does not currently have a 5-Year Housing Land Supply (5YHLS), the adopted Local Development Framework policies in relation to housing land supply cannot be considered up-to-date. The *'National Planning Policy Framework'* (2012) (NPPF) states that there is a presumption in favour of sustainable development and where relevant policies are out-of-date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
2. In this case, there are no relevant housing land supply policies against which this application should be considered. A balancing exercise, therefore, needs to be carried out. As part of that balance, in the absence of a 5YHLS, considerable weight and importance should be attached to the benefit which a proposal brings in terms of delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including, where engaged, ST/6, DP/1(a) and DP/7, which seek to direct development to the most sustainable locations – is so great in the context of a particular application as to “significantly and demonstrably outweigh” the benefit of the proposal in terms of deliver of new homes, that planning permission should be refused. This approach reflects the decision of the Supreme Court.
3. Whilst the scale and location of the development is in conflict with Policies DP/1a and DP/7 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007), these impacts, whether taken individually or collectively, are not considered to significantly and demonstrably outweigh the benefits. These are: contribution of 15 dwellings (including six affordable dwellings) towards the Council's housing shortage; on-site play equipment and public open space; biodiversity enhancement; contributions towards the local economy; and creation of jobs during the construction period. It is considered that the impact of the proposed development upon local infrastructure can be addressed through developer contributions towards education, community facilities and off-site public open space and the maintenance of on-site public open space and play equipment. Therefore, it is considered that the proposals achieve the definition of 'sustainable development' set out in the NPPF and are recommended for approval.

## Relevant planning history

4. Site  
S/0065/05/F – Storage container (Retrospective application) – Refused on 01-03-2005
5. Adjacent sites  
S/1385/17/VC – 1, Appleacre Park, London Road, Fowlmere - (Variation of Condition 2 of S/1155/92 & Condition 2 of 1156/92/F) to allow the siting of 15 and 5 static caravans for permanent residential occupation on areas of the caravan park

restricted to touring caravans only – Appealed for non-determination  
S/1638/06/F – Appleacre Park, London Road, Fowlmere - Six plots (caravans) –  
Approved on 03-10-2006

S/1158/92/F – Appleacre Park, London Road, Fowlmere - Six permanent caravans  
– Approved on 07-08-1993

S/1157/92/F – Appleacre Park, London Road, Fowlmere – Storage of twenty  
caravans – Approved on 17-08-1993

S/1156/92/F – Appleacre Park, London Road, Fowlmere – Five touring caravans or  
tents – Approved on 17-08-1993

S/1155/92/F – Appleacre Park, London Road, Fowlmere – 15 touring caravans –  
Approved on 17-08-1993

S/3324/17/LD – Appleacre Lodge, London Road, Fowlmere – Lawful development  
certificate for the propose siting of eight static caravans – Not yet determined

### **National Planning Guidance**

6. *National Planning Policy Framework (2012) (NPPF)*  
*National Planning Practice Guidance (NPPG)*

### **Planning Policies**

7. The extent to which any of the following policies are out-of-date and the weight to be  
attributed to them are addressed later in the report.

### ***'South Cambridgeshire District Council Local Development Framework Core Strategy Development Plan Document' (2007)***

8. ST/2 Housing Provision  
ST/6 Group Villages

### ***'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document' (2007)***

9. DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
GB/3 Mitigating the impact of development adjoining the Green Belt  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
NE/1 Energy Efficiency  
NE/3 Renewable Energy Technologies in New Development  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/8 Groundwater  
NE/9 Water and Drainage Infrastructure  
NE/11 Flood Risk  
NE/12 Water Conservation

NE/14 Lighting Proposals  
NE/15 Noise Pollution  
NE/17 Protecting High Quality Agricultural Land  
CH/2 Archaeological Sites  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact

### **South Cambridgeshire District Council Local Development Framework Supplementary Planning Documents (SPDs)**

10. *'SCDC LDF Open Space in New Developments SPD'* (2009)  
*'SCDC LDF Affordable Housing SPD'* (2010)  
*'SCDC LDF Trees & Development Sites SPD'* (2009)  
*'SCDC LDF Landscape in New Developments SPD'* (2010)  
*'SCDC LDF Biodiversity SPD'* (2009)  
*'SCDC District Design Guide SPD'* (2010)  
*'SCDC Development Affecting Conservation Areas SPD'* (2009)

### ***'South Cambridgeshire Local Plan Proposed Submission'* (2013)**

11. S/1 Vision  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/6 The Development Strategy to 2031  
S/7 Development Frameworks  
S/10 Group Villages  
HQ/1 Design Principles  
H/7 Housing Density  
H/8 Housing Mix  
H/9 Affordable Housing  
NH/2 Protecting and Enhancing Landscape Character  
NH/3 Protecting Agricultural Land  
NH/4 Biodiversity  
NH/8 Mitigating the impact of development in and adjoining the Green Belt  
NH/14 Heritage Assets  
CC/1 Mitigation and Adaptation to Climate Change  
CC/3 Renewable and Low Carbon Energy in New Developments  
CC/4 Sustainable Design and Construction  
CC/6 Construction Methods  
CC/7 Water Quality  
CC/8 Sustainable Drainage Systems  
CC/9 Managing Flood Risk  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
SC/10 Lighting Proposals  
SC/11 Noise Pollution  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision  
TI/8 Infrastructure and New Development

### **Consultations**



### **Fowlmere Parish Council**

12. Fowlmere Parish Council has made several representations in respect of the application. The latest of these is as follows:
13. Following the conclusion of the meeting, this is the view of Fowlmere Parish Council (FPC) on the above application:

Fowlmere PC is still strongly against this application and wish to see a refusal for this application. It is outside the past and emerging Local Plan for Fowlmere. FPC is particularly concerned about the effects that the proposed number 3 and 12 would have on the properties at Appleacre which they consider to be overbearing / too close / overlooking to what are very single-storey dwellings on Appleacre. Numbers 12 and 3 are still of an unacceptable nature in terms of proximity (3) and overall size and proximity to 14 and 15 Appleacre (12). There is an enormous loss of amenity and privacy.

Sustainability – this village is poorly provided in terms of facilities – no village shop, minor public transport bus service. Other than a pub and the school you have to leave the village.

In the past and emerging Local Plan it is a 'Group' village and would only be allowed within the Village Envelope, dwellings of up to 8 (and in exceptional circumstances up to 15). There are no exceptional circumstances here and it is outside the village envelope. It is a purely speculative application.

There should be play equipment on site – it is further away from the residents at Appleacre. With a commuted sum of money to FPC for maintenance and upkeep.

A proper depth of screening would be required.

This needs to be referred to the SCDC Planning Committee, with a site visit.

14. A more detailed response submitted on 16 November 2017 is attached as appendix 1 to this report.

### **South Cambridgeshire District Council Environmental Health Officer**

15. No objections subject to standard conditions in respect of contractors' access arrangements for vehicles, plant and personnel and method statement for controlling debris during the construction period; construction and delivery times; use of pile foundations; submission of details of any external lighting scheme; and details of play equipment to be submitted to the Local Planning Authority for approval. Also recommended that the Council's Air Quality Officer is consulted and informatives regarding burning of waste, prevention of noise and dust during construction works.

### **South Cambridgeshire District Council Contaminated Land Officer**

16. The Council's Contaminated Land Officer has reviewed the applicant's '*Phase 1 Ground Contamination Desk Study*' (agb, May 2017) and recommended a condition relating to spot-check confirmatory soil sampling to ensure that the quality of soils are suitable for modern domestic gardens.

### **South Cambridgeshire District Council Urban Design Consultant**

17. The Council's Urban Design Consultant has no objections and previously commented that the layout, as indicated in the Proposed Site Plan (Drawing number: 217.03 Rev F), is generally acceptable. However, the two visitor spaces opposite Plots 9 and 10 should be removed as parked cars in this location would act as a physical barrier between the houses and the open space and play area, this in turn would compromise the safety and supervision of this space.
18. The applicant had since amended the layout based on the aforementioned urban design comments – these changes are shown in the revised Proposed Site Plan (Drawing number: 217.03 Rev G). The Council's Urban Design Consultant is pleased to see the revised layout and has recommended conditions requiring details of materials, windows, soffits, fascias, porches and canopies and chimneys to be submitted for approval prior to the commencement of the development.

### **South Cambridgeshire District Council Landscape Officer**

19. The Council's Landscape Officer's supports the development proposals and recommended conditions requiring the applicant to submit a detailed landscape scheme to ensure that the proposed development is satisfactorily assimilated into the area and enhances biodiversity.
20. The Council's Landscape Officer also commented that whilst the site is adjacent to the Green Belt, it does not form part of the Green Belt. The site is separated from the Green Belt by Chrishall Road to the east. In the Proposed Site Plan 217.03 - Rev G, the applicant has indicated:
  - 1) The retention of existing boundary trees and shrubs and the inclusion of a 2m wide landscape buffer upon the southern boundary;
  - 2) The retention of existing trees and new landscaping upon the eastern boundary.
21. The proposed measures would respect and retain the local landscape character, particularly in relation to "the edge of the village" and "adjacent to the Green Belt" contexts. Due to the retention and the enhancement boundary measures, the proposed development would not have an adverse impact upon the adjacent Green Belt.

### **South Cambridgeshire District Council Tree Officer**

22. The Council's Tree Officer has no objections and commented that more new tree planting should be incorporated within the proposed site layout, including orchard trees where appropriate to enhance the biodiversity of the proposed development. The '*Arboricultural Impact Assessment Report*' (agb, August 2017) provides comprehensive information on the condition of the trees on site and includes tree protection measures to protect retained trees during the construction stage of the development.
23. The Council's Tree Officer has recommended a condition requiring the applicant to implement the proposed Tree Protection Strategy included in the '*Arboricultural Impact Assessment Report*' (agb, August 2017) prior to commencement, site preparation or the delivery of materials to site, and that the tree protection measures shall be erected and remain in position until practical completion of the implementation of the development.

### **South Cambridgeshire District Council Ecology Officer**

24. The Council's Ecology Officer has no objections, and commented that the application site consists of an area of improved grassland with woody and tall ruderal boundaries. There are also small areas of scrub, an old shed, and a log pile. There are two Sites of Special Scientific Interest (SSSI) within the vicinity; however, both are over 1 km from the site and there is a negligible risk that the application will affect the qualifying features of either of these sites.
25. There are a large number of breeding bird records from the area, including both Schedule 1 (Wildlife and Countryside Act 1981) and Priority Species (Section 41 of the Natural Environmental and Rural Communities Act 2006). A vast majority of these records are from the nearby SSSIs; however, there is sufficient habitat on site for the more common species of breeding birds and this is of material concern.
26. The applicant's '*Preliminary Ecological Appraisal*' (agb, July 2017) (PEA) has not advocated any further surveys. The Council's Ecology Officer agrees with the findings of the PEA considering the commonness of the habitats present on site. However, the Council's Ecology Officer is also in agreement with the cautious approach to the construction phase of the development to avoid any possible residual risk to protected species.
27. The PEA has also recommended a series of biodiversity enhancements that can be included in the final design of the application. The Council's Ecology Officer agrees with the inclusion of such enhancements, as is the information included in the applicant's '*Planning, Design and Access Statement*' (Pegasus Group, July 2017) (Paragraph 5.9) which advocates the inclusion of biodiversity enhancement measures to help fulfil the objectives set out in Policy NE/6 of the '*SCDC LDF Development Control Policies DPD*' (2007) and NH/4 of the '*South Cambridgeshire Local Plan Proposed Submission*' (2013).
28. The Council's Ecology Officer has recommended conditions to help remove any residual risk to protected species and to enhance biodiversity within the site.

### **South Cambridgeshire District Council Affordable Housing Officer**

29. The site is located outside of the development framework of Fowlmere and would

normally be considered as an exception site for the provision of 100% affordable housing to meet the local housing need, in line with Policy H/10 of the *'South Cambridgeshire Local Plan Proposed Submission'* (2013). However, as this site is a 'Five-Year Housing Land Supply' site, it should provide a policy compliant level of affordable housing, i.e. 40%.

30. As the proposed development includes six affordable homes, this level of affordable housing provision would be acceptable to the Council's Affordable Homes Service. The affordable housing mix proposed by the developer is: 2 x one-bedroom houses and 4 x two-bedroom houses. This reflects the local housing need in Fowlmere.
31. The district wide tenure split, which is set out in the *'SCDC Affordable Housing SPD'* (2010), is 70% Social rent and 30% Intermediate housing. Therefore, for this proposal, four properties should be rented and two should be Intermediate/Shared Ownership. If the planning application is approved, then the six affordable properties should be allocated to those with a local connection to Fowlmere in perpetuity.
32. The following criteria will be applied to the allocation of affordable homes:
  - The first eight affordable homes on each Five-Year Housing Land Supply site will be occupied by those with a local connection, the occupation of any additional affordable homes thereafter will be split 50/50 between local connection and on a Districtwide basis.
  - If there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to re-let.

#### **South Cambridgeshire District Council Section 106 Officer**

33. Details of the specific policy compliant contributions are discussed in detail in the main body of this report. Appendix 2 provides information on the level of planning obligations that South Cambridgeshire District Council has sought in respect of the proposed development.

#### **Huntingdonshire District Council Environmental Sustainability Consultant**

34. Huntingdonshire District Council Environmental Sustainability Consultant commented that the applicant has provided no information relating to energy efficiency, carbon reductions or water conservation. The applicant must be reminded of the following policy requirement set out in the *'SCDC LDF Development Control Policies DPD'* (2007): *"Policy DP/1: Sustainable Development - Development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development."*
35. The principles of sustainable development are fundamental to international obligations and to national, regional and strategic planning policy. These principles also underpin the strategy, and all policies and proposals of the South

Cambridgeshire District Council Local Development Framework. The eastern region is the driest in the UK. It is also a low-lying area that is vulnerable to the implications of climate change. However, it is also a rural area that is to accommodate a great deal of growth surrounding the important historic city of Cambridge. It is therefore of key importance to the continuing success of the district that development is sustainable and achieves environmental, economic and social gains for current and future generations. To ensure that the applicant provides a sustainable and compliant development, the applicant will need to provide the following information which can be secured by conditions:

36. 1) Renewable energy - The applicant must ensure that at least 10% of regulated energy use comes from on-site renewable sources and that the carbon emissions of the development are at least 10% lower than that of a standard development, in accordance with Policies NE/1 and NE/3 of the '*SCDC LDF Development Control Policies DPD*' (2007) and Policies CC/1 and CC/3 of the '*South Cambridgeshire Local Plan Proposed Submission*' (2013). This document should have a section on energy and should include the following:

- How the applicant intends to use layout, orientation and FEES (Fabric Energy Efficiency standards) to ensure the development reduces energy requirements in use, and maximises the use of on-site low and zero carbon technologies.
- A feasibility study of all the options for achieving policy compliance, including increasing the fabric energy efficiency of the development over and above the requirements of Building Regulations and through the use of low and zero carbon technologies and on-site renewables, encouraging savings to be made higher up the energy hierarchy.
- The specification and size of any renewable energy systems used to achieve the carbon and energy reductions required.
- Detailed energy and carbon modelling to ensure that the proposed scheme is policy compliant.

2) Water efficiency - The applicant must provide a Water Conservation Strategy demonstrating that all practicable measures to conserve water have been incorporated into the development to achieve a maximum usage of 105litres/person/day, in accordance with Policies NE/12 of the '*SCDC LDF Development Control Policies DPD*' (2007) and Policy CC/4 of the '*South Cambridgeshire Local Plan Proposed Submission*' (2013). The applicant will need to submit Building Regulations Part G water calculations to evidence this.

### **The Local Highway Authority (LHA), Cambridgeshire County Council**

Comments made on 7 December 2017 regarding revised design Drawing number: 217.03 Rev G:

The proposal to have whole of the proposed adopted public highway operate as a shared surface is acceptable and given the small size of the development may be appropriate. The Highway Authority will not adopt the access to the parking for Plots 1 to 6, not only will the Highway Authority not adopt permeable paving (the maintenance risks are too high).

Comments made on 26 October 2017 regarding Drawing number VS02:

Drawing number VS02 overcomes Highway Authority request for refusal. Please add

a condition requiring that the footway as shown on Drawing number VS02 be constructed and completed to the satisfaction of the Local Planning Authority prior to 50% occupation of the proposed dwellings.

36.

**Cambridgeshire County Council Lead Local Flood Authority (LLFA) Drainage Consultant**

No objection and commented that the applicant has demonstrated that surface water can be dealt with on site by using soakaways and this is supported by the results of the on-site infiltration testing. It is noted that the design of the soakaways has been designed on an assumed infiltration rate. However, since the report was prepared, on-site testing has been undertaken and this has provided an 'actual' infiltration rate. At the detailed design stage, the drainage scheme should be updated to reflect this.

37.

The LLFA has recommend a condition such that proposed development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Foul and Surface Drainage Strategy, prepared by 7 Engineering Consultancy (Ref: 07097 Rev: 00) (June 2017), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

**Cambridge City Council Drainage Consultant**

Cambridge City Council Drainage Consultant considered the proposed development acceptable from a sustainable drainage point of view and has not recommended any conditions.

**Growth & Economy Team, Cambridgeshire County Council**

Early-years need – catchment setting: Fowlmere Primary School

This proposal would result in an anticipated four children in the early-years age bracket, two of whom would qualify for free school provision. There is a playgroup in the village and a private nursery school in Great Chrishall that offer early years provision. A significant number of early years children in the catchment are eligible for funding. However, they are not all taking up their free early years education entitlement locally. The school currently has sufficient capacity to mitigate the early years aged children arising from this development. As such, the developer is not required to make any financial contributions towards early-years need.

Primary need – catchment setting: Fowlmere Primary School

This proposal would result in an anticipated three children in the primary need bracket. Cambridgeshire County Council is unable to expand Fowlmere Primary School because of its site constraints. Therefore, the proposed mitigation project is to expand the nearby Foxton Primary School. The expansion to Foxton Primary School will consist of 90 additional places and has as total costs of £1,530,000 and contributions will be sought on a basis of £17,000 per place. The developer is required to contribute £17,000 x 3 = £51,000 towards primary need.

Secondary need – catchment setting: Melbourn Village College

This proposal would result in an anticipated two children in the secondary-need bracket. Melbourn Village College has sufficient capacity to mitigate the secondary aged children arising from this development. As such, the developer is not required to

make any financial contributions towards secondary-years need.

Libraries and lifelong learning – catch library: Mobile stop at High Street, Fowlmere

38. This proposal would result in an anticipated 34 new residents. There is insufficient facility to meet the demands of the additional population. However, the Library Mobile Vehicle already has five S106 contributions pooled. Therefore, Cambridgeshire County Council is prevented from seeking a further S106 contribution towards library and lifelong learning. As such, the developer is not required to make any financial contributions towards libraries and lifelong learning.

Strategic waste

39. In terms of strategic waste, this development falls within the Thriplow HRC catchment area for which there is insufficient capacity. However, as the HRC already has five S106 contributions pooled towards Cambridgeshire County Council's strategic waste project, it is prevented from seeking a further S106 contributions towards this project. As such, the developer is not required to make any financial contributions towards strategic waste.

Monitoring fees

40. The developer is not required to make any financial contribute towards Cambridgeshire County Council's monitoring fees.

**Environment Agency**

41. The Environment Agency raised no objection in principle to the proposed development and recommended subject to the imposition of conditions and informatives regarding surface and foul water drainage and land contamination.
42. The Environment Agency requested that the Council's drainage manager should be consulted.
43. The Environment Agency commented that the site is underlain by a chalk principal aquifer. Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They support water supply and river base flow on a strategic scale. There are no superficial deposits beneath the site. The overlying soils at the site are classified as having a high leaching potential, meaning they can readily transmit a wide variety of pollutants to the groundwater. The site is located within a groundwater Source Protection Zone (SPZ), namely SPZ3 (Total Catchment). The nearest surface water feature is a drain located approximately 400 metres (m) north-east of the site. We consider the historical and current uses of the land in the vicinity of the site, which include a piggery to the south, vehicle breakdown and recovery services to the north, and the presence of above ground kerosene tanks (adjacent to the north-western boundary) to be potentially contaminative. The site is considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters.
544. The Environment Agency considers that planning permission could be granted to the proposed development as submitted if planning conditions in relation to: ground water and contaminated land issues and surface water disposal are imposed. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

### **Anglian Water**

45. No comments received during the consultation stage.

### **Cambridgeshire Fire and Rescue Service**

46. No objection to the proposals, and commented that no additional fire hydrants will be required for the proposed development as there is an existing fire hydrant to the front of the site and this will be sufficient to serve the proposed development.

### **Cambridgeshire County Council Archaeology**

47. No objection to the proposals subject to a programme of archaeological investigation secured through the inclusion of a negative condition.
48. Also commented that Cambridgeshire County Council's records indicate that the site lies in an area of high archaeological potential, situated to the south of the historic core of Fowlmere, which includes designated moated sites Crows Parlour (National Heritage List for England reference 1014211, Historic Environment Record reference DCB450) and Ring work, known as 'The Round Moat', and associated earthworks (NHLE 1014823, HER DCB200). To the west of the application area is extensive cropmark evidence of settlement and occupation (for example, 08915, 08916, 08914, 08928), with further cropmark evidence to the north west (MCB20983) and east (09735).

### **Natural England**

49. No comments.

### **Design Out Crime Officer**

50. No objections.

### **Representations**

51. 15 individual letters (some of which are from the same addresses) and a group letter undersigned by residents of Appleacre Park have been submitted in relation to the application. The group letter raised objections to the proposed development. Of the responses received from individual residents, ten raised objections, one sought clarification and one provided comments.
52. Objections to the proposals concern the following issues (summarised):
- 1) Greenfield site located outside village development framework
  - 2) Inappropriate scale of development in a Group Village
  - 3) Extra traffic generation
  - 4) Highway safety – Chrishall Road is a fast and dangerous road
  - 5) Lack of infrastructure (e.g. school places, shops and post office)
  - 6) Impact on the adjoining Green Belt
  - 7) Overlooking issues
  - 8) Overbearing issues
  - 9) Overshadowing issues
  - 10) Noise issues during the construction stage of the proposed development
  - 11) Pollution issues (noise, emissions and light) resulted from traffic movement



- introduced by new residents
  - 12) Impact on ecology
  - 13) Water and waste control facilities in Chrishall Road is dated
  - 14) Loss of view
  - 15) Developer having financial interests
53. Objections in relation to Points 1 to 13 above are material considerations and will be examined in the Planning Assessment section of this report. Points 14 to 15 are not material considerations and as such they are outside the scope of the decision-making process.
54. Points of clarifications raised:
- Whether the footpath will have lighting
655. Comments
- A new footpath to the bus shelter would be beneficial

### **Site and Surroundings**

56. The application site is located outside but immediately adjacent to Fowlmere's village development framework. Fowlmere is defined as a Group Village in the South Cambridgeshire settlement hierarchy (Policy ST/6). The application site is 0.68 hectare in size and roughly rectangular in shape. The site is located to the west of the Cambridge Green Belt. The site is not located within a Conservation Area and there are no Listed Buildings nearby. The trees located on the opposite side of the road and a group of trees located further to the south of Chrishall Road have Tree Preservation Orders (TPOs). It is located to the south of the village of Fowlmere, fronting onto Chrishall Road. It is currently open land which has no activities upon it. There are no permanent structures present within the site, although there are trees and hedges along all but the northern boundary, giving it an enclosed character. The site is flat with no major level changes. The site is located within Flood Zone 1 which means it have a low probability of flooding.
57. To the south, the site is bounded by a track which leads from Chrishall Road to farm buildings and dwellings. Beyond the access track lies a large private dwelling, Lanacre. On the opposite (eastern) side of Chrishall Road is a row of semi-detached dwellings and an access to the village hall and recreational ground behind. To the north is Apple Acre Caravan Park, a park home site, which also wraps around the rear of the application site.

### **Details of the proposals**

58. The applicant seeks full planning permission for the erection of 15 dwellings (six of which are affordable dwellings) including a new access, public open space, an equipped play area and internal drives.

### **Planning Assessment**

59. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the Council's 5-Year Housing Land Supply (5YHLS) issue on the proposals, and whether Fowlmere in general and this site specifically allow the proposals to meet the definition of 'sustainable development' set out in the NPPF. Other issues to consider included the design, layout, neighbour

amenity, energy efficiency and water conservation; impact of the proposals on the adjacent Green Belt; landscape and trees; ecology; housing density and mix; affordable housing provision; highway safety and parking; drainage; environmental health; land contamination, archaeology and; Section 106 contributions.

### **Principle of development**

60. The NPPF requires councils to boost significantly the supply of housing and to identify and maintain a 5YHLS with an additional buffer as set out in Paragraph 47.
61. The Council accepts that it cannot currently demonstrate a 5YHLS in the district as required by the NPPF, having a 4.5-year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the *'Strategic Housing Market Assessment'* (2013) and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory December 2017). In these circumstances, any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out-of-date' in respect of Paragraph 49 of the NPPF.
62. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 but as a logical consequence of the decision this should also be considered policies "for the supply of housing".
63. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' has emerged via the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF. The term "relevant policies for the supply of housing" has been held by the Supreme Court to be limited to "housing supply policies" rather than more being interpreted more broadly so as to include any policies which "affect" the supply of housing, as was held in substance by the Court of Appeal.
64. The effect of the Supreme Court's judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as "relevant policies for the supply of housing". They are therefore not "out of date" by reason of paragraph 49 of the NPPF. None of these adopted policies are "housing supply policies" nor are they policies by which "acceptable housing sites are to be identified". Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policy ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
65. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date "albeit housing supply policies" do not now include policies ST/6, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme

Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”

66. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
67. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
68. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
- As part of the case of the applicant rests on the Council’s current 5YHLS deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5-year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within this timescale, whereby weight can be given to the contribution the proposal could make to help address the Council’s 5YHLS deficit. The Committee will see this is an application for full planning permission and thus details relating to scale, appearance and layout would be approved at this stage.
69. As the site is located outside the village development framework of Fowlmere, and in the countryside for planning purposes, Policy DP/7 of the ‘*South Cambridgeshire LDF Development Control Policies DPD*’ (2007) and Policy S/7 of the ‘*South Cambridgeshire Local Plan Proposed Submission*’ (2013) state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of 15 dwellings would therefore, not under normal circumstances, be considered acceptable in principle, since it is contrary to the above policies. However, the conflict with Policy DP/7 needs to be assessed not just with regard to whether the policy continues to perform a material planning objective, but also whether it is consistent with the policies of the NPPF.
70. Development in Group Villages (the current and emerging status of Fowmere) is normally limited under LDF Policy ST/6 to schemes of up to an indicative maximum of eight dwellings. Development may exceptionally consist of up to 15 dwellings where this

would make the best use of a single brownfield site. Where development of a larger scale scheme would place a material burden on the existing village services and facilities, the Council will use its power under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions at an appropriate level towards their development or improvement. This planning objective remains important and is consistent with the NPPF's *'presumption in favour of sustainable development'*, by limiting the scale of development in less sustainable rural locations with a limited range of services to meet the needs of new residents in a sustainable manner.

71. The Council's *'Strategic Housing Land Availability Assessment'* (2013) (SHLAA), which aims to identify potential sites for residential development in the District, considered the site to be "potentially suitable with good availability and achievability" (with SHLAA reference 326). It was considered that the development of the site would give rise to no adverse impacts which could not be fully mitigated, and that the site could be developed within five years with no major barriers to the delivery of development. In the Council's Local Plan Submission *'Sustainability Appraisal'* (2014), the site (reference 229) was considered as being compatible with neighbouring uses, having a minor impact on landscape character, no impact on highway capacity and that safe access can be achieved. The sustainability appraisal notes that utilities and school infrastructure may need additional capacity, which can be dealt with by financial contributions.
72. Whilst Fowlmere is categorised as a Group Village in the development hierarchy, the proposed scale of the development, at 15 units, would not undermine the Council's sequential approach to development. The quantum of the proposed development would have been considered acceptable if it the site was Brownfield and if it was within the village development framework. In light of the 5YHLS deficit, it is necessary to consider the circumstances of the Group Village to establish whether that village can accommodate sustainably the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development.
73. According to the Council's *'Services and Facilities Study'* (March 2014), in 2012, Fowlmere had an estimated population of 1,200 and contained approximately 500 dwellings. Fowlmere possesses a range of services and facilities including a primary school, pub and recreation areas and regular bus services.
74. In terms of access to public transport, there are bus stops located to the north of the site on Chrishall Road. The No.31 bus service provides Fowlmere with a four times daily bus service (Monday to Saturday) to Cambridge. The nearest train station is located in the village of Shepreth, approximately 2.7 miles to the northwest of the site. Foxton railway station is located 3.4 miles from the site, where a linked commuting trip can be made by train. The rail connection at Foxton offers hourly services (Monday to Sunday) to Cambridge and London Kings Cross. Fowlmere is well-connected to the local road network and benefits from ready access to the M11 motorway and the A10 and A505 trunk roads.
75. In terms of access to services and facilities, Fowlmere is located approximately 6.7 miles to the south west of Cambridge and approximately 5.6 miles to the north east of Royston. Other surrounding villages include Melbourn (approximately 3.1 miles to the west of Fowlmere and having a secondary school and employment provision), Foxton (approximately 2.2 miles to the north and having a railway station) and Thriplow (approximately 1.5 miles to the east). Therefore, it can be considered that future residents of the site would have access to public transport, facilities and services.

Given that the site is located adjacent to the development framework, it is not

inappropriate to consider the scale of the development acceptable given the site's close proximity to local services and facilities. There have been no other recently approved housing developments in or adjoining the village that suggest that approval would have a harmful cumulative impact.

76. The following paragraphs examine the social, economic and environmental aspects of the proposed development in light of NPPF's definition of 'sustainable development'.
77. The development would provide a clear social benefit in terms of helping to meet the current housing shortfall in South Cambridgeshire through delivering an additional 15 residential dwellings, 40% of which would be affordable (six dwellings). The proposed affordable housing mix is considered acceptable by the Council's Affordable Housing Team. The housing mix of the market elements is considered to meet the objectives of Policy H/8 of the emerging Local Plan. The provision of 15 additional houses, including the six affordable dwellings, is a social benefit and significant weight should be attributed this in the decision-making process, particularly in light of the Housing Officer's confirmation that there is a demonstrable need for affordable housing in Fowlmere.
78. The proposed development includes an area of public open space, an equipped play area that is over-looked by dwellings and the types of play equipment were based on the results of a child engagement exercise with local children from Fowlmere Primary School. The applicant is willing to make a financial contribution towards public art on-site to create an attractive feature for the proposed development. In terms of formal open space for the proposed development, there are sports pitches at the recreation area located to the east of the site, which is within walking and cycling distance of the application site. The design and layout of the proposed development is of a good standard and would enhance the appearance of the site. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The proposed equipped play area, public art and informal open space contribute towards the social sustainability of the area by enhancing the existing open space provision of the local area.
79. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising that "*housing should be located where it will enhance or maintain the vitality of rural communities*", and recognises that *where there are groups of smaller settlements, development in one village may support services in a village nearby.*" The proposed development is located to the south of Fowlmere, with access to public transport, services and facilities from within the village and from other nearby villages. It is within walking distance of the bus stops that connects the village to Cambridge. This means that that residents and children of the proposed development could walk or cycle to those facilities within the village, and could access facilities and employment opportunities elsewhere, e.g. Cambridge and London by public transport. Therefore, future residents have opportunities to access the employment opportunities in Cambridge City or other areas via the regular public transport services or the surrounding motorway network to support the economy.
80. The provision of 15 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local and nearby services and facilities, both of which will be of benefit to the economy.
81. In terms of environmental benefits, the proposed development would provide additional landscaping to enhance the surrounding landscape and to respect the character of the adjacent Cambridge Green Belt. It also provides the opportunity to enhance wildlife

habitats that will improve the ecological value of the land. Its sustainable location would help promote sustainable forms of transport by including walking and cycling facilities and providing good connections with the services and facilities within the village and to bus stops and the train station. Through the imposition of conditions, the proposed development would also deliver a 10% reduction in carbon from the use of renewables, and is therefore compliant with the requirements of Policies NE/1 and NE/3 of the 'SCDC LPF Development Control Policies DPD' (2007).

82. Regarding the loss of agricultural land: The site is classified Grade 2 agricultural land. Policy DP/3 (2q) states that development will not be permitted if it has an adverse impact on the best and most versatile agricultural land. Policy NE/17 states that its irreversible loss will not be permitted unless the site is allocated for development in the Local Development Framework, or unless sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land. The site is not in agricultural use and its development would not adversely impact the supply or usability of other agricultural land in the vicinity. Any loss of the application field from possible future agricultural use could be mitigated by the provision of the needed housing, particularly affordable housing, for the district.
83. Overall, it is considered that the proposed development would achieve the social, environmental and economic elements of the NPPF definition of 'sustainable development', subject to the mitigation measures recommended by the Council's specialists which can be secured by conditions and via a Section 106 agreement. Therefore, the principle of development is acceptable.

#### **Design, layout, neighbour amenity, energy efficiency and water conservation**

84. Policies DP/1 and DP/2 of the 'SCDC LPF Development Control Policies DPD' (2007) require new developments to be high quality and respond well to the site context. Policy DP/3 requires new developments to have regard to neighbour amenity. Policy NE/1 and NE/3 requires all new developments to be of a sustainable design and be energy efficient.

The main entrance and vehicular access to the proposed development would be from Chrishall Road. This entrance would be well landscaped with houses set back by at least 15m from the main road. The existing trees along the south-eastern boundary of the site would be retained, together with the landscape buffer proposed to the south-western and north-western boundaries of the site, would help create a high-quality landscape setting to soften the impact of the proposed development. A variety of dwelling types and sizes are provided within the proposed development, with a denser housing typology near the site entrance and larger detached dwellings at the rear of the site.

85. The proposed dwellings are limited to two storeys in height and are of a traditional design to reflect the rural character of the area. All of the dwellings would have private rear gardens that comply with the standards set out in the 'SCDC District Design Guide' (2010). The Council's Urban Design Consultant has been consulted and considered the development proposals to be generally acceptable and recommended conditions requiring details of materials, windows, soffits, fascias, porches and canopies and chimneys to be submitted for approval prior to the commencement of the development. The Case Officer considers it reasonable and necessary to impose these conditions as these architectural details can affect the overall appearance of the dwellings, and these conditions can help ensure that the detailed design of the dwellings are designed to a high standard to meet the objectives of Policies DP/1 and DP/2 of the 'SCDC LPF Development Control Policies DPD' (2007).

The proposed dwellings are well laid out taking into account the need to protect neighbour amenity. As shown in the proposed street scenes (Drawing no. 217.18 Rev D), Plots 3 and 12 are well sited and designed to minimise the effect of overbearing and overlooking. As shown in the proposed site plan (Drawing no. 217.03 Rev G), there is a satisfactory separation distance between the proposed dwellings and the neighbouring properties to the north-west of the site. The development proposals have been assessed with regards to the impact of overbearing, overlooking and overshadowing. It is concluded that the proposals would not have a significant impact on neighbouring amenity. However, it is considered necessary to impose a condition requiring all the windows to the bathrooms of the proposed development (apart from any top high vent) be fitted with obscured glazing to protect the privacy of residents, in accordance with Policy DP/3 of the 'SCDC LDF Development Control Policies DPD' (2007).

86. The proposed public open space has been designed to a good quality: this space is well-landscaped and overlooked, play equipment and benches would be provided to this public open space to meet the needs of the local community. Details regarding future maintenance would however need to be agreed. This provision is based on the results of the child-engagement exercise with Fowlmere Primary School students, conducted by the Case Officer. This further supports the social dimension of the concept of sustainable development, which is predicated on the concept that local communities are positively engaged in the plan and decision-making process.
87. In terms of energy efficient design, the applicant has not submitted any information to demonstrate how the proposed development would achieve at least 10% reduction in carbon emissions from the site. Also, there is no information on water conservation strategy. As such, the Council's Environmental Sustainability Consultant has recommended conditions to ensure that: 1) a Carbon Reduction Statement is provided to demonstrate how the proposed development would achieve a minimum of 10% reduction in carbon from the use of renewables; and 2) a Water Conservation Strategy is submitted detailing water conservation measures. The Case Officer considers these conditions reasonable and necessary, and will impose them to ensure that the proposed development accords with Policies DP/1, NE/1, NE/3 and NE/12 of the 'SCDC LDF Development Control Policies DPD' (2007).
88. Subject to the above conditions, the proposed development is considered to meet the objectives of Policies DP/1, DP/2, DP/3, NE/1, NE/3 and NE/12 of the 'SCDC LDF Development Control Policies DPD' (2007) in relation to sustainable development, design, layout, neighbour amenity, energy efficiency and water conservation.

#### **Impact on the adjacent Green Belt, Landscape and Trees**

89. Policy GB/3 of the 'SCDC LDF Development Control Policies DPD' (2007) states that where development proposals are in the vicinity of the Green Belt, account will be taken of any adverse impact on the Green Belt.
90. The Council's Landscape Officer supports the development proposals and commented that whilst the site is adjacent to the Green Belt, it does not form part of the Green Belt. The site is separated from the Green Belt by Chrishall Road to the east. As the applicant has indicated that the proposals will retain the existing boundary trees and shrubs; include a 2m wide landscape buffer upon the southern boundary; and retain existing trees and new landscaping upon the eastern boundary, these measures would respect and retain the local landscape character, particularly in relation to "the edge of the village" and "adjacent to the Green Belt" contexts. The Case Officer agrees with the Landscape Officer's view and considers that the proposed landscape measures are sufficient to mitigate the impact of the proposed development on the adjacent Green
- 91.

Belt. As such, the proposed development is considered to accord with Policy GB/3 of the 'SCDC LPF Development Control Policies DPD' (2007).

The Council's Landscape Officer also recommended conditions requiring the applicant to submit a detailed landscape scheme and details of the proposed boundary treatment prior to the commencement of the development. The Case Officer considers the recommended conditions relevant and necessary to ensure that the proposed development is satisfactorily assimilated into the area and enhances biodiversity.

92. The Council's Tree Officer has no objections, and recommended conditions requiring the applicant to implement the proposed Tree Protection Strategy included in the 'Arboricultural Impact Assessment Report' (agb, August 2017) prior to commencement, site preparation or the delivery of materials to site, and that the tree protection measures shall be erected and remain in position until practical completion of the implementation of the development. The Case Officer considers the recommended conditions relevant and necessary to protect the retained trees to enhance the development, biodiversity and the visual amenities.
93. Subject to the aforementioned conditions, the proposals are considered to accord with Policies DP/2 and NE/6 of the 'SCDC LPF Development Control Policies DPD' (2007) in relation to design and biodiversity.

### **Ecology**

94. The Council's Ecology Consultant has no objections and is satisfied that the scheme will meet ecological legislation and planning policy, subject to the applicant implementing the biodiversity protection measures set out in the applicant's 'Preliminary Ecological Appraisal' (agb, July 2017), and the submission of a biodiversity enhancement, both of which can be secured by conditions. The development therefore accords with Policy NE/6 of 'SCDC LPF Development Control Policies DPD' (2007).

### **Housing density and mix**

95. Policy HG/1 of 'SCDC LPF Development Control Policies DPD' (2007) specifies a district-wide density of 30 dwellings per hectare (dph) and a density of 40 dph in sustainable locations. Paragraph 47 of the NPPF now allows Local Planning Authorities to set their own approach to housing density targets to reflect local circumstances. The proposed development will have an average net density of 22 dph. This density is considered appropriate given the context of the site: it is located at the edge of the village adjacent to the Cambridge Green Belt. This density also supports a high-quality layout.
96. Under the provisions of Policy HG/2, the market housing element of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties (albeit this primarily applies to schemes of 10 or fewer dwellings). Policy H/8 of the 'South Cambridgeshire Local Plan Proposed Submission' (2013) is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories (1 and 2 bed, 3 bed and 4 or more bed properties), with the 10% margin to be applied flexibly across the scheme. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within Paragraph 216 of the NPPF.
97. The market element of the proposed development comprises nine dwellings:



- 1) 2 x two-bedroom dwellings
- 2) 3 x three-bedroom dwellings
- 3) 4 x four-bedroom dwellings

98. Whilst it would have been preferable for the applicant to provide three two-bedroom dwellings instead of two, given that the affordable element of the scheme comprises two one-bedroom and four two-bedroom dwellings, it is considered that on the whole, there is sufficient smaller-size dwellings in the scheme. On this basis, the proposed market housing mix is broadly considered to meet the objectives of Policy H/8 of the *'South Cambridgeshire Local Plan Proposed Submission'* (2013).

#### **Affordable housing provision**

99. As this site is a 5YHLS site, it should provide a policy compliant of level (minimum 40%) of affordable housing. The affordable housing delivered within the proposed development is six dwellings which represents 40% of the total (15 dwellings), therefore, this meets the requirements of Policy HG/3 of *'SCDC LPF Development Control Policies DPD'* (2007).
100. The Council's Affordable Housing team has confirmed that the proposed affordable housing scheme, i.e. 2 x one-bedroom houses and 4 x two-bedroom houses, reflects the local housing need in Fowlmere and would therefore be acceptable to the Council's Affordable Homes Service.
101. The Council's Affordable Housing team recommended criteria to ensure that the first eight affordable homes will be allocated to those with a local connection to Fowlmere and the remaining one should be allocated to those with a district-wide connection. This can be secured by a Section 106 agreement.

#### **Highway safety and parking**

102. The Local Highways Authority (LHA) has raised no objections and considered the proposed shared surface acceptable (comments dated 7 December 2017).
103. Whilst the proposed site access visibility splays and pedestrian improvements - Drawing no. VS02, which was based on a superseded layout (proposed site plan - Drawing no. 217.03), were considered acceptable, the layout has since been amended (as shown in proposed site plan - Drawing no. 217.03 Rev G) and the revised layout is considered by the LHA to be acceptable. As such, it is considered necessary to impose a condition requiring the applicant to update Drawing no. VS02 to reflect the latest proposed site plan - Drawing no. 217.03 Rev G to ensure highway safety.
104. The LHA has recommended conditions regarding: 1) the removal of Permitted Development rights for Plots 1 to 6 (in the superseded layout); 2) submission of a Travel Management Plan to minimise impact of the public highway during construction stage of the development; 3) the proposed access to the site is constructed so that no private water from the site drains across or onto the adopted public highway; and 4) the proposed access to the site is constructed using a bound material. The first recommended condition relating to the removal of Permitted Development Rights is no longer relevant as it relates to a superseded layout. However, the Case Officer considers it important to impose the remaining three recommended conditions to ensure the safe and effective operation of the public highway.
105. The LHA has also recommended two informatives: 1) a separate permission must be sought from the LHA if the developer wishes to carry out any works within, or

disturbance of, or interference with, the public highway; and 2) the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted Public Highway and physical measures to prevent the same must be provided. These informatives are considered to be relevant to the safe and effective operation of the public highway and will be added to the decision notice.

106. The car parking arrangements within the proposed development are provided by garages, forecourt parking and designated parking areas (allocated parking). A total of 35 car parking spaces are proposed for the 15 dwellings. This equates 2.3 parking spaces per dwelling. Given that the proposed development includes three 3-bedroom dwellings and four 4-bedroom dwellings, this car parking provision is considered acceptable. Two visitors' parking spaces are provided adjacent to the public open space and this is welcomed.
107. In terms of cycle parking, each of the one, two and three-bedroom dwellings would be provided with a well-designed cycle shed (Drawing no. 217.20). All the four 4-bedroom dwellings are designed with integral garages with sufficient space for cycle parking.
108. As such, the proposed car and cycle parking provisions are considered to meet with the standards set out in Policy TR/2 of '*SCDC LPF Development Control Policies DPD*' (2007) and the '*SCDC District Design Guide SPD*' (2010).

#### **Flood risk and Drainage**

109. The site is located within flood zone 1 (lowest risk of flooding). The Lead Local Flood Authority (LLFA) has no objections and recommended a condition. The Council's Drainage Consultant from Cambridge City Council considered the development proposals acceptable from a sustainable urban drainage perspective, and recommend no conditions.
110. The applicant has provided a '*Foul and Surface Drainage Strategy*' (7 Engineering Consultancy, June 2017), demonstrating that surface water can be dealt with on site by using soakaways and this is supported by the results of the on-site infiltration testing. Since the submission of this information, an on-site testing has been undertaken and this has provided an 'actual' infiltration rate. The Case Officer agrees with the LLFA and considers it reasonable and necessary to impose a condition requiring the developer to submit an updated detailed drainage scheme to reflect the results of the on-site testing, as it would help ensure a satisfactory method of surface and foul water drainage; reduce the risk of pollution to the water environment; and prevent the increased risk of flooding in accordance with Policies DP/1, NE/10 and NE/11 of the '*SCDC LPF Development Control Policies DPD*' (2007).
111. Anglian Water has not made any comments during the consultation period. Given that the LLFA and the Council's Drainage Consultant from Cambridge City Council have both assessed the applicant's '*Foul and Surface Drainage Strategy*' (7 Engineering Consultancy, June 2017) and raised no objections, it is not considered necessary to impose any conditions in relation to foul drainage strategy.

#### **Environmental health**

112. The Council's Environmental Health Officer has raised no objections and commented that if the proposed playground equipment is poorly installed, then it can cause a noise impact to the nearby residents. As such, a condition has been recommended requesting that the applicant submits details of the proposed play equipment for

approval.

113. The Council's Environmental Health Officer also recommended conditions in respect of minimising noise and disturbance during the period of construction; contractors' access arrangements for vehicles, plant and personnel; construction and delivery times; use of pile foundations; and submission of details of any external lighting scheme.
114. All these recommended conditions are considered reasonable and necessary by the Case Officer, as they would help protect neighbour amenity during the construction stage of the proposed development, and minimise disturbance to the future residents of the development in respect of noise associated with the proposed play equipment.
115. As such, subject to the aforementioned conditions, the proposals are considered to comply with Policies DP/3, NE/14, NE/15 and SF/10 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007).
120. Regarding the Council's Environmental Health Officer's recommendation to consult the Council's Air Quality Officer: it is considered unnecessary to consult the Council's Air Quality Officer on the development proposals, given that the site is not located within an Air Quality Monitoring Area, nor is the proposed residential use prone to generating air pollutants.

#### **Land contamination**

116. The Council's Scientific Officer has raised no objections, and commented that since the site comprises a large field of possibly plantation and then unknown use, and the proposal is for a sensitive end use, i.e. residential, whilst the applicant's Phase I Environmental Desk Study provides an adequate route to determine whether the site is suitable for its proposed end-use, it has recommended no further actions and this is not acceptable. As such, a condition has been recommended requiring some spot-check confirmatory soil sampling in the proposed garden areas to ensure that the quality of soils are suitable for modern domestic gardens. The recommended condition is considered reasonable and necessary by the Case Officer to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.
117. The Environment Agency has raised no objects. However, it considers the site to be of high sensitivity, due to the historical and current uses of the land in the vicinity of the site, which include a piggery to the south, vehicle breakdown and recovery services to the north, and the presence of above ground kerosene tanks (adjacent to the north-western boundary) to be potentially contaminative. Therefore, the site is considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters. As such, the Case Officers considers it important to impose conditions to mitigation potential issues concerning groundwater and contaminated land, as per the recommendation of the Environment Agency.
118. Subject to the aforementioned conditions, the proposals are considered to comply with Policy DP/1 of the '*SCDC LDF Development Control Policies DPD*' (2007).

#### **Archaeology**

119. The site lies in an area of high archaeological potential: situated to the south of the historic core of Fowlmere, which includes designated moated sites Crows Parlour (National Heritage List for England reference 1014211, Historic Environment Record reference DCB450) and Ring work, known as 'The Round Moat', and associated

earthworks (NHLE 1014823, HER DCB200). To the west of the application area is extensive cropmark evidence of settlement and occupation (for example, 08915, 08916, 08914, 08928), with further cropmark evidence to the north west (MCB20983) and east (09735). The Case Officer considers it necessary to impose a condition to ensure that any potential adverse impact on the archaeology of the site is prevented. As such, a condition requiring the applicant to submit a programme of archaeological investigation prior to the commencement of any development on site. This to ensure that the proposed development accords with the objectives of Policy CH/2 of the 'SCDC LDF Development Control Policies DPD' (2007).

### **Section 106 contributions**

120. Cambridgeshire County Council states that the development proposal would result in an anticipated three children in the primary need bracket. Cambridgeshire County Council is unable to expand Fowlmere Primary School because of its site constraints. Therefore, the proposed mitigation project is to expand the nearby Foxton Primary School. The expansion to Foxton Primary School will consist of 90 additional places and has as total costs of £1,530,000 and contributions will be sought on a basis of £17,000 per place. The developer is required to contribute £17,000 x 3 = £51,000 towards primary need.
121. A list detailing the amount of S106 financial contributions required from the developer to mitigate the impact of the proposed development is set out in appendix 2.

### **Planning Balance**

122. Given the fact that the Council cannot currently identify a 5YHLS, in accordance with the guidance in Paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
123. The proposed development would provide 15 dwellings to help address the district's housing shortage issue, six (40%) of which would be affordable. An on-site play space equipped with play equipment and street furniture will also be provided as part of this development. These are benefits which should be given significant weight in the determination of the planning application. Moderate weight can also be attached to the provision of employment during construction and the impact upon local services from the development. Limited weight can be given to the ecological benefits arising from the development.
124. In contrast, only limited weight can be attached to the location and scale of the development in contravention of Policies ST/5, DP/1 (a) and DP/7. The development is on land that adjoins the village framework and there is no identified harm in terms of the sustainability of the location given the absence of a 5YHLS and the need to balance this conflict against the significant need for housing identified in the NPPF.
125. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

### **Recommendation**

126. Delegated approval subject to:

## Legal Agreement

Contributions to be secured by way of a Section 106 (or other appropriate) legal agreement as set below, final wording to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission. The contributions are as set out in appendix 3 attached to this report.

## Conditions and Informatives

Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:

### Conditions

#### Time limit

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.

#### Approved plans and documents

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings and documents:
  - a) Proposed Site Access Visibility Splays and Pedestrian Improvements by tpa - Drawing no. VS02
  - b) Location Plan (showing red line boundary) 1:1250
  - c) Location and Block Plan – Drawing no. 217.02 Rev B
  - d) Proposed Site Plan – Drawing no. 217.03 Rev G
  - e) Proposed Ground and First Floor Plans for Plots 1, 2, 5, 6, 9 & 10 – Drawing no. 217.04 Rev B
  - f) Proposed Elevations for Plots 1, 2, 5 & 6 – Drawing no. 217.05 Rev D
  - g) Proposed Ground and First Floor Plans for Plots 3 & 4 – Drawing no. 217.06 Rev B
  - h) Proposed Ground and First Floor Plans for Plots 7, 8 & 11 – Drawing no. 217.07 Rev A
  - i) Proposed Ground Floor Plan for Plots 12 & 13 – Drawing no. 217.08 Rev A
  - j) Proposed First Floor Plan for Plots 12 & 13 – Drawing no. 217.09 Rev A
  - k) Proposed Ground and First Floor Plans for Plot 14 – Drawing no. 217.10 Rev A
  - l) Proposed Ground and First Floor Plans for Plot 15 – Drawing no. 217.11

- m) Proposed Elevations for Plots 3 & 4 – Drawing no. 217.12 Rev D
- n) Proposed Elevations for Plots 7, 8 & 11 – Drawing no. 217.13 Rev B
- o) Proposed Elevations for Plots 12 & 13 – Drawing no. 217.14 Rev C
- p) Proposed Elevations for Plots 12 & 13 – Drawing no. 217.15 Rev B
- q) Proposed Elevations for Plot 14 – Drawing no. 217.16 Rev C
- r) Proposed Elevations for Plot 15 – Drawing no. 217.17 Rev C
- s) Proposed Elevations for Plots 9 & 10 – Drawing no. 217.19 Rev B
- t) Proposed Floor Plan, Roof Plan and Elevations to Cycle Store – Drawing no. 217.20
- u) *'Arboricultural Impact Assessment Report'* (agb, August 2017)
- v) *'Planning, Design and Access Statement'* (Pegasus Group, July 2017)
- w) *'Preliminary Ecological Appraisal'* (agb, July 2017)
- x) *'Foul and Surface Drainage Strategy'*, prepared by 7 Engineering Consultancy (Ref: 07097 Rev: 00) (June 2017)

#### Landscape details and implementation

- 3) No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and any immediately adjoining and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

- 4) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority (LPA). If within a period of five years from the date of planting, or replacement planting, any tree of plant is removed, uprooted or destroyed or dies, any tree of plant of the same species and size as that originally planted shall be planted at the same place, unless the LPA gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

#### Trees

- 5) Prior to the commencement, site preparation or the delivery of materials to the site, the tree protection measures set out in the Tree Protection Strategy section of the approved *'Arboricultural Impact Assessment Report'* (agb, August 2017) shall be erected and shall remain in position until practical completion of the implementation of the development.

Reason: To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities in accordance with Policies DP/2 and NE/6 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

Details of play area and implementation (Pre-commencement condition)

- 6) No development shall take place until details of the play equipment and furniture proposed to the public open space, as indicated in the approved drawing: 217.03 Rev G (Proposed Site Plan), shall be submitted to and approved in writing by the Local Planning Authority (LPA). The details shall include the detailed layout and types of play equipment and street furniture to be included within the public open space. This public open space shall be laid out and equipped as approved before the first occupation of any part of the development, or in accordance with a programme to be submitted to and approved in writing by the LPA.

Reason: To provide outdoor play space in accordance with Policies DP/3 and SF/10 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

- 7) No dwelling shall be occupied until the public open space shown on the approved drawing: 217.03 Rev G (Proposed Site Plan), shall be laid out in accordance with the approved details, and that area shall not thereafter be used for any purpose other than as a play area.

Reason: To ensure the provision of a play area to enhance the quality of the development in accordance with Policies DP/3 and SF/10 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

Boundary treatment

- 8) No development above slab level shall take place until there has been submitted to, and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.

Reason: To ensure the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

Materials

- 9) No development above slab level shall take place until details of the materials to

be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is satisfactory and is in accordance with Policy DP/2 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007).

#### Architectural details (Pre-commencement condition)

- 10) Notwithstanding the drawings approved in Condition 2, no development shall take place until the following information are submitted to and approved in writing by the Local Planning Authority:
- 1) Soffits and fascia, porches and canopies, bays, chimneys: plans, sections and elevations at a scale of no less than 1:20.
  - 2) Windows: plans, sections and elevations at a scale of no less than 1:20 and shall include a minimum indentation of 90mm.

Development shall be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is satisfactory and is in accordance with Policy DP/2 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007).

#### Surface and foul water drainage

- 11) Prior to the commencement of any development, a detailed surface water drainage scheme for the site, based on the agreed '*Foul and Surface Drainage Strategy*', prepared by 7 Engineering Consultancy (Ref: 07097 Rev: 00) (June 2017), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007).

#### Glazing

- 12) Apart from any top high vent, all the windows to the bathrooms of the proposed development, hereby permitted, shall be fitted with obscured glazing (meeting as a minimum Pilkington Standards Level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.

Reason: To protect the residential amenity of residents in accordance with Policy DP/3 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007).

#### Ecology



- 13) All ecological measures and/or works shall be carried out in accordance with the details contained in the approved '*Preliminary Ecological Appraisal*' (agb, July 2017) regarding protected and priority species mitigation.

Reason: To protect species as per the requirements of the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended), Policy NE/6 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007) and the '*South Cambridgeshire District Council Local Development Framework Biodiversity SPD*' (2009).

- 14) No development shall take place until a scheme of biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: The '*National Planning Policy Framework*' (2012) expects development to provide for biodiversity and this can be achieved at this site through enhancement measures set out in the approved '*Preliminary Ecological Appraisal*' (agb, July 2017).

#### Environmental Health

- 15) Prior to commencement of the development hereby approved, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 08:00-18:00hrs Mondays to Fridays and 08:00 -13:00hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Approved details shall be implemented throughout the project period.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policies DP/3 and NE/15 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007).

- 17) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the Local Planning Authority so that noise and vibration can be controlled.

Reason: To protect the amenity of the locality, especially for people living nearby, in accordance with Policies DP/3 and NE/15 of the '*South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document*' (2007).

- 18) Prior to the occupation of any units on the site, details of any external lighting of the site such as street lighting, floodlighting, security/residential lighting and an assessment of impact on any sensitive residential premises on and off site as appropriate, shall be submitted to and approved in writing by the Local Planning Authority (LPA). The lighting impact shall be assessed in accordance with the Institute of Lighting Professionals' '*Guidance Notes for the Reduction of*

*Obtrusive Light GN01:2011*". The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details/measures unless the LPA gives its written consent to any variation.

Reason: To protect the residential amenity of future occupants and people living nearby, and to minimise the effects of light pollution on the surrounding area, in accordance with Policies DP/3, NE/6 and NE/14 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

Land contamination (Pre-commencement condition)

- 19) No development approved by this permission shall be commenced until:
- a) The application site has been subject to a detailed desk study, including site walkover and preliminary Conceptual Site Model, to be submitted to and approved by the Local Planning Authority (LPA).
  - b) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the LPA.
  - c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the LPA.
  - d) The works specified in the Remediation Method Statement have been completed, and a Verification Report submitted to and approved in writing by the LPA, in accordance with the approved scheme.
  - e) If, during remediation and/or construction works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Paragraphs 109, 120 and 121 of *'National Planning Policy Framework'* (2012), *'Environment Agency Groundwater Protection: Principles and Practice'* (GP3) and Policy DP/1 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

- 20) Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Paragraphs 109, 120, 121 of the *'National Planning Policy Framework'* (2012), *'Environment Agency Groundwater Protection: Principles and Practice (GP3)'* and Policy DP/1 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan*

*Document'* (2007).

Renewable energy

- 21) A Carbon/Energy Reduction Statement, which demonstrates that at least 10% of the developments total predicted carbon emissions will be reduced through the implementation of on-site renewable and/or low carbon energy sources, shall be submitted to and approved in writing by the Local Planning Authority (LPA). The statement shall include the following details:
- a) SAP/SBEM calculations demonstrating the total energy requirements of the whole development, set out in Kg/CO<sub>2</sub>/annum based on a Building Regulations Part L Compliant Scheme;
  - b) A schedule of how the proposed on-site renewable and/or low carbon energy technologies will impact on the carbon emissions presented in (a) above.

The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the LPA.

Reason: In the interests of reducing carbon dioxide emissions to achieve the objectives of sustainable development in accordance with Policies DP/1, NE/1 and NE/3 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

Water efficiency (Pre-commencement condition)

- 22) No development shall take place until a Water Conservation Strategy, detailing water conservation and management measures to achieve a maximum usage of 105litres/person/day, and information on water calculations as per the requirements set out in Building Regulations Part G, have been submitted to and approved in writing by the Local Planning Authority. The approved Water Conservation Strategy shall be implemented in accordance with the approved details/measures.

Reason: There is a high demand for limited water resources in the East of England; therefore, it is necessary to manage water use in accordance with Policies DP/1 and NE/12 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

Highway safety (Pre-commencement condition)

- 23) No demolition or construction works shall commence on site until a Traffic Management Plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- a) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
  - b) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.

- c) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).
- d) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Reason: In the interests of highway safety.

Highway safety

- 24) The proposed access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Reason: For the safe and effective operation of the highway.

- 25) The proposed access shall be constructed using a bound material, for a distance of not less than 10m from the boundary of the adopted public highway into the site to prevent debris spreading onto the adopted public highway.

Reason: In the interests of highway safety.

Archaeology

- 26) No demolition/development shall take place until a Written Scheme of Investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:
  - 1) The statement of significance and research objectives;
  - 2) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
  - 3) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure that the proposed development accords with Policy CH/2 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007) in relation to the protection of archaeological sites.

Drawing amendments (Pre-commencement condition)

- 27) Notwithstanding the details shown in the approved drawing "*Proposed Site Access Visibility Splays and Pedestrian Improvements*" by tpa - Drawing no. VS02, as per Condition 2, no development shall take place until there has been submitted to, and approved in writing by the Local Planning Authority, a revised plan showing an updated layout reflecting the amended parking to Plots 1 to 6; the shared surface road layout; and the visitor's parking arrangement as indicated in the Proposed Site Plan – Drawing no. 217.03 Rev G. The proposals indicated in the revised drawing shall be completed prior to 50% occupation of the proposed dwellings, and shall thereafter be retained upon the completion of

the proposed development.

Reason: In the interests of highway safety and to ensure that the road layout is well designed to create a high quality public realm in accordance with Policy DP/2 of the *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007).

### **Informatives**

- 1) There shall be no burning of waste or other materials on the site, without prior consent from the Local Planning Authority.
- 2) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction works. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information, please contact the Council's Environmental Health Service.
- 3) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- 4) The use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted Public Highway and physical measures to prevent the same must be provided.
- 5) All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
- 6) Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
- 7) An acceptable method of foul drainage disposal would be connection to the public foul sewer.
- 8) Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Environment Agency must be re-consulted with alternative methods of disposal.
- 9) The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.
- 10) Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
- 11) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hard-standings should be passed through an oil interceptor designed compatible with the site being drained. Roof

water shall not pass through the interceptor.

- 12) Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.
- 13) Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

### **Background Papers:**

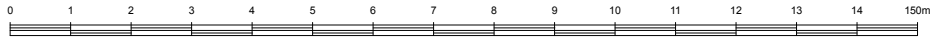
The following list contains links to the documents on the Council's website and/or an indication as to where hard copies can be inspected.

- *'South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document'* (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- *'South Cambridgeshire Local Plan Proposed Submission'* (2013)
- Planning File Reference: S/2757/17/FL

**Report Author:**

Bonnie Kwok  
Telephone Number:

Principal Planning Officer  
01954 713167



FOR INTERNAL USE ONLY

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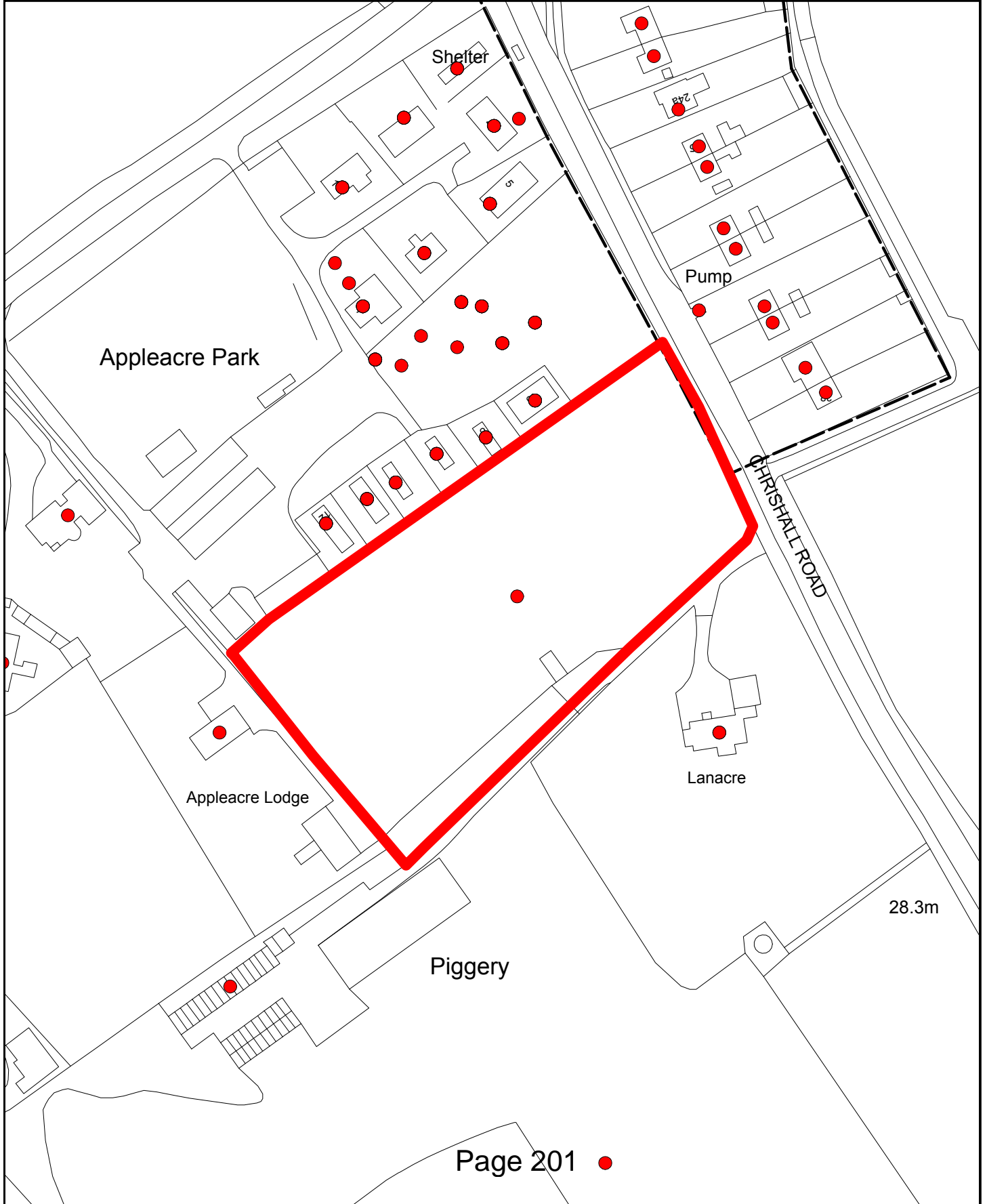
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Date of plot: 21/12/2017



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Cambridgeshire  
District Council

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# Agenda Item 10



**REPORT TO:** Planning Committee

10 January 2018

**LEAD OFFICER:** Joint Director of Planning & Economic Development

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## Enforcement Report

### Purpose

1. To inform Members about planning enforcement cases, as at 14 December 2017. Summaries of recent enforcement notices are also reported, for information.

### Executive Summary

2. There are currently 86 active cases (Target is maximum 150 open cases, Stretch target 100 open cases).
3. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1, and 2 to this report.

### Updates to significant cases

5. Updates are as follows:

(a) **Stapleford:**

Breach of Enforcement Notice on Land adjacent to Hill Trees, Babraham Road. Following continuing breaches of planning at this location an Injunction was approved by the High Court 17<sup>th</sup> November 2015, The compliance period to remove unauthorised vehicles and to cease unauthorised development represented by the commercial storage, car sales and non-consented operational works that have occurred there was by January 26<sup>th</sup> 2016. An inspection of the land on the 26<sup>th</sup> January 2016 revealed that the unauthorised motor vehicles, trailers, caravans etc. had along with the unauthorised track been removed from the land as required by the Injunction. The displaced vehicles have now been moved onto land at Little Abington owned by the occupier of Hill Trees and onto land adjacent to Hill Trees that belongs to Gonville and Caius College, Cambridge. Both parcels of land are the subject of extant enforcement notices. Currently advice has been sought through Counsel on the most effect route in dealing with this displacement and on balance it is felt that a High Court injunction, particularly given the recent

successful outcome at Hill Trees and related planning history, including various unsuccessful challenges, is made to remedy the identified breaches. Case file currently in preparation.

File prepared and instruction given to apply for a High Court Injunction. Preparation work including further detailed inspections of the lands in question, personal service etc. is currently being carried out along with a witness statement to facilitate the High Court Injunction application.

The family of the deceased owner of Hill Trees have informed the council that the various claims against the estate by the current occupier have been struck out including the Inheritance Claim. Although further appeals have been made it is their solicitor's view that the person responsible for the breach of control on the Land adjacent to Hill Trees has reached the end of the road and that they are shortly going to issue a notice for the unlawful occupation of Hill Trees to cease?

A further inspection of the land adjacent to Hill Trees carried out on the 13<sup>th</sup> July confirmed that the displaced vehicles are still occupying the site along with several additional vehicles. The meeting with Counsel which was originally booked for the 17<sup>th</sup> July has now taken place on the 26<sup>th</sup> July 2017. Following advice from Counsel additional preparation work required prior to the application for a High Court Injunction. Witness statements currently with Counsel, waiting further advice.

In addition to the above it was previously reported that the person involved in the above action appealed the planning decision (LDC) reference S/3569/16/LD in connection to a parcel of land known as unit C which is situated at Hill Trees and is currently covered by the existing High Court Injunction. Although the appeal was to be heard on the 5<sup>th</sup> December 2017 the appeal has now been withdrawn by the applicant. A claim for costs is currently in the process of being made.

(b) **Cottenham - Smithy Fen:**

Work continues on Setchel Drove, following the placement of a number of static caravans on four plots in breach of the current planning consent and High Court Injunction applicable to each plot. Formal letters have been issued to those reported owners and occupants on Setchel Drove, covering the breaches of planning control and breach of the High Court Injunction - Copies of the Injunction and Housing leaflets, covering those that may be threatened with homelessness or eviction has been issued – Given the complexity and number of departments within the organisation that may be involved in any future action the Councils Tasking & Coordination group are facilitating a joint approach with Planning, Environmental Health, Housing, Benefits & Council Tax, and Legal.

Following a full survey of the site, including Needs assessments preparation was made for the issue of twenty two (22) Breach of Condition Notices covering five plots in Water Lane, one plot in Orchard Drive, four plots in Pine Lane, three plots in Park Lane, and nine plots in Setchel Drove, who have been found to breach their planning permission.

A compliance inspection carried out after the 31 July 2017 confirmed that 54% of the plots previously identified as being in breach of their planning permission

in relation to planning conditions are now complying with them. Work is currently underway to identify the persons continuing to breach planning and to instigate prosecution proceedings against them. Investigation now complete and prosecution files relating to ten (10) plots, which are still in breach of the notice have been submitted to the council's legal team for summons and a date is shortly to be advised.

(c) **Histon – Land at Moor Drove**

Unauthorised development within the Green Belt of agricultural land and occupation of a section of the land, including stationing of five (5) touring caravans. Immediate application of a High Court Injunction made to prevent further development and occupation of the land. Application successful. Enforcement Notice to be issued requiring removal of the five (5) unauthorised touring caravans. Retrospective planning application received, awaiting validation. Planning reference S/2896/16 refers. Since application a planning agent has been engaged to provide outstanding information in order to allow original application to be validated. Application now validated. Enforcement notices (3) issued 10 January 2017 covering the section of land the subject of the unauthorised development. Planning Appeal Submitted and received by the Planning Inspectorate, Further appeal submitted for non-determination of the planning application. Date for Hearing estimated to be held in April 2018

(d) **Willingham – The Oaks Meadow Road**

The use of the chalet building as a dwelling house without the benefit of planning permission. A retrospective planning application had previously been submitted and was due to be heard at the 7<sup>th</sup> December 2016 Planning Committee but was withdrawn by the applicant. Enforcement Notice issued and subsequently Appealed. Appeal commenced 11<sup>th</sup> December 2017 to 14<sup>th</sup> December with a further date on the 15<sup>th</sup> January 2018

(e) **Landbeach – Overbrook Farm Nursery**

Without planning permission the erection of a two storey Prefabricated dwelling. The development is the erection of a new dwelling in the countryside. It is contrary to Policy DP7 of the South Cambridgeshire Local Development Framework Control Policies DPD 2007 and Policy DP3 of the South Cambridgeshire Local Development Framework Control Policies DPD 2007. The enforcement notice has been appealed and is due to be heard on the 22<sup>nd</sup> May 2018.

(f) **Whaddon – 9A Bridge Street**

out planning permission the erection of a six metre high pole for CCTV pment. Enforcement Notice SCD-ENF-094/17/A was issued with a compliance of 25<sup>th</sup> November 2017 to remove the pole and CCTV equipment. The notice not been complied with and a file has been submitted to the Councils Legal e to issue a Summons

**Investigation summary**

- 6 Enforcement Investigations for November 2017 reflect the same number of cases investigated when compared to the same period in 2016. Fifty Three (53) cases in total for the period.

The number of cases investigated year to date November totals 547 which when compared to the same period in 2016 ( 509 cases) represents a 7.5% increase

A review of the 59 cases closed in November revealed that 22 cases were found not to be in breach of planning control, 6 were permitted development and 9 were not expedient to enforce. The remaining 22 were as a result of express consent already granted, consent on appeal and malicious complaints. A complaint was also withdrawn.

**Effect on Strategic Aims**

- 7.. South Cambridgeshire District Council delivers value for money by engaging with residents, parishes and businesses. By providing an effective Enforcement service, the Council continues to provide its residents with an excellent quality of life.

**Background Papers:**

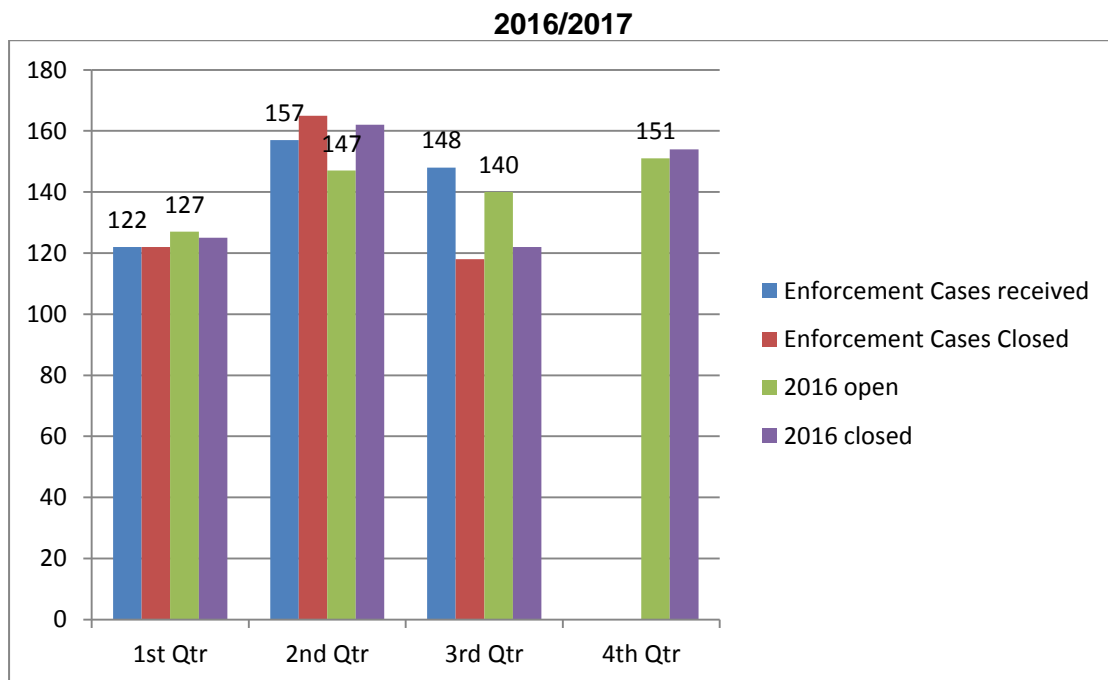
The following background papers were used in the preparation of this report:

- **Appendices 1 and 2**

**Report Author:** Charles Swain Principal Planning Enforcement Officer  
Telephone: (01954 ) 713206

Enforcement Cases Received and Closed

Month – 2017	Received	Closed
October 2017	67	71
November 2017	53	59
December 2017	-	-
1 <sup>st</sup> Qtr. 2017	122	122
2 <sup>nd</sup> Qtr. 2017	157	165
3 <sup>rd</sup> Qtr. 2017	148	118
4 <sup>th</sup> Qtr. 2017	-	-
1 <sup>st</sup> Qtr. 2016	127	125
2 <sup>nd</sup> Qtr. 2016	147	162
3 <sup>rd</sup> Qtr. 2016	140	122
4 <sup>th</sup> Qtr. 2016	151	154
2016 - YTD	565	563
2015 -YTD	511	527
2014 -YTD	504	476



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Notices Served and Issued

1. Notices Served

Type of Notice	Period	Calendar Year to date
	November 2017	2017
Enforcement	0	16
Stop Notice	0	0
Temporary Stop Notice	2	7
Breach of Condition	1	30
S215 – Amenity Notice	1	2
Planning Contravention Notice	0	3
Injunctions	0	0
High Hedge Remedial Notice	1	2

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
SCD-ENF 0497/17 Not in accordance with approved drawings	Shudy Camps	Carters Farm, Main Street	Temporary Stop Notice
SCD-ENF 0362/17 Visual amenity issue	Shudy Camps	The Old Stack Yard, Mill Green	S215 Amenity Notice
SCD-ENF 0514/17 Failure to discharge conditions	Waterbeach	Land East of Cody Road	Breach of Condition Notice
SCD-ENF 0534/17 Failure to discharge pre-commencement conditions	Sawston	Land Off Mill Lane	Temporary Stop Notice
HH-ENF 0379/17 High Hedge Complaint	Great Chishill	30 Hall Lane	Remedial Notice

### 3. Case Information

Twenty eight of the fifty three cases opened during November were closed within the same period which represents a 52.8% closure rate.

A breakdown of the cases investigated during November is as follows

**Low priority** - Development that may cause some harm but could be made acceptable by way of conditions e.g. Control on hours of use, parking etc.  
Four (4) cases were investigated

**Medium Priority** -Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)  
Forty six (46) cases were investigated

**High Priority** (works which are irreversible or irreplaceable (e.g. damage to, or loss of, listed buildings and protected trees, where highways issues could endanger life)  
Three (3) cases were investigated

**The enquiries received by enforcement during the November period are broken down by case category as follows.**

Adverts	x 00
Amenity	x 01
Breach of Condition	x 21
Breach of Planning Control	x 04
Built in Accordance	x 02
Change of Use	x 03
Conservation	x 01
High Hedge	x 00
Listed Building	x 00
Other	x 12
Unauthorised Development	x 06
Permitted Development	x 03
<u>Total Cases reported</u>	<u>53</u>



# Agenda Item 11



**REPORT TO:** Planning Committee

10 January 2018

**LEAD OFFICER:** Joint Director for Planning and Economic Development

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## **Appeals against Planning Decisions and Enforcement Action**

### **Purpose**

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 29<sup>th</sup> December 2017. Summaries of recent decisions of importance are also reported, for information.

### **Statistical data**

2. Attached to this report are the following Appendices:
  - Appendix 1 - Decisions Notified by the Secretary of State
  - Appendix 2 – Appeals received
  - Appendix 3 - Local Inquiry and Informal Hearing dates scheduled

**Contact Officer:** Stephen Kelly      Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

Telephone Number:: 01954 713350

**Report Author:** Ian Papworth      Technical Support Team Leader (Appeals)

Telephone Number: 01954 713406

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## Appendix 1

### Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/0801/17/FL	Site at Rear of 89, Whitwell Way, Coton,	Erection of Bungalow & Garage	Dismissed	04/12/2017	Delegated Refusal
S/2186/17/FL	8, Elms Avenue, Great Shelford	Refurbishment of existing bungalow, additional storey to main block and increased footprint to rear extension	Allowed	06/12/2017	Delegated Refusal
S/2228/17/FL	Morden House, Trap Road, Guilden Morden	Erection of ancillary domestic outbuilding/garage	Dismissed	08/12/2017	Delegated Refusal

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Appeals Received

Reference	Address	Details	Date Appeal lodged
S/1213/16/OL	Welding Alloys Ltd, The Way, Fowlmere	Outline application for residential development of up to 45 dwellings, and office building.	24/11/17
S/1059/17/FL	Land adjacent to, 79 , Willingham Road, OVER,	Erection of two houses	24/11/17
S/0033/17/FL	Aerodrome Service Station, Royston Road (A505), Duxford	Demolition of existing service station forecourt building, forecourt canopy and pump islands and adjacent bungalow. Construction of new service station forecourt building, forecourt canopy and pump islands together with site changes to provide customer parking.	28/11/2017
S/1524/17/OL	Holmcroft, Bassingbourn Road, Litlington	Outline planning permission for a new dwelling for a new dwelling house, removal of existing outbuildings and conversion of barn to new garage space	05/12/2017
S/0906/17/OL	34 Church Street, Little Gransden	Outline application for a single detached dwelling, associated garage, driveway and highway access	08/12/2017

## Appendix 2

S/2952/17/FL	37 Bartlow Road, Linton	Erection of a detached dwelling with new vehicular access and alterations to existing dwelling	08/12/17
ENF/0182/16	1, Beech Farm Cottages, Button End, Harston, Cambridge, Cambridgeshire, CB22 7GY	Agricultural land used as garden	15/11/2017
S/3235/17/FL	1 Friar Way, Great Cambourne	Installation of a first floor window in south east side of house	20/11/2017

## Appendix 3

### Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

<b>Reference</b>	<b>Name</b>	<b>Address</b>	<b>Planning decision or Enforcement?</b>	<b>Date confirmed/proposed</b>
ENF/0012/17	Mr Thomas Buckley	The Oaks, Meadow Road, Willingham	Enforcement Notice	15/01/2018 as an additional day Confirmed
S/1092/17/FL	Mr Dolph Buckley	The Oaks, Meadow Road, Willingham	Planning Decision	15/01/2018 as an additional day Confirmed
S/1969/15/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	09/01/2018 for 3 days Confirmed
S/2553/16/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	09/01/2018 for 3 days Confirmed
S/0096/17/OL	Gladman Developments Ltd	Agricultural land North East of Back Road, Linton	Planning Decision	16/01/2018 for 5 days Confirmed
ENF/0483/16	Ms Julie Lee	Overbrook Farm Nursery, Green End, Landbeach	Enforcement Notice	TBC
S/1385/17/VC	Mr J Hart	1 Appleacre Park, London Road Fowlmere	Non Determination	26/04/2018
S/3293/16/LD	Mr J Hart	1 Appleacre Park, London Road Fowlmere	Non Determination	26/04/2018

- **Informal Hearings**

<b>Reference</b>	<b>Name</b>	<b>Address</b>	<b>Planning decision or</b>	<b>Date confirmed/</b>
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### Appendix 3

Enforcement? proposed				
ENF/0433/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	Postponed TBC
ENF/433/B/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	Postponed TBC
ENF/433/C/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	Postponed TBC
S/2896/16/FL	Mr Tony Price	7 Moor Drove, Cottenham	Planning Decision	Postponed TBC
S/3396/16/RM	Cala Homes North Home Counties	8 Greenacres, Duxford	Planning Decision	TBC
S/2876/16/OL	Mr Stephen Conrad	Land North east of Rampton Road Cottenham	Planning Decision	TBC
S/2341/17/FL	Mr & Mrs Corney	16 Mill Road, Over	Planning Decision	TBC