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4 December 2018

To: Chairman – Councillor John Batchelor
Vice-Chairman – Councillor Pippa Heylings
All Members of the Planning Committee - Councillors Dr. Martin Cahn,
Peter Fane, Bill Handley, Brian Milnes, Judith Rippeth, Deborah Roberts,
Peter Topping, Heather Williams and Nick Wright

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, 12 DECEMBER 2018** at **9.30 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.

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.

PRE-APPLICATION MATTER

1. ARC Innovations Research Pavilions

Names of Presenters

Robin Snell; Director, Robin Snell and Partners

Rob Taylor; Project Architect, Robin Snell and Partners

Design Statement

The idea of providing state-of-the-art studio-based workplaces to

encourage collaborative working for start-up design companies in rural Cambridgeshire is the vision of Avent founder, Edward Atkin CBE: Aiming to accommodate the needs of creative individuals and groups in the 21st Century within an inspiring landscaped setting.

PROCEDURAL ITEMS

The following items will begin no earlier than 10.30am.

2. Apologies

To receive apologies for absence from committee members.

3. 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.

4. Recorded voting

5. Minutes of Previous Meeting

1 - 12

To authorise the Chairman to sign the Minutes of the meeting held on 14 November 2018 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’.

6. S/2941/18/FL - Melbourn (Land north of Melbourn Science Park)

13 - 40

New office and technology research facilities

7. S/1699/18/FL - Sawston (junction of Dernford Lane and Stapleford Road)

41 - 54

Retention of vehicular access (retrospective)

8. S/1911/18/OL - Bassingbourn (Land south of Clear Farm)

55 - 84

Outline application for residential development for up to 10 dwellings and open space provision, with matters of access, all other matters reserved.

9. S/2454/18/FL - Teversham (Nos. 1 and 3 Pembroke Way) 85 - 102

Demolition of Nos. 1 and 3 Pembroke Way and replacement with two houses, two flats and one bungalow with associated car parking amenity space and landscaping

10. S/2281/18/RM - Cottenham (Land off Oakington Road) 103 - 128

Approval of reserved matters for access, appearance, landscaping, layout and scale following outline planning permission S/1606/16/OL for the erection of up to 121 dwellings, formation of a new vehicular and pedestrian access onto Oakington Road and associated infrastructure and works

MONITORING REPORTS

11. Enforcement Report 129 - 138

12. Appeals against Planning Decisions and Enforcement Action 139 - 146

There is no Appendix 2 because no new Appeals have been received since the last report.

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

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

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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

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Toilets

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

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

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 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 14 November 2018 at 10.00 a.m.

PRESENT: Councillor John Batchelor – Chairman
Councillor Pippa Heylings – Vice-Chairman

Councillors: Dr. Martin Cahn Peter Fane
Bill Handley Dr. Tumi Hawkins (substitute)
Brian Milnes Deborah Roberts
Peter Topping Heather Williams
Nick Wright

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Rachael Forbes (Planning Officer), John Koch (Planning Team Leader (West)), Karen Pell-Coggins (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), David Roberts (Principal Planning Policy Officer), Dean Scrivener (Planning Project Officer), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer), Alison Twyford (Senior Planning Officer) and Rebecca Ward (Principal Planning Officer)

Councillors Henry Batchelor, Steve Hunt and Eileen Wilson were in attendance, by invitation.

1. APOLOGIES

Councillor Judith Rippeth sent Apologies for Absence. Councillor Dr. Tumi Hawkins was present as substitute.

2. DECLARATIONS OF INTEREST

Councillor Dr. Martin Cahn declared a non-pecuniary interest in Minute 7 (S/1486/18/FL - Impington (Land to the rear of 49-83 (odds) Impington Lane, Impington, CB24 9NJ)). Councillor Cahn's wife is a member of Impington Parish Council. Councillor Cahn is a member of the Royal Town Planning Institute (RTPI) of which another member would be addressing the meeting as a public speaker.

Councillor Dr. Tumi Hawkins declared a non-pecuniary interest in Minute 9 (S/2866/18/VC - Little Gransden (Land at Gransden Lodge Airfield, Cambridge Gliding Club Ltd, Gransden Lodge Airfield, Longstowe Road)). Councillor Hawkins had been present at Parish Council meetings at which this application had been discussed, but was considering the matter afresh.

Councillor Pippa Heylings declared a non-pecuniary interest in Minute 7 (S/1486/18/FL - Impington (Land to the rear of 49-83 (odds) Impington Lane, Impington, CB24 9NJ)). Councillor Heylings had met with residents, the developer and other interested parties about this application but was considering the matter afresh.

Councillor Heather Williams declared the following non-pecuniary interests

- Minute 9 (S/2866/18/VC - Little Gransden (Land at Gransden Lodge Airfield, Cambridge Gliding Club Ltd, Gransden Lodge Airfield, Longstowe Road)). Four of the parishes affected by the application were located in Councillor Williams' ward.

She had attended meetings of each of those Parish Councils but did not take part in any of the debates.

- Minute 12 paragraph 5(g) (Enforcement – 147 St. Neots Road, Hardwick). The landlords of no. 147 are also landlords of the neighbouring property, which is the headquarters building of the political association of which Councillor Williams is Vice-Chairman.

Councillor Nick Wright declared a non-pecuniary interest in Minute 9 (S/2866/18/VC - Little Gransden (Land at Gransden Lodge Airfield, Cambridge Gliding Club Ltd, Gransden Lodge Airfield, Longstowe Road)). Councillor Wright had been present at Parish Council meetings at which this application had been discussed but was considering the matter afresh.

3. RECORDED VOTING

Pending the issue of recorded voting at Planning Committee being addressed by the Constitution, Councillor Deborah Roberts proposed that all substantive votes be recorded.

Councillor Nick Wright seconded the proposal and, upon a show of hands, the Committee **agreed unanimously** that all substantive votes at the current Planning Committee meeting should be recorded by name and / or number and name.

4. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 10 October 2018 subject to the following:

Minute 2 – Declarations of Interest

In the second paragraph, replace the words "...spoken at..." with the word "...attended..." so that that paragraph now reads as follows:

Regarding Minute 5 (S/1694/18/FL - Wimpole (Wimpole Hall, Wimpole Park, Wimpole Road)) Councillor Heather Williams had attended meetings of Arrington Parish Council about this application.

Minute 7 – S/4555/17/FL – Fowlmere (The Triangle)

Start the third paragraph with the words "Having taken legal advice..." so that that paragraph now reads as follows:

Having taken legal advice, Councillor Deborah Roberts stood down from the Planning Committee for this item, took no part in the debate and did not vote. Councillor Roberts did however address the Planning Committee as the Local member in opposition to the application.

5. HAUXTON FOOTPATH 5 DIVERSION

The Planning Committee considered a report detailing a proposal to divert part of Public Footpath No.5 in Hauxton.

James Stringer, Cambridgeshire County Council's Asset Information Definitive Map Officer, summarised the legislative and procedural background relating to applications to divert public rights of way, with particular reference to Section 257 of the Town and Country Planning Act 1990. He also referred to an Agreement made in 2007 whereby the County Council would carry out all

legal and administrative matters while South Cambridgeshire District Council remained the Order Making Authority. If not diverted, Footpath no. 5 would run through some of the proposed plots and potentially inhibit the developer's ability to sell the houses on those plots. Mr. Stringer said that design of the diverted route would be considered when finalising the Adoption Agreement under Section 38 of the Highways Act 1980.

In response to Members' questions, Mr. Stringer confirmed that the proposal was to divert Public Footpath no. 5 onto a route following an estate road that would be adopted by the Local Highways Authority. He also confirmed that the proposal would not have any negative impact on utility providers' apparatus in the vicinity.

Councillor Peter Topping said that matters such as the diversion of public rights of way ought to be resolved at an earlier stage in the overall process.

Councillor Deborah Roberts was minded to refuse the application because it would result in the footpath going through a housing development rather than through the countryside. She said that a stopping-up Order would have been preferable.

The Senior Planning Lawyer reminded the Committee that the housing layout had been approved at an Appeal Hearing.

The Planning Committee resolved, by five votes to four:

1. That South Cambridgeshire District Council, as Order Making Authority, refuses the application for the proposed diversion of part of Public Footpath No. 5 in Hauxton because such diversion was not deemed necessary to enable development to be carried out; and
2. That this refusal be reported to Cambridgeshire County Council, in its capacity as agents for South Cambridgeshire District Council, indicating that an Order be not made.

(Councillors John Batchelor, Cahn, Handley and Hawkins voted to approve the application. Councillors Heylings, Roberts, Topping, Heather Williams and Wright voted to refuse the application. Councillors Fane and Milnes were not present for this item.)

6. LOCAL PLAN AFFORDABLE HOUSING THRESHOLD (POLICY H/10 AFFORDABLE HOUSING)

The Committee received and noted a report about the differences between the affordable housing threshold set out in the Local Plan 2018 (in policy H/10 affordable housing), and that in the new National Planning Policy Framework 2018 (NPPF) and the recommendation that significant weight be given to the national threshold in planning decision making and when planning advice is given.

The Committee agreed that, for the reasons set out in paragraphs 5-16 of the report from the Joint Director for Planning and Economic Development, when determining planning applications and when giving pre-application advice that significant weight will be given to the affordable housing threshold policy contained in the National Planning Policy Framework 2018 (at paragraph 63 and in the glossary).

7. S/1486/18/FL - IMPINGTON (LAND TO THE REAR OF 49-83 (ODDS) IMPINGTON LANE, IMPINGTON, CB24 9NJ)

Members had previously visited the site on 9 October 2018.

Sue Lee (objector), Nick Parkinson (for the applicant), Councillor Brian Ing (Impington Parish Council) and Councillor Steve Hunt (a local Member) addressed the meeting. Councillor Pippa Heylings also spoke in her capacity as another local Member.

Members engaged in debate and some, but not all, identified housing mix and the issue of 'pepper potting affordable housing throughout the development rather than grouping it in one location' as material reasons to refuse the application. There was some support for attributing weight to the emerging Neighbourhood Plan. Members also expressed concerns about public engagement undertaken, the impact on landscape, biodiversity, residential amenity concerns linked to construction phase, highway safety and drainage.

Members felt that further information/amendments were required, and Councillor Heylings proposed that the application should be deferred with more work to be undertaken. This proposal was seconded by Councillor Deborah Roberts and, by ten votes to one with Councillor Nick Wright voting against, the Committee deferred the application.

The Senior Planning Lawyer informed Members that, in the event of an Appeal being lodged for non-determination, the report would be brought back to Committee to identify what its decision would have been, and its reasons.

8. **S/1106/18/FL - GREAT ABINGTON (LAND SOUTH OF PAMPISFORD ROAD)**

Members visited the site on 13 November 2018.

The case officer corrected the report. In paragraph 29, the words "...are two trees..." should be replaced with "...is one elm tree...". In paragraph 99. The words "...on the public open space..." should be deleted.

Stephen McDonnell (objector), Nick Rust (for the applicant), Councillor Bernie Talbot (Great Abington Parish Council) and Councillor Henry Batchelor (a local Member) addressed the meeting.

Members engaged in debate. They raised the following concerns:

- The site was outside the village framework
- Affordable housing issues
- Conflict with the Local Plan 2018
- Insignificance of the community benefit under the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 in terms of the number of dwellings proposed

The Planning Team Leader informed the Committee that the Section 106 Agreement complied fully with the Community Infrastructure Levy (CIL) and that the affordable housing cascade provision was district-wide. This second point was cited to counter an earlier suggestion that the fact that the demand for affordable housing in the village had been met should be seen as a material reason for refusal.

By ten votes to nil (with Councillor Milnes abstaining) the Committee **refused** the application contrary to the recommendation in the report from the Joint Director for Planning and Economic Development. Members agreed the reasons for refusal as being a conflict with Policies S/7 (Development Framework) and S/10 (Group Villages) of the

South Cambridgeshire Local Plan 2018, and the need to give weight to the emerging Neighbourhood Plan.

9. S/2866/18/VC - LITTLE GRANSDEN (LAND AT GRANSDEN LODGE AIRFIELD, CAMBRIDGE GLIDING CLUB LTD, GRANSDEN LODGE AIRFIELD, LONGSTOWE ROAD,

Members visited the site on 13 November 2018.

The case officer referred to continuing correspondence concerning this application. Little Gransden Parish Council now objected to Condition 4. Great Gransden Parish Council (Huntingdonshire) objected to the Variation of Conditions 4, 6, 7 and 8.

A similar application was being presented to Huntingdonshire District Council.

Noushin Rostami (objector), Richard Brickwood (applicant), Councillor Murden (Little Gransden Parish Council) addressed the meeting. Councillor Dr. Tumi Hawkins also spoke in her capacity as local Member.

Members engaged in debate about the various Conditions subject of the application.

The Committee resolved as follows:

Condition 4	
As amended to read: There shall be no more than 60 aerotows (which shall include self-launching sailplane launches) a day from the application site. This limit may be exceeded on no more than 14 days between 1 April and 30 September each year up to a maximum of 75 aerotows (which shall include self-launching sailplane launches) a day from the application site to accommodate competitions or other exceptional circumstances. Cambridge Gliding Centre, the operating entity of Cambridge Gliding Club Ltd, will electronically notify the Planning Departments of Huntingdonshire District Council and South Cambridgeshire District Council no later 30 days before any proposed event which may exceed the total of 60 aerotows and self-launching sailplanes a day and shall also electronically notify the Parish clerk of the Parishes which are members of the Cambridge Gliding Club Ltd Consultative Council for reference by 30 April advising them of any predictable major competitions, or other such events, for the forthcoming season.	
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy SC/10 of the South Cambridgeshire Local Plan 2018).	
Approve 8	Councillors John Batchelor, Cahn, Fane, Handley, HeylingsMilnes, Topping and Wright
Refuse 2	Councillors Roberts and Heather Williams
Abstain 1	Councillor Hawkins
Condition 6	
Approve 9	Councillors John Batchelor, Cahn, Fane, Handley, Heylings, Milnes, Topping, Heather Williams and Wright
Refuse 0	
Abstain 2	Councillors Hawkins and Roberts
Condition 7	
Approve 8	Councillors John Batchelor, Cahn, Fane, Handley, Heylings,

	Milnes,
Refuse 1	Councillor Hawkins
Abstain 2	Councillor Roberts and Heather Williams
Condition 8	
Approve 8	Councillors John Batchelor, Cahn, Fane, Handley, Heylings, Milnes, Topping, Wright
Refuse 1	Councillor Roberts
Abstain 2	Councillors Hawkins and Heather Williams

Councillor Nick Wright left the meeting immediately after the conclusion of S/2866/18/VC - Little Gransden

10. S/2705/18/FL - COTTENHAM (COTTENHAM UNITED SPORTS AND SOCIAL CLUB, KING GEORGE V PLAYING FIELDS, LAMBS LANE)

Members visited the site on 13 November 2018.

The case officer reported verbally that a further 16 letters supporting the application had been received since the report had been written.

George Russell (objector), Lynda Harford (agent for Cottenham Parish Council as applicant) and Councillor Frank Morris (Cottenham Parish Council) addressed the meeting. The Chairman read out written statements from Rosemary (a community supporter) and from Councillors Neil Gough and Eileen Wilson (the two local Members, who also both supported the application).

Those Committee members minded to support the application nevertheless commended the case officer for clearly stating the policy issues leading to his recommendation of refusal. Councillor Deborah Roberts, who was minded to vote for refusal, also praised the case officer, saying he was quite rightly seeking to protect the Local Green Space. Councillor Roberts said that she could think of no very special circumstance such as to justify approval of the application, and urged the Committee not to set a precedent.

Councillor Dr. Tumi Hawkins was minded to support the application which, she said, when some way towards mitigating the harmful effects of previous speculative developments permitted at a time when South Cambridgeshire District Council had been unable to demonstrate a five-year housing land supply. Here was an opportunity to provide the necessary infrastructure at an early stage.

Councillor Heather Williams acknowledged the purpose of the Local Plan but said that the Committee should seek to find very special circumstances in order to approve the application.

Councillor Bill Handley said that the nursery was a much needed facility and would not set a precedent given that every application had to be considered on its own merits.

Councillor Brian Milnes supported the application, suggesting that proximity to the existing school should be viewed as a very special circumstance.

Councillor Peter Topping described the very special circumstance in this instance as being specific to Cottenham.

Councillor Dr. Martin Cahn described the location of the proposed nursery as perfect.

Councillor Peter Fane supported the application by saying it was for the Committee to interpret the meaning of 'very special circumstances'.

The Planning Team Leader stressed the importance of the Committee being satisfied both that there were very special circumstances and that those very special circumstances outweighed any planning harm. A consideration had to be why the nursery had to be built on this Local Green Space.

The Chairman said that the proposal's proximity to existing schools should be seen as a very special circumstance, especially in the context of safety and other benefits to the community.

The Senior Planning Lawyer told Members that they had to be satisfied that the sequential test was robust. The Vice-Chairman said that that test was paramount and that the correct process had to be followed. Councillor Pippa Heylings did point out that the Local Green Space in question had already been compromised.

Noting the absence of any objections from statutory consultees, the Committee approved the application by eight votes to one, contrary to the recommendation in the report from the Joint Director for Planning and Economic Development.

In resolving to approve the application the majority of Members agreed that the proposed development would amount to inappropriate development in the Local Green Space. that such development would, by definition, be harmful to the Local Green Space and that it should not be approved except in very special circumstances.

Members agreed the reasons for approval as being that:

- (a) There would not be any significant additional harm to the Local Green Space over and above the harm that would be caused by the proposal's inappropriateness;
- (b) There would be no significant additional harm to the Local Green Space or the openness of the Local Green Space over and above the harm that would result by reason of the proposed development;
- (c) The proposed development needs to be located in the countryside given, what members had heard from the applicant as to a robust and comprehensive, but unsuccessful, site search conducted over many months and difficulties in finding other suitable sites within Cottenham. Furthermore, given the location of the proposed nursery being in close proximity to the existing pre school and primary school, Members agreed that this arrangement would significantly reduce any detrimental harm upon child safety. As such it would not conflict with Policy S/7 of the Local Development Framework, which states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
- (d) The site is not in a location that would result in significant and unsustainable forms of travel for the proposed use, having regard to its close proximity to the centre of

Cottenham. Again, due to the location of the proposed nursery being in close proximity to the pre school and primary school, Members agreed that this would limit the number of vehicle trips undertaken and therefore somewhat reduce congestion within Cottenham.

- (e) The identified harm by reason of inappropriateness, and the limited additional harm identified above in (b) and (c), would be clearly outweighed by other considerations which collectively would amount to the necessary very special circumstances to support the application being approved. These very special circumstances were significant community benefits in the form of an additional childcare service due to the number of residential development approved in Cottenham, child safety and the reduction in vehicle trips generated.
- (f) Due to the relatively modest size and scale of the proposed nursery building, the proposal would not result in adverse impact upon the character and particular local significance placed on such green areas which make them valued by their local community. Therefore the matter would not be referred to the Secretary of State in this instance. However, the application will be advertised as a Departure from the Local Plan in so far as the proposed development would amount to inappropriate development in the Local Green Space by definition, and is therefore contrary to Policy NH/12 of the South Cambridgeshire Local Plan 2018.

Approval would be subject to the following Conditions and Informatives:

Conditions

- 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.)
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers: 3202/2/SD101, 3202/2/SD103, 3202/2/SD104, 3202/2/SD105, 10-7145_ZZ-DR-C1030 Rev P1, 10-7145_ZZ-DR-C1000 Rev P1, 3202/2/SD107.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- 3) Prior to the occupation of the development details of secure and covered cycle storage shall be submitted to the Local Planning Authority and shall be carried out in accordance with the approved details.
(Reason - To ensure the development is satisfactorily assimilated into the area and respects the surrounding countryside, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018).
- 4) No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Local Planning 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 highway)
 - (ii) Contractor parking, for both phases all such parking shall be within

- the curtilage of the site and not on street
- (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the highway) and no deliveries to the site shall be made between the hours of 07:30-09:15 and 13:45-18:00 (term time only) and not between 07:30-09:30 and 15:30-18:00 all other times
- (iv) The control of dust, mud and debris, in relationship to the functioning of the highway and neighbouring dwellings
Development shall be carried out in accordance with the approved details.
(Reason - In the interest of Highways Safety).
- 5) The proposed drive ways will be constructed using a bound material to prevent debris spreading onto the adopted public highway.
(Reason – To maintain the safe and effective operation of the highway).
- 6) The proposed driveway 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 - To maintain the safe and effective operation of the highway).
- 7) Prior to the use of the development hereby approved, a Car Park Management Plan shall be submitted to the Local Planning Authority for its approval. The management plan should include the specification and location of traffic bollards and the segregation gates. The facilities shall be managed in accordance with the agreed details.
(Reason - To ensure the development does not result in any adverse impact upon the safety of users as well as the safe and effective operation of the adopted highway and to ensure more sustainable modes of transport are used in accordance with HQ/1 of the South Cambridgeshire Local Plan 2018).
- 8) All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Appraisal (Greenlight, July 2018) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
(Reason - To enhance ecological interests in accordance with policies NE/6 and HQ/1 of the South Cambridgeshire Local Plan 2018).
- 9) No development above slab level shall commence until a scheme of biodiversity enhancement shall be submitted to the Local Planning Authority for its written approval. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.
(Reason - To be in accordance with paragraphs 170, 174 and 175 of The National Planning Policy Framework, which expects development to provide for biodiversity and this, can be achieved at this site through enhancement measures as set out in the Preliminary Ecological Appraisal (PEA)).
- 10) The development hereby approved shall be carried out in accordance with the approved details submitted within the drainage strategy document (Peter Dann Consulting Engineers 2018).

(Reason – To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with policies SC/8 and SC/9 of the South Cambridgeshire Local Plan 2018).

- 11) No construction site machinery or plant shall be operated, no noisy works shall be carried out and 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 HQ/1 of the South Cambridgeshire Local Plan 2018).
- 12) 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 the surrounding area in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018).
- 13) The development, hereby permitted, shall only be in use between 06:30 hours and 19:00 hours Monday to Friday and between 06:30 and 12:00pm on Saturdays. The development shall not be in use on Sundays or bank holidays.
(Reason - To safeguard the amenity of the occupiers of neighbouring residential dwellings in accordance with policy HQ/1 of the South Cambridgeshire District Council emerging Local Plan 2018).
- 14) Prior to the use of the approved development, 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 shall be 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.)

Informatives

- 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.
- 2) 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.

- 3) The applicant should be aware of their responsibilities in regards to mitigating any foul water drainage on the site and is therefore advised to apply to Building Regulations.
- 4) There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
- 5) 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 District Environmental Health Officer so that noise and vibration can be controlled.

(Councillors John Batchelor, Cahn, Fane, Handley, Hawkins, Heylings, Milnes, Topping and Heather Williams voted to approve the application. Councillor Roberts supported the officer recommendation and voted to refuse the application. Councillor Wright had left the meeting and did not vote.)

**Councillors Brian Milnes and
Peter Topping left the meeting
immediately after the
conclusion of S/2705/18/FL -
Cottenham.**

11. S/1532/18/FL - COTTENHAM (FRANKLIN GARDENS)

Liam Flatters (Planned Works Surveyor, South Cambridgeshire District Council) addressed the meeting on behalf of the applicant.

The principal issue related to unlawful car parking that had the effect of inhibiting the use of formal parking bays.

By six votes to one, the Committee **approved** the application subject to the Conditions and Informative set out in the report from the Joint Director for Planning and Economic Development, the final wording of which being agreed by officers in consultation with the Committee Chairman and Vice-Chairman prior to the issue of planning permission.

(Councillors John Batchelor, Handley, Hawkins, Heylings, Roberts and Heather Williams voted to approve the application. Councillor Cahn voted to refuse the application. Councillor Fane did not vote. Councillors Milnes, Topping and Wright had previously left the meeting and did not vote.)

12. ENFORCEMENT REPORT

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

13. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

Members **received and noted** a report on Appeals against planning decisions and

enforcement action.

The Meeting ended at 4.15 p.m.

Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 12 December 2018
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2941/18/FL

Parish(es): Melbourn

Proposal: New office and technology research development facilities

Site address: Land to the North of Melbourn Science Park, Melbourn

Applicant(s): Melbourn Science Park (TTP)

Recommendation: Delegated approval, subject to S106 agreement and call-in to the Secretary of State.

Key material considerations: Principle of development
Economic and social role of the proposal
Impact on character of the area and landscape
Biodiversity and trees
Design and appearance
Residential amenity
Highway safety and impact on network

Committee Site Visit: Yes, 11 December 2018

Departure Application: Yes (advertised) 15th August 2018

Presenting Officer: John Koch, Team Leader (on behalf of Rebecca Ward)

Application brought to Committee because: The application represents a significant departure from the adopted Local Plan

Date by which decision due: 21 December 2018

Executive Summary

1. The application site is located outside of the Melbourn development framework and in the countryside. The proposal seeks planning permission for the expansion of the Melbourn Science Park (MSP) to accommodate 10,000sqm of new commercial floor-space and associated infrastructure to the support growing needs of The Technology Partnership (TTP) which currently occupy the MSP.
2. The report recognises that the proposal departs from some policies in the up-to-date development plan including village framework policy, however, continues to consider the other economic and social material considerations that have been submitted by the applicant to indicate why the plan should not be followed and development should be permitted.

3. In summary, the proposed development will result in localised harm to the character of the area as the proposal will introduce new built form on undeveloped land on the edge of the village and thus would encroach into the countryside. However, against this conflict, the proposal would support the provision of a new office and research development buildings that would support the future needs of TTP plc and their external demands adjacent to its existing group of companies and workforce. Local support, including that from the local member has been submitted in favour of the scheme.
4. As justified in this report and weighing up the material considerations, officers consider the adverse impacts arising from the development in terms of environmental harm would not be significant and demonstrably outweighed by the economic and social benefits of the proposal when taken as a whole.
5. On this basis, it is considered that the development is a sustainable form of development in the context of paragraphs 11 to 12 of the National Planning Policy Framework and should be approved subject to conditions and s106 agreement.

Relevant Planning History

6. None of relevance to this site but there has been various permissions on the existing Melbourn Science Park.

National Guidance

7. National Planning Policy Framework 2018 (NPPF)
Planning Practice Guidance
8. **South Cambridgeshire Local Plan Submission – Adopted September 2018**
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
S/12 Phasing, Delivery and Monitoring
NH/4 Biodiversity
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Water Efficiency
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
HQ/2 Public Art and New Development
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
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/15 Established Employment Areas

E/16 Expansion of Existing Businesses in the Countryside
SC/2 Health Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/9 Lighting Proposals
SC/10 Noise Pollution
SC/11 Contaminated Land
SC/12 Air Quality
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/10 Broadband

9. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009
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

Consultation

10. **Melbourn Parish Council** - Supports this application with no further comments to make.
- 10a. **Cllr Philippa Hart (Melbourn Ward)** - I am writing to give my wholehearted support to this application. The applicant, TTP, has an exemplary track record in its sector, with particular expertise in nurturing new and spin-off tech companies. TTP is seeking to expand on its site and will thereby show an ongoing commitment to Melbourn and to the economy of South Cambridgeshire as a whole. A great deal of thought has been given to the design and layout of the site and I believe there will be enhancement both in terms of facilities for the TTP workforce and to the natural capital onsite. I am pleased to report that there has been full consultation and engagement with the local community and local members.
11. **Urban Design Officer and Landscape Officer** - The following items can be agreed by planning condition on the consent :
- Further information on wayfinding and enhancement on the approach to the site should be provided.
 - Details of the pedestrian link from the recreation ground should also be secured.
 - Further work on the detailed design of this space is required to improve safety for cyclist/pedestrians
 - Samples and details of all materials and finishes are to be submitted and agreed.
 - Details of boundary treatments
 - Details of landscaping (hard and soft)
 - Details of lighting
12. **Tree Officer** - No arboricultural or hedgerow objections to this application. There are trees on and adjacent to site with no statutory protection. There are areas of trees on the site, especially along the access road. The Arboricultural Impact Assessment (dated July 2018) is sufficient for this site and proposal.

There are concerns about the species choice as South Cambridgeshire is too dry for birch trees. As such tree diversity should be expanded through fruit trees and more unusual species such as mulberry, medlar and walnut. Additional details on tree planting plans will need to be submitted via planning conditions. Should this application be approved please ensure the Arboricultural Impact Assessment is listed as an approved document.

13. **Ecology Officer** - The Case Officer has received an updated Ecological Assessment (AGB Environmental, November 2018) in response to my previous comments. The updated document has adequately dealt with the concerns raised about the previous submission. I am satisfied that the application can move to determination without Ecology being of further material concern.

Under normal circumstances I would recommend conditioning a Construction Ecological Management Plan, to provide a detailed method statement to remove the risk of harming any protected species during the construction phase. However as the submitted document has provided a comprehensive mitigation and avoidance strategy I am satisfied it can be conditioned as it stands.

The above document does also provide ecological enhancements to provide a net gain in biodiversity; however as landscaping plans will be brought forward by condition I would suggest a Landscape Ecological Management Plan is conditioned in addition to secure a joined up approach between the landscape and ecology recommendations.

14. **Sustainability Officer** - The applicant appears to have a good understanding of the requirements of local plan policy with reference to energy and carbon emissions, and suggests a fabric first approach to achieving the required reductions.

- The applicant suggests the inclusion of the following fabric and efficiency measures to reduce the energy requirements of new office and research facilities.
- The applicant suggests that solar photovoltaics (PV) are the most appropriate solution to meet the 10% carbon reduction required by local plan policy CC/3. This must be revisited and clarified providing BRUKL Output document for all buildings and BER of development before inclusion of solar PV

Initial scoring has been undertaken for a BREEAM New Construction Other Building 2018 assessment, and the proposed building is currently on target to achieve the desired Very Good Rating. The applicant is aware of the requirements of local plan policy CC/4 which requires the new buildings to be designed to be water efficient. The initial scoring provided suggests that this will be achieved and such water standards will be captured in the conditions related to BREEAM certification suggested below.

To ensure the development meets appropriate standards the following conditions should be attached to any planning permission; carbon reduction statement, BREEAM (pre-construction) and BREEAM (post construction).

15. **Archaeology Officer** - The results of the evaluation indicate that the site was located on the periphery of Roman settlement known to be located to the south east. Further archaeological investigation would not add to the understanding of this landscape. We would therefore advise you that we do not consider a condition of planning permission requiring archaeological investigation to be necessary. This advice supersedes our previous recommendation for a condition dated 17th August 2018.

16. **Anglian Water** - The foul drainage from this development is in the catchment of Melbourn Water Recycling Centre which currently does not have capacity to treat flows. Should development be permitted AW are obligated to take necessary steps to ensure there is sufficient treatment capacity. The sewerage system at present has available capacity for these flows via a direct connection to MELMSM pumping station.
17. **Cambridge County Council Growth Minerals and Waste** - No objections
18. **Contaminated Land Officer** - No objections subject to a planning condition for detailed investigations to be undertaken.
19. **Local Highways Authority Development Management** - Following comments from Cambridgeshire County Councils Major Developments Team the Local Highway Authority believes that this proposal will have no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.
20. **Local Highways Authority Transport Assets Team** - Sufficient details have been presented to make a sound assessment in relation to the impact on the highway network. As such, no objections to the application subject to mitigation package. The mitigation package should include:
 - Installing two bus stops with shelters on Cambridge Road
 - Provision of a 3m cycle path linking Cambridge Road to the site
 - Travel Plan
 - Parking requirements for phase 2
 - Payment to Melbourn PC for bus shelter maintenance
 - Footway improvements
 - Station Road footway improvements contribution
 - Royston to Melbourn cycle route improvements
21. **Highways England** - Following the submission of amended details no objections raised to the application.
22. **S106 Officer** - Having considered the impact of a new technology park in a minor rural centre, and which generates demand for meeting space from its new employees, it is entirely logical that the applicant should be required to mitigate this impact. A contribution of £93,500 to provide new infrastructure this is therefore required. Details have been set out in memo dated 12 October 2018.
23. **Environmental Health Officer** - No comments received. Conditions to be attached.
24. **Lead Local Flood and Water Authority** - Following the submission of amended details no objections have been made to the application subject to a surface water drainage condition and maintenance plan.
25. **Drainage Engineer** - Following the submission of amended details no objections have been made to the application subject to a surface water drainage condition and maintenance plan.
26. **Environment Agency** - No objection in principle to the proposed development subject to the following conditions and informative; all surface water drainage from parking areas and hardstanding should be passed through oil interceptor designed compatible with the site being drained, foul water should be discharged to public foul sewer and contamination.

Health Officer - To be included

Representations

27. Six letters of objection have been received. The letters can be viewed on the Councils website. The following comments have been raised:
- Ownership concerns with access from Moat Lane. Concern that the applicants do not have access across the entrance lane from the existing science park.
 - Construction access should be via the MSP and not from Moat Lane.
 - Proposal is outside of the development framework and is not an exception in the plan.
 - Proposal will set a precedent for other major development in the countryside and impact the character of Melbourn.
 - Impact on the highway safety on surrounding roads as a result of construction traffic and subsequent site traffic
 - Noise and pollution impacts from increase in traffic
 - Traffic should enter the science park via A10 rather than Cambridge Road
 - Parking area is too close to adjoining neighbours and should be closer to the A10.
 - Loss of privacy to houses along the Moat Lane
28. Three letters of support have been submitted. The letters can be viewed on the Councils website. The following comments have been raised:
- Proposal will support the growth of the local community
 - TTP plays a key role in technology sector meeting local, national and global economy
 - Significant potential for increase in direct and in-direct job opportunities and spin-offs
 - Improvements to cycling path to station

Site and Surroundings

29. The site is located to the north-eastern edge of Melbourn and is in close proximity to the recreation ground, existing residential development along the Moor, Dickasons, Moat Lane and Cambridge Road.
30. The application site as defined on the submitted plan extends to 8.98 hectares. The boundary includes the access road through the existing Melbourn Science Park extending into the large open fields to the north of the park. The fields are predominantly flat with surrounding vegetation. A number of trees are located within the centre of the fields.
31. The main part of the site lies outside of the designated development framework for Melbourn and is therefore in the countryside for planning policy terms. The site is within a Flood Zone 1 low risk (not within a Flood Zone 2 or 3) and is not in the setting of any heritage assets.
32. The Planning Statement explains that commercial use on Melbourn Science Park originally started in 1957 when it was used for Metal research and from 1980s expanded into offices. Melbourn Science Park is now an owned freehold by The Technology Partnership (TTP) with TTP Group occupying 50% of the current accommodation and third parties such as Astra Zeneca occupying the rest. TTP was founded in Melbourn over 30 years ago.

Proposal

33. To accommodate the aspirations of TTP and their future on MSP they have submitted a full planning application for the construction of 10,974 sqm of new floor space, in two phases (approx. 9,000sqm delivered in the first phase and 1,000sqm delivered in the second phase), across the site comprising the following buildings:
- The main building (known as the Hive)
 - The Technology Barn
 - The Service Building
 - The Conference Pod
 - The Forum Pod
34. The above buildings are located in the field area to the north of the existing park. The Planning Statement states that the buildings are to be considered as an extension to the MSP. The main vehicular, cycling and pedestrian access will be from the site entrance on Cambridge Road. However, there will be an informal access into the site for pedestrians from the recreation ground.
35. The access road will include a suitably dimensioned carriageway and a 3m wide footway/cycleway. The total capacity of the car park if fully built out will be 378 car parking spaces (including 5% blue badge holders and electric charging). There will also be provision for upto 378 cycle spaces.

Planning Assessment

Principle of Development

36. Paragraph 2 of the National Planning Policy Framework (NPPF) states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must also be taken into account in planning decisions.
37. The application site lies outside but on the edge of the village development framework of Melbourn and in planning terms is located in the designated countryside. The proposal would therefore be contrary to policy S/7 of the adopted Local Plan which seeks to protect the countryside from gradual encroachment and to guard against incremental growth in unsustainable locations. In addition the site has not been put forward as part of Council's wider employment strategy having a site-specific policy and is not allocated for employment use in the adopted Local Plan.
38. In terms of the adopted employment policies, policy E/9 seeks to ensure the promotion of employment clusters in suitable locations drawing on specialism of the Cambridge area such as biotechnology, computer services and electronic engineering. The proposed development would expand the existing facilities on the site that do deliver these specialist services, however, the policies intention is to ensure major sites deliver development of high tech clusters (as per paragraph 8.46) given that a larger amount of employment land is available than in the past.
39. The proposal is not supported by policy E/12 as this supports new employment development within village frameworks. Whilst policy E/13 does support new employment development on the edge of villages, this is subject to various criteria all being satisfied. The proposal whilst meeting some criteria including d (identified end-user), falls down on others includes b (considering brownfield land).

40. Policy E/16 refers to the expansion of established existing firms, which are already outside development frameworks. Whilst TTP is an established firm in Melbourn and an expansion would support this firm, the current MSP site is wholly within the framework boundary.
41. As such there is no specific employment policy in the adopted Local Plan, which is directly relevant to the development proposal. However, TTP have put forward a case of other material planning considerations to take into account when determining the planning application. Officers have considered their and have assessed them in the economic and social sections below.
42. For decision taking paragraph 12 of the NPPF confirms that ; *'the local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed'*. Members will have to have regard to these when making a recommendation.

Economic and Social Role

43. Paragraph 80 of the NPPF states that decisions should help create the conditions in which businesses can invest, expand and adapt and that 'significant weight' should be placed on the need to support economic growth and productivity taking into account local business needs and wider opportunities for development. Paragraph 82 goes onto state that making provision for clusters or networks of knowledge and data-drive in suitably accessible locations.

The following paragraphs assesses the material submitted within the application and following pre-application engagement with officers to establish the weight that can be attached to the economic benefits.

Role of 'The Technology Partner' (TTP plc)

44. The Planning Statement submitted with the application provides that the TTP plc was founded in Melbourn 30 years ago. TTP plc has developed into a world-leading local technology and product development organisation with 460 employees currently working on the park. The jobs include but not limited to scientists, engineers and a range of other supporting roles.
45. Well-recognised businesses on the current park include Labtech (manufacture of laboratory equipment), Toneejet (digital print company) and Ventus (Disc Pump technology). The core business unit, TTP plc also invent new technologies across a broad spectrum of sectors including healthcare, life science, communications, printing, security and industrial technology. Having these experts on the same park provides them an opportunity to share knowledge and draw on expertise.
46. In terms of the global market, the applicant indicates that the site has clients from the USA, Europe and Japan (including Astra Zeneca, Vodafone, Airbus, Bayer, Canon etc) and together they help to deliver the Governments Industrial Strategy "Building a Britain fit for the future" (November 2017).
46. In the sub-region, the East of England Science and Innovation Audit (sponsored by the Department for Business, Energy and Industrial Strategy in September 2017 para 2.17) specifically recognise TTP as playing a long-term role in technology transfer process in Cambridge and more generally and being a source of spinouts in the industry.
47. From the evidence submitted with the application and through public consultation and

third party representations, it is clear that TTP plc and the park in general has an important role in working closely with world leading companies but also the key role it plays in East Anglia and South Cambridgeshire economy.

Role within the local community

48. Notwithstanding the companies' presence in the village since 1980s, in the last five years the TTP group has contributed towards various different community projects in Melbourn. This includes; a long term pledge to enhance science teaching at Melbourn School, contributions towards Melbourn Community Hub, support to Melbourn Primary School (Ipads and PCs), member of Melbourn Business Association, support and contributor towards cycle path upgrades.

Future vision for growth

49. The acceleration of the science sector around Cambridge (as seen at the Biomedical Campus) is having an influence on the need for TTP grow to meet greater demand on that this is places on their services. Whilst the existing park has accommodation for both biology laboratories and microfabrication facilities, they are too dispersed on the MSP and are insufficient to meet the company's demand.
50. The applicant has considered redevelopment of the MSP and this is not possible due to long terms lease agreements, disruptions and relocation requirements and the scale of the buildings needed to meet new demand. A new purposes built facility to increase the workforce and provide up to date research facilities is therefore essential to their future vision for growth. As a result of the proposal the planning statement indicates that the workforce will increase by approximately 400 employees and potential for further increase beyond this point.
51. Given the levels of employment this extended site could bring and retaining the presence of the company in the area, the above economic and social material considerations should be given significant weight in the determination of this application and together they do full fill the economic and social role of sustainable development in accordance with the National Planning Policy Framework.

Environmental role

Sustainability of the location

52. Adopted policy TI/2 Planning for sustainable travel states that development must be located and designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location, site has sufficient integration and accessibility by walking, cycling or public and community transport and for larger developments of this nature, maximise opportunities for sustainable travel.
53. Melbourn is identified as a Minor Rural Centre under policy S/9 the adopted Local Plan. Minor Rural Centres have a lower level of services, facilities and employment than other Rural Centres but a greater level than most other villages in South Cambridgeshire and often provide facilities for a small rural hinterland. The proposal will bring an additional jobs that will be in a sustainable location for the hinterland catchment, particularly those that live in Melbourn and Meldreth.
54. In terms of the wider catchment, currently there is no high quality public transport (such as train or guided bus etc) directly to Melbourn or the MSP. However, Meldreth train station is approximately 1.6 km (10 minute cycle) from the site and offers regular

services between Cambridge and London (with stops in between). There is an hourly rural bus service running between Cambridge and Royston that stops on the High Street. In terms of cycle network there is a new 2.5m wide shared footway on Cambridge Road that is part of an improved cycle route between Melbourn and Cambridge. As part of the extended Melbourn Greenways Project (Greater Cambridge Partnership) there is also a principal agreement to extend the cycle path to Royston (subject to funding) with another project for a new bridge to Royston. This would extend the existing cycle network.

55. Upgrades to the cycle network (including ramps, travel plan incentives, footway improvements, contributions towards the new bridge, cycle parking facilities and way-marking) from Meldreth station to the MSP have been proposed to help encourage more employees and visitors to use other modes of transport as their main mode of getting to the MSP (see heads of terms in appendix 1).
56. Measures have also been included to encourage people to make sustainable travel choices, such as infrastructure / facilities for electric charging plug-in points, travel plan , provision of cycle lanes and parking management will also assist with reducing these impacts.
57. The sustainability of the location is not a wholly unsustainable one to develop as there will be access for employees to use other forms of travel to access the site, however, there are some shortfalls in its location when considered against more sustainable 'Rural Centres' and edge of city sites in the district.

Impact on the character of the area, agricultural land and landscape

58. The application is accompanied by a full Landscape Visual Impact Assessment (LVIA), which has considered the effects the scheme, would have on landscape features in the local and wider landscape character. This has been informed through pre-application discussions with the Councils Landscape Officer.
59. The site lies within the National Character Area defined as East Anglian Chalk by Natural England. The East of England Landscape Framework identified a broad range of landscape character types with the site lying in the 'lowland village chalk lands'.
60. At a local level, the proposed development would be located in Landscape Character Area B: Chalklands. The site comprises a large area of open flat grassland which is separated by hedging and groups of large trees. There are four groups of category B trees and one group of category A trees. The land falls gently from the southern corner to the lower point in the north-east. Ditches lies along the western, northern, eastern and part of the southern boundary.
61. Whilst the land is not currently in agricultural production, the land is part of a wider area of land classified as grade 2 by Natural England on the Land Classification map. This land is designated the best and most versatile agricultural land.
62. In terms of views, there are few opportunities for longer-range views of the site in relation to the village. At a local level, the site can be appreciated from the Melbourn Science Park, rear of residential gardens, filtered views from the Melbourn recreation ground, Meldreth train station, oblique views from The Moor and a number of views from public footways around this part of the village.
63. As proposed, there will be no built development in the northern part of the site with most of the development and parking controlled within the centre of the site and

adjacent to the existing built form of the MSP and residential properties. The building heights have also been restricted to single storey and one-half storey units with a maximum height of 8m. A deep strategic green buffer has been provided around all boundaries of the site to soften the impact of the buildings on the surroundings.

64. Given the limited wider views and its modest single storey nature the proposal in this sense would not harm the character of the wider landscape area. On a more local level, the intrinsic character of the open fields/grassland, hedgerows and trees make a strong contribution to the distinctive character of the village with a contrast between the built up area of the Melbourn village framework and its open countryside setting. This difference is appreciated from various public views listed above. Given the scale of the proposal, this existing character would be undermined by the proposed development.
65. In terms of loss of agricultural land, policy NH/3 of the adopted Local Plan states that planning permission will not be granted for development which would lead to the irreversible loss of grade 1,2 or 3a unless there are specific circumstances. The most relevant to this application includes sustainability considerations and the needs for development are sufficient to override the need to protect agricultural value of the land. The proposal would clearly fail to protect a significant area of high value soil and the development would result in the loss of some of the best and most versatile agricultural land.
66. Whilst in time the impact would be mitigated by the green buffers, the proposed development would encroach into the countryside and would not preserve the landscape character of the local area and would have an effect on this part of the village in its countryside setting. This would conflict, on a local level, with policies S/7, HQ/1 and NH/2 of the adopted Local Plan which together seek to protect the countryside from gradual encroachment and preserve the character of the local urban and rural areas. This harm will need to be weighed against the benefits of the proposed scheme.

Layout, Design and Appearance

67. The layout, design and appearance of the buildings have been informed through a series of pre-application Design Workshops with relevant specialist officers. The proposal has also been presented to the Councils Design Enabling Panel where an independent panel praised the overall approach to the development and the applicant has also undertaken a public exhibition to understand/consider local views.
68. As previously mentioned in this report the buildings will be located in the centre of the site with parking to the southern boundary. A strategic green buffer will be around the edge of the site with a parameter footway and a large attenuation basin/pond to the north. The design of the buildings is modern and futuristic, accommodating a range of facilities for the future workforce.
69. The work undertaken through this early engagement has resulted in acceptable form development in relation to these particular matters and there has been not in principle objections on design grounds from the Councils Consultancy unit. The proposal as a whole is therefore considered to comply with policies HQ/1 that seeks to ensure the delivery of high quality development that is sensitive to its surroundings.

Biodiversity and Trees

70. The application is accompanied an Arboricultural Impact Assessment BS5837 and Ecological Assessment (as amended dated November 2018).

71. There is no Tree Preservation Orders on the site and the site is not within a designated Conservation Area. Therefore no trees on the site have a statutory protection. Some of the hedgerows would qualify as 'important hedgerows' under the Hedgerow Regulations 1997 due to their maturity.
72. Due to the siting of the proposed development, a number of existing trees on the site will be removed. They are mostly category C trees with some category B trees (as listed in the Arboricultural Impact Assessment BS5837). Trees which are to be retained will require Tree Protection measures during construction works and can be conditioned on the decision notice.
73. To mitigate the loss of trees, the proposal will provide significant landscape enhancements which include developing a woodland, meadow and amenity areas that can be enjoyed by both people on the MSP and the general public. The proposed landscaping scheme has the potential to increase both species diversity in the area and age class to allow for next generation trees.
74. In terms of ecology, the ecology reports have indicated no signs of water voles. In terms of reptiles the report has stated that construction zones will be fenced and reptiles will be moved to a receptor site within the redline boundary of the site. Details of how this will be undertaken.
75. In terms of ecological enhancement, as previously mentioned the large open grassland areas, new woodlands, wetland area and green roofs to some of the buildings brings a unique opportunity to provide 'excellent ecological enhancement features' (as defined by the Council Ecology Officer) to the area and would represent a measurable net gain in biodiversity once completed. Conditions for a LEMP are considered necessary to ensure this is achieved.
76. Given the mitigation measures that have been put in place, the Council's Tree Officer and Ecology Officer has no in principal objections to the application subject to conditions to agree specific details. The proposal would therefore comply with the main aims and objectives of policies NH/5 of the adopted Local Plan.

Flood Risk and Drainage

77. The application is accompanied by a Foul and Surface Water Drainage Strategy by AKT Ltd dated July 2018 and amended on 11 September 2018. The application site is in a Flood Zone 1 and therefore is considered to be an appropriate one to develop in terms of flood risk.
78. The surface water will drain towards a large storage pond to the north of the application site which is within the red-line boundary. The outfall will discharge into the existing water course along the northern boundary. The discharge rates into the water course have been reduced to 2.5 litres/sec to be as close to greenfield run-off. The car parking areas will be constructed using permeable paving and have an alternative option to provide swales and depressions to store run-off. The details can be agreed by planning condition. The Lead Local Flood and Water Authority have reviewed the details and have confirmed they are supportive of the SuDS proposed across the site. The proposal therefore complies with the requirements of policy CC/8 as it incorporates an appropriate sustainable surface water drainage system. A condition will be imposed on the decision notice for details to be submitted.
79. In terms of foul water, Anglian Water has confirmed that the Melbourn Water Recycling

Centre does not have capacity to treat the flows of the development site. However, Anglian Water is obligated to accept the foul flows from the development and therefore would take the necessary steps to ensure there is sufficient capacity if planning permission is granted.

80. The buildings will be connected to the main sewers located in the Moor which is to the south-west of the site. Anglian Water have raised no in principle objections to the proposal and details of the connection will be agreed under a section 104 agreement of the Water Industry Act 1991 and therefore a condition is not considered necessary.

Highway Safety and Parking

81. The application is supported by a Transport Assessment by Birchwood (July 2018). There is currently a single point of access to the site for vehicles and pedestrians/cyclists onto Cambridge Road. The junction is within the 30mph speed limit. There is a shared footway/cycleway on either side of the access with a refuge island on Cambridge Road.
82. The sole vehicle access into the site will be from Cambridge Road through the existing park. There will be no vehicle access from Moat Lane or the Moor. There will be additional pedestrian and cyclist access from the recreation ground and from Moat Lane to improve the sites permeability. A new 3m wide cycleway will stretch from Cambridge Road through the park and up to the new buildings.
83. The Local Highways Authority and Highways England have considered the suitability of the existing access, junctions within the village, junctions onto the A10 and the slip-road onto junction 11 of the M11 taking into account this increase in commercial floor space (and together with other permitted schemes) and do not consider any further works/upgrades to the junctions to be necessary. The proposal would therefore comply with 109 of the National Planning Policy Framework which seeks ensure development has an acceptable impact on highway safety.
84. In terms of vehicle parking, the proposed development will include upto 378 parking spaces. This includes 19 disabled spaces and 16 electric vehicle charging spaces. These spaces will be solely allocated for this use and secured through a car parking management plan. It is expected that the development would accommodate approximately 450 employees with additional visitors.
85. Whilst the car parking provision would be in accordance with the car parking standard of 1 space per 30 sqm GFA and the existing car driver mode share, this amount of parking if implemented is not likely to result in encouragement for staff to travel to work by other means. Officers considered removing more spaces from the application, however, found that fine balance needs to be achieved to providing spaces and ensuring parking does not spill onto the surrounding road network.
86. As such, the applicant has agreed to not implement 49 of these spaces (as identified on the proposed phasing plan) unless the up to date Travel Plan indicates they are essential once the building is in operation. If the spaces are not implemented this will be the car parking ratio to 1 space per 35sqm.
87. In terms of cycle parking, Phase 1 seeks to include 136 cycle parking spaces upon opening. This will be a ratio of 1 space per 72 square meters. This will incrementally increase to 378 at a ratio of 1 space per 30 square meters (as per the requirement of policy T1/3) spaces through Travel Plan monitoring. The opening figure is based on the demand expected from the travel surveys and allowance for additional extra spaces to

encourage cycle use. This will be secured through Travel Plan monitoring which will be agreed via planning obligation.

Impact to Residential Amenity

86. Third party comments have been submitted which raise concern about noise and pollution from the car parking areas in relation to the residential properties along Moat Lane and the Moor. A noise report (by AECOM July 2018) and Transport Assessment (by AECOM) has been submitted with the planning application and has considered the impact of the proposed development on these properties. The application has also been considered by the Councils Air Quality Officer who has not raised any objections subject to conditions.
87. The entrance road into the site is approximately 20m from the shared boundary of the closest residential property 'Bourn House' and the closest parking area is located approximately 25m from 'The Willows'. In between this area a significant amount of planting is proposed and additional boundary treatments can be agreed via planning condition to ensure the amenity of the occupiers to preserve. Furthermore, due to the nature of the use vehicles entering the site will be predominantly during normal working day hours. Any vehicles entering the site in the evenings and weekends will be more limited.
88. Whilst there will be an noticeable intensification to the site and this intensification is likely be experienced from the closest properties, there is considered to be suitable separation and mitigation treatments to not cause significant or adverse impact on residential amenity to warrant the scheme for refusal in accordance with policy HQ/1, SC/10 and SC/12 of the adopted Local Plan.

S106 contributions

89. A contribution of £93,500 has been requested to provide new infrastructure towards the expansion of The Hub community centre in Melbourn. The Councils S106 officer has provided a break down on the contributions and reasons for the request in memo dated 12 October 2018. On this basis officers consider the contribution to meet the relevant tests of the CIL regulations and can subsequently be secured via a s106 agreement. The agent has agreed to this provision.
90. Contributions have also been requested by the Local Highways Authority towards highway improvements to encourage more of the employees to use sustainable transport methods to get to work in accordance with policy TI/2 of the adopted Local Plan. This includes (full details have been provided in appendix 1);
 - bus stop shelter maintenance
 - footway widening and extension to Meldreth Station (including solar stud)
 - Melbourn to Royston cycle way project
 - ramp at Melreth station
91. Officers consider the contribution to met the relevant tests of the CIL regulations and can subsequently be secured via a s106 agreement. The agent has agreed to this provision.

Other Matters

92. In terms of land ownership, an objector enclosed an old land registry plan from 1977. They raise concern that the applicant does not have access rights across the entrance. Ownership and legal rights of way are not a material planning consideration; however for the purposes of completeness, the agent has reviewed the comments and

confirmed that their client is fully aware of the need to secure the appropriate access rights in order to deliver this development. Certificate B (ownership) of the planning application form has been signed and relevant notice has been served on land owners. They have also reconfirmed that there will be no vehicle access from Moat Lane.

Planning Balance and Conclusion

93. The development on the site would cause limited harm to the wider landscape; however, there would be greater localised harm to the character of the village, its countryside setting and the encroachment of built development beyond the village framework in conflict with the associated policies. Given the scale of the proposal this harm carries fairly significant weight. The loss of an area of best and most versatile agricultural land carries moderate weight given the context of local availability.
94. Against these conflicts, the proposal would support the provision of a new office and research buildings that would support the future needs of TTP plc adjacent to its existing group of companies and workforce. The proposal would also enable:
- the company's capacity to continue to enable the delivery of important technologies and ideas on a regional, national and international market
 - provide approximately 400 new jobs
 - the expansion of the facility will be contributing to local amenity (including schools and community centre)
95. As justified in this report and weighing up the material considerations, officers consider the adverse impacts arising from the development in terms of environmental harm would not be significant and demonstrably outweighed by the economic and social benefits of the proposal when taken as a whole.
96. On this basis, it is considered that the development is a sustainable form of development in the context of paragraphs 11 to 12 of the National Planning Policy Framework and should be approved subject to conditions and s106 agreement.

Recommendation

97. Officers recommend committee give delegated powers to approve the application subject to the planning conditions, completed S106 agreement and call-in to the Secretary of State (under The Town and Country Planning (consultation) (England) Direction 2009). If amendments are required to the planning conditions or S106 agreement these should be agreed in advance of issuing a decision notice with the chair and vice chair of the planning committee.

Conditions

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:

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

3. The development, hereby permitted, shall be carried out and occupied only by the Technology Partnership plc. (Reason - By virtue of Policy S/7 of the South Cambridgeshire Local Plan 2018, the permitted use would not normally be granted, however, personal circumstances dictate this is acceptable in this particular case).

Design and appearance

4. 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 HQ/1 of the adopted South Cambridgeshire Local Plan 2018).

Landscaping and boundary treatment

5. No development above slab level shall take place until full details of both hard and soft landscape works, wayfinding signs and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. 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 HQ/1 and NH/6 of the adopted South Cambridgeshire Local Plan 2018).
6. All hard and soft landscape works, wayfinding signs and boundary treatments 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 HQ/1 and NH/6 of the adopted South Cambridgeshire Local Plan 2018.)
7. The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment by Tamla Trees Consulting Arborists (dated July 2018). (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/6 of the adopted South Cambridgeshire Local Plan 2018).

Ecology

8. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (AGB Environmental, November 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. (Reason - To conserve biodiversity in accordance with policy NH/4 of the adopted South

Cambridgeshire Local Plan 2018).

9. No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed, to include integrated bat and bird nesting boxes on all dwellings, provision of four reptile hibernacula, hedgehog permeability throughout the whole site, provision of wildflower grassland, strengthening of current boundaries, and a strong north/ south corridor through the centre of the site.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) 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 the 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 conserve biodiversity in accordance with policy NH/4 of the adopted South Cambridgeshire Local Plan 2018).

Highways and parking

10. No demolition or construction works shall commence on site until a construction traffic management plan has been agreed with the Planning 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 HQ/1 of the adopted South Cambridgeshire Local Plan 2018).
11. Prior to the occupation of the development covered and secure cycle parking details shall be submitted to and approved in writing by the local planning authority. The plan shall include phasing, monitoring and the implementation of the cycle parking with a minimum of 136 spaces deliver prior to occupation. The

cycle parking shall be installed in accordance with the agreed details prior to the occupation of the development. (Reason – To ensure the development complies with policy TI/3 of the adopted South Cambridgeshire Local Plan 2018)

12. The Phase 2 Parking area, as identified on drawing no.BWD-SRA-SW-XX-DR-A-02-12 P01 (Proposed Phasing Plan), shall not be implemented until an up to date Travel Plan and Car Parking Management Plan has been submitted indicating these spaces are essential for the operation of the development. If the results demonstrate the spaces shall not be implemented. (Reason - To ensure the development complies with policy TI/2 of the adopted South Cambridgeshire Local Plan 2018)
13. Prior to the occupation of the development the 3m wide footway/cycleway stretching from Cambridge Road through the Melbourn Science Park and up to the new buildings shall be completed and maintained as such thereafter. (Reason - To ensure the development complies with policy TI/2 of the adopted South Cambridgeshire Local Plan 2018)
14. Prior to the occupation of the development details of the design and location of bus stop improvements along with hard standing and raised kerbs on both sides of Cambridge Road have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. Works are to be carried out by the applicant as part of a section 278 agreement. The buildings shall not be occupied until the shelters have been provided in accordance with the approved details. (Reason - To ensure the development complies with policy TI/2 of the adopted South Cambridgeshire Local Plan 2018)
15. Prior to the occupation of the development a Travel Plan to reduce car dependency and to promote alternative modes of travel shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall monitor car and cycle parking and be implemented in accordance with the approved details prior to the occupation of the development. (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.)

Drainage

16. No development other than site preparation, ground works and enabling works shall commence until a detailed surface water drainage scheme for the site, based on the agreed Foul and Surface Water Drainage Strategy and supplemented note by AKT II Ltd (dated 11 September 2018) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in full accordance with the approved details before development is completed. (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 policy CC/8 and CC/9 of the adopted South Cambridgeshire Local Plan 2018).
17. Prior to the first occupation of any dwellings hereby permitted details of the long-term maintenance arrangements for the surface water drainage system (including SuDs features) to be submitted to and approved in writing by the

Local Planning Authority. The submitted details should identify run-off 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.

(Reasons - To ensure that satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraph 103 and 109 of the National Planning Policy Framework).

Environmental Health - during construction

18. No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out the management measures which builders will adopt and implement for the construction effects on the surrounding environment and community. The development shall be carried out in accordance with the agreed details. (Reasons - To protect amenities of nearby residential properties and the environment in accordance with policy SC/11 of the adopted Local Plan 2018)
19. Prior to the installation of any floodlighting, security or street lighting, a lighting scheme for that particular phase of development shall be submitted to and agreed in writing by the Local Planning Authority. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details. (Reason - To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with SC/10 of the adopted South Cambridgeshire Local Plan 2018.)
20. 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 protect the amenities of nearby residential properties in accordance with policy SC/10 of the adopted South Cambridgeshire Local Plan 2018.)
21. In the event of the foundations for the proposed development requiring piling, prior to piling 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 HQ/1 and SC/11 of the adopted South Cambridgeshire Local Plan 2018.)

Contaminated Land

22. No development shall be commenced 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) Thereafter and following the commencement of development as necessary, works specified in the Remediation Method Statement shall thereafter have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved details in b) above.
- 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 SC/12 of the adopted South Cambridgeshire Local Plan 2018).

Sustainability and renewable energy

23. No development above slab level shall take place until an Electric Vehicle Charging Plan has been submitted to and approved in writing by the local planning authority. The Plan should include the details of the provision of cabling infrastructure location with the spaces allocated for Electric Vehicle Charging. The development shall be carried out in accordance with the agreed details prior to the occupation of the development. (Reasons – To ensure charging points can be installed as the request of future occupiers to enhance the sustainability credentials of the development in accordance with CC/4 of the adopted South Cambridgeshire Local Plan 2018).
24. No development above slab level shall take place until an Carbon Reduction Statement and maintenance plan which shall demonstrate how at least 10% of the expected carbon emissions will be reduced through the implementation of onsite renewable sources or low carbon technologies. The statement shall include;
- a) SBEM calculations demonstrating the total energy requirements of the whole development, set out in kg/C02/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.

The development shall be carried out in accordance with the approved strategy and maintained as such thereafter. (Reason - To ensure an energy efficient and sustainable development in accordance with CC/3 of the adopted South Cambridgeshire Local Plan 2018).

25. No development above slab level shall take place until evidence has been submitted to demonstrate the development is registered with a BREEAM certification body and a pre-assessment report (or design certificate with interim

rating) has been submitted to and approved in writing by the Local Planning Authority to demonstrate the development can achieve a 'very good' final BREEAM (or such equivalent national measure of sustainable building which replaces that scheme) level. (Reason – In the interests of reducing carbon emissions and promoting principles of sustainable construction and efficient use of building in accordance with the adopted South Cambridgeshire Local Plan 2018).

26. Prior to the occupation of the development, a final certificate shall be submitted to the Local Planning Authority certifying that BREEAM rating 'Very Good' has been achieved for the proposed development. (Reason – In the interests of reducing carbon emissions and promoting principles of sustainable construction and efficient use of building in accordance with the adopted South Cambridgeshire Local Plan 2018).
27. Prior to the fitting out of the development, a water conservation statement detailing water conservation and management measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail water efficiency measures sufficient to ensure that residential development achieves a minimum water efficiency standard of 105 litres per person per day (additional 5 litres for outdoor use). The development shall be carried out in accordance with the agreed details. (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 South Cambridgeshire Local Plan policy CC/4).
28. Prior to the first occupation of the development, infrastructure to enable the delivery of broadband services to industry standards should be provided to the proposed development. (Reason - Support the implementation of the South Cambridgeshire Economic Development Strategy in accordance with policy TI/10 of the adopted South Cambridgeshire Local Plan 2018.)

Informatives

1. This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated
2. 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.
3. 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.
4. Constructions or alterations with an ordinary watercourse require consent from the Lead Local Flood and Water Authority under the Land Drainage Act 1991. Ordinary watercourse include every river, drain, stream, ditch, dyke, sewer and passage through which water flows that do not form part of the main rivers. The applicant should refer to Cambridgeshire County Council Culvert policy.

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 Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File Reference: S/2941/18/FL

Report Author:

Rebecca Ward
Telephone Number:

Principal Planning Officer
01954 713236

Heads of terms for the completion of a Section 106 agreement

S/2941/18/FL New office and technology research facilities. Land North of Melbourn Science Park, Melbourn, Cambridgeshire
Section 106 payments summary:

Item	Beneficiary	Estimated sum
Bus stop maintenance	CCC	£14,500
Footway No.9 Improvements	CCC	£30,000
Station Road to A10 underpass footway improvements	CCC	£56,500
Royston to Melbourn cycle route improvements	CCC	£25,000
Ramp to Meldreth Station	SCDC	£45,000
Indoor community space	SCDC	£93,500
Monitoring	SCDC	£500
TOTAL		£265,000

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Securing landscape and drainage maintenance company	Applicant	To ensure landscape and drainage is maintained in the long term in accordance with the agreed details.

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Two bus stops on Cambridge Road		To be offered to M.P.C

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Transport – Bus stop maintenance
Policy	TI/2
Required	That provision be made prior to occupation for the implementation of two bus stops on Cambridge Road between the site access and its junction with Russet Way to encourage future occupiers to use public modes of transport to get to and from the site. The ongoing maintenance of these stops at £7,250 each (£14,500 all together) for a period of time is considered reasonable to ensure they are maintained. This money will be collected by CCC but paid to MPC if they take on the shelters.
Ref	CCC
Trigger	100% upon installation of bus shelters
Ref	CCC2
Type	Transport - Footpath No.9 improvements

Policy	TI/2
Required	<p>The nearest railway station is Meldreth station, and the fastest route to the station is via Footway no.9, Station Road and the village centre. The development is expected to increase pedestrian and cycle flows between the site and Meldreth Parkway railway station as well as an increase in traffic on the already congested A10 corridor.</p> <p>Footway No.9 is currently a narrow path that crosses a field towards Meldreth Station. The path is not lit and un-inviting for pedestrians and cyclists. To mitigate the impact of the development and to encourage more employees to use the rail and cycle to get to the site a contribution towards an upgrade to the path is considered to be essential.</p> <p>No.9 footway improvement project already has one pooled contribution from the development on New Road, Melbourn (199 dwellings). Additional funding is required for to complete this project. The CCC has therefore requested £30,000 as a s106 obligation.</p>
Trigger	100% prior to occupation

Ref	CCC3
Type	Transport - Station Road to underpass footway improvements
Policy	TI/2
Required	<p>The nearest railway station is Meldreth station and the fastest route to the station is via Footway no.9, Station Road and the village centre. The development is expected to increase pedestrian and cycle flows between the site and Meldreth Parkway railway station as well as an increase in traffic on the already congested A10 corridor.</p> <p>The footway extending from Station Road to the underpass/No.9 is currently a narrow path that crosses a field towards Meldreth Station. The path is not lit and un-inviting for pedestrians and cyclists. To mitigate the impact of the development and to encourage more employees to use the rail and cycle to get to the site a contribution towards an upgrade to the path is considered to be essential.</p> <p>There are currently no pooled contributions towards this project and no funding is foreseeable in the short-medium term. The CCC has therefore requested £56,500 within a s106 agreement.</p>
Trigger	100% prior to occupation

Ref	CCC4
Type	Transport - Melbourn to Royston cycleway improvements
Policy	TI/2
Required	<p>The development is expected to increase pedestrian and cycle flows between the site and Royston and the surrounding area, as well as an increase in traffic on the already congested A10 corridor. Melbourn-Royston pedestrian cycle link (Melbourn Greenways scheme) is a project that is already being progressed. This involves a new bridge across the A505 from the</p>

	<p>A10 and connecting cycleway. Herts County Council has already conducted a bridge feasibility study and has pledged lifetime maintenance costs (£550K +). The following contributions have already been pledged towards the bridge:</p> <ul style="list-style-type: none"> - Three S106 contributions have been allocated by North Herts DC towards the bridge component of the project, totalling £56,000. - Major tenant at Melbourn Science Park have pledged £30,000 - Royston Town Council £30,000 - Lead funding is also expected from the Mayor Business Board <p>To mitigate the impact of the development and to encourage more employees to use the cycle to get to the site a contribution towards the upgrade to the cycle path between Melbourn and Royston is considered to be essential. The CCC has therefore requested £25,000 within a s106 agreement.</p>
Trigger	100% prior to occupation

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Transport - Ramp improvements to Meldreth Station
Policy	TI/2
Required	<p>The nearest railway station is Meldreth station and the fastest route to the station is via Footway no.9, Station Road and the village centre. The development is expected to increase pedestrian and cycle flows between the site and Meldreth Parkway railway station as well as an increase in traffic on the already congested A10 corridor.</p> <p>Currently the north bound access to the station is only accessible by steep steps. To improve access a new ramp has been proposed. This has been on the Parish Councils agenda for a number of years to improve accessibility for cyclist and disabled users but funding has not been forthcoming to date from the rail operator.</p> <p>The cost of a ramp to be provided has been estimated by Govia Thameslink to be in the region of £75,000. A partial contribution towards the project would trigger match funding from either the Dept for Transport's Access for All scheme, or Govia Thameslink's small infrastructure improvements pot.</p> <p>To mitigate the impact of the development and to encourage more employees to use the cyclist to get to the site from the station a contribution towards the ramp is considered reasonable. The Council have therefore requested £45,000 which will be payable to SCDC to help deliver the project.</p>
Trigger	100% prior to occupation

Ref	SCDC2
Type	Offsite indoor community space
Policy	SC/4
Required	Yes
Detail	<p>The proposed extension to the Hub in Melbourn results in 42 square metres of additional floorspace. The impact of the application could therefore be attributable to 55% of the new floorspace.</p> <p>Adopting this approach would result in a contribution of £93,500 (i.e. £170,000 x 0.55) being secured towards the proposed extension.</p>
Fixed / Tariff	Fixed
Trigger	100% prior to occupation
Number Pooled obligations	1

Ref	SCDC3
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To monitor the timely compliance of the planning obligations, specifically onsite infrastructure including affordable housing and public open space
Project	monitoring of the proper and timely performance of the Owner's covenants under the terms of the Agreement
Quantum	£500
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Number Pooled obligations	None



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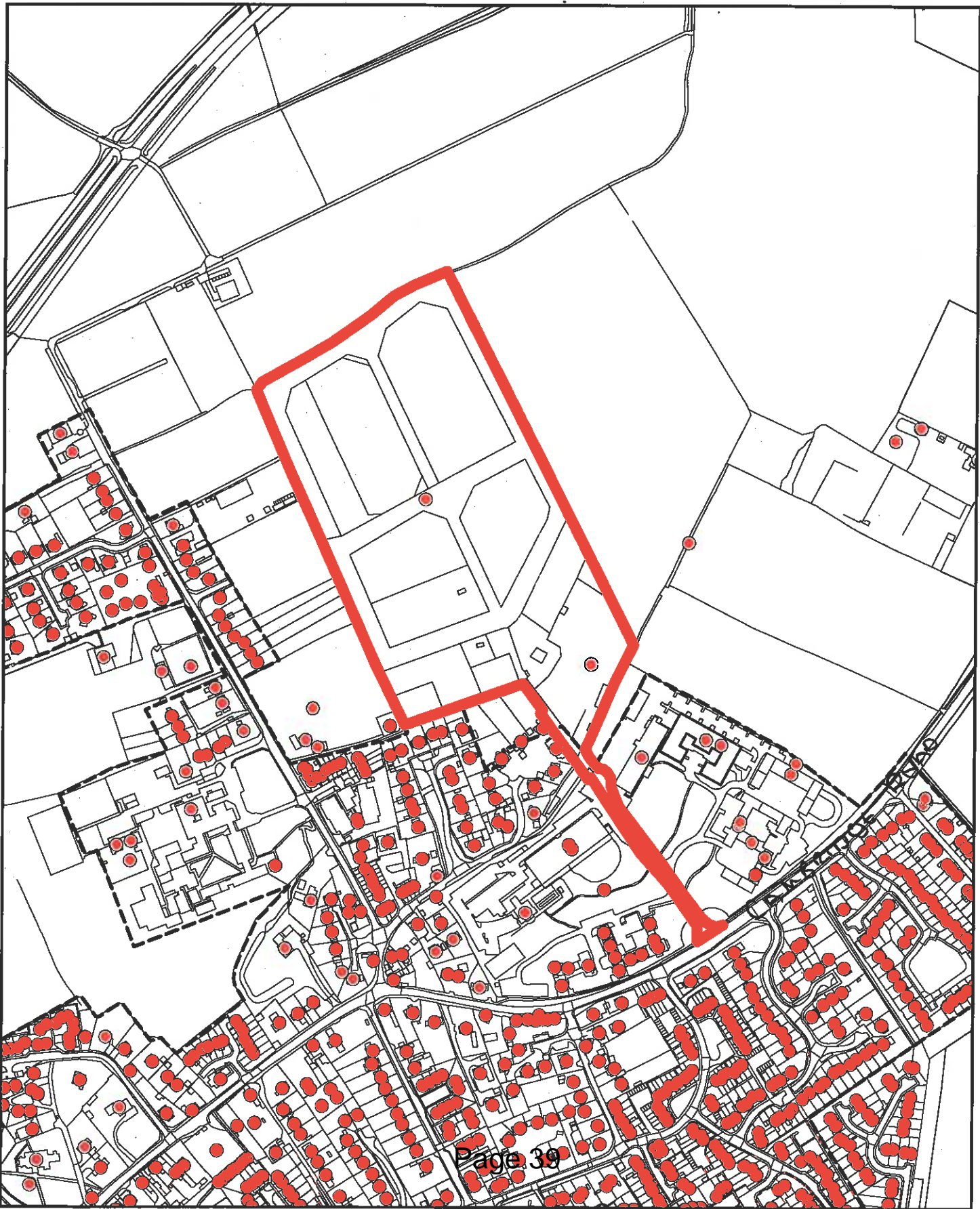
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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 12 December 2018
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1699/18/FL

Parish(es): Sawston

Proposal: Retention of Vehicular Access (Retrospective Application)

Site address: Junction of Dernford Lane and Stapleford Road

Applicant(s): Russell Smith Farms

Recommendation: Refusal

Key material considerations: Principle of Development in the Green Belt
Character and Appearance of the Area
Highway Safety

Committee Site Visit: Yes

Departure Application: Yes – Advertised 16 May 18 2018

Presenting Officer: Karen Pell-Coggins, Senior Planning Officer

Application brought to Committee because: The officer recommendation conflicts with the recommendation of Stapleford Parish Council and is of local interest

Date by which decision due: 14 December 2018 (Extension of Time agreed)

Executive Summary

1. The proposal, as amended, seeks full planning permission for the retention of the temporary vehicular access on to the A1301 that was required for construction traffic in relation to the extraction of sand and gravel and construction of an agricultural reservoir on the adjacent land. The works are now complete and the access should therefore be removed.
2. The permanent retention of the access represents inappropriate development that is, by definition, harmful to the Green Belt in policy terms. This is because it has resulted in encroachment into the rural landscape that conflicts with the purpose of including land in the Green Belt.
3. The proposal would also result in other harm through visual intrusion from the mass of hardstanding and signage that harms the openness and rural character and appearance of the Green Belt and countryside together with highway safety issues as

a result of the potential for the access to not be up standard if the existing access is blocked.

4. Whilst the comments from the local Parish Council's, Local Member and residents in relation to highway safety from the existing access are acknowledged, the new access is not considered to result in a benefit in highway safety terms.
5. Consequently, there are not considered to be any very special circumstances that would justify the development and clearly outweigh the harm to the Green Belt through inappropriateness and other harm. The application is therefore recommended for refusal.

Planning History

6. S/0126/18/FL – Retention of vehicular access (retrospective application) - Refused

The application was refused for the following reason: -

“Retention of the existing access on a permanent basis would represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms.

The development has also resulted in other harm through a visually intrusive development and loss of informal rural character and appearance of the Green Belt. In addition, insufficient information has been submitted to demonstrate that the access is not detrimental to highway safety.

No evidence has been submitted that would justify very special circumstances that would clearly outweigh the harm through inappropriateness and the other harm identified above.

The proposal is therefore contrary to Policies ST/4 of the South Cambridgeshire Local Development Framework Core Strategy DPD 2007 and Policy GB/1 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that seek to resist inappropriate development in the Green Belt and Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states all development proposals should provide appropriate access from the highway network that does not compromise safety.”

7. S/0201/16/CM - Development (extraction & processing of sand & gravel with construction of an agricultural reservoir) without compliance with condition 3 of planning permission S/01669/02/CM as varied by S/01283/10/CM to extend time for completion of reservoir to 31 December 2017 – Approved

Condition 13 states the following : -

“Within 3 months of the completion and commissioning of the agricultural reservoir hereby permitted, the temporary access shown on plan R1057/2a and the advance highway warning signs shown in “Additional Details Pursuant to Conditions – Permission Reference S/1669/02/CM” dated May 2007 and approved by the MPA on 16 July 2007 shall be removed, and the Cambridge Road cycleway/highway verge reinstated in accordance with a scheme which shall have been submitted to and approved in writing by the MPA within 6 weeks of the date of this permission. The submitted scheme shall also include details of the reinstatement/repair of the carriageway or verge of Dernford Lane at the point of the vehicle crossing.”

8. S/00468/13/CM - Development (extraction & processing of sand & gravel with

construction of an agricultural reservoir) without compliance with condition 3 of planning permission S/01669/02/CM as varied by S/01283/10/CM to extend time for completion of reservoir to 31 December 2015 - Approved with S106

Condition 13 states the following: -

“Within 3 months of the completion and commissioning of the agricultural reservoir hereby permitted, the temporary access shown on plan R1057/2a and the advance highway warning signs shown in “Additional Details Pursuant to Conditions – Permission Reference S/1669/02/CM” dated May 2007 and approved by the MPA on 16 July 2007 shall be removed, and the Cambridge Road cycleway/highway verge reinstated in accordance with a scheme which shall have been submitted to and approved in writing by the MPA within 6 weeks of the date of this permission. The submitted scheme shall also include details of the reinstatement/repair of the carriageway or verge of Dernford Lane at the point of the vehicle crossing.”

9. S/01283/10/CM - Development (extraction and processing of sand and gravel with construction of an agricultural reservoir) without compliance with condition 3 (extension of time until 31 December 2013) and condition 13 (retention of temporary access) - Approved with S106

The report stated the following: -

“There was both support and objection for the retention of the temporary access. However, by 'stopping up' Dernford Lane and retaining the 'temporary access' which was permitted under planning permission S/01669/02/CM it was considered by the Highway Authority that this compromise was acceptable on safety grounds.

The stopping up of Dernford Lane between A1301 and the junction with the temporary access should be dealt with through a Section 106 agreement and Section 116 of the Highways Act 1980. This requires the applicant to use all reasonable endeavours to secure the stopping up of the relevant part of Dernford Lane and the retention and improvement of the temporary existing access. It will also be necessary for the applicant to grant all properties that gain access via Dernford Lane to have permanent rights to use the access road. The Section 106 agreement should also provide that if the stopping up cannot be secured; the applicant will close the temporary access and carry out all necessary ancillary works to restore the site of it and its junctions with the public highway to their former condition.”

10. S/01669/02/CM - Extraction and processing of sand and gravel together with importation of engineering clay and construction of temporary access in connection with construction of an agricultural reservoir - Approved with S106

Condition 13 states the following: -

“Within 3 months of the completion and commissioning of the agricultural reservoir hereby permitted, the temporary access shown on plan R1057/2a and the advance highway warning signs shown in “Additional Details Pursuant to Conditions – Permission Reference S/1669/02/CM” dated May 2007 and approved by the MPA on 16 July 2007 shall be removed, and the Cambridge Road cycleway/highway verge reinstated in accordance with a scheme which shall have been submitted to and approved in writing by the MPA within 6 weeks of the date of this permission. The submitted scheme shall also include details of the reinstatement/repair of the carriageway or verge of Dernford Lane at the point of the vehicle crossing.”

National Guidance

11. National Planning Policy Framework 2018
National Planning Practice Guidance

Development Plan Policies

12. **South Cambridgeshire Local Plan 2018**
S/5 Green Belt
S/7 Development Frameworks
HQ/1 Design Principles
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
CC/9 Managing Flood Risk
SC/9 Lighting Proposals
SC/10 Noise Pollution
SC/11 Contaminated Land
TI/2 Planning for Sustainable Travel

13. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Biodiversity SPD - Adopted July 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

Consultation

14. **Sawston Parish Council** – Supports the application but asks that the Bridge End Cottage entrance is blocked/stopped.
15. **Stapleford Parish Council** – Recommends approval. The access should be retained for agricultural traffic, and in the longer term for those visiting the reservoir, holiday homes and the farm and accommodation.

The original highway junction by Bridge Cottage is exceptionally dangerous. The visibility coming out of the lane is dire and prevents anyone from seeing incoming traffic, vehicles on the A1301 and cyclists or pedestrians using the extant track.

Contrast this with the excellent visibility at the temporary concrete entrance/exit. The cycle track is set back away from the junction with the A1301 and this enhances safety for all.

How the Lane entrance can be deemed fit is beyond this Council's comprehension. The posts at the Cottage were recently demolished by a traffic accident (doubtful if recorded) and the narrowness of the path at this point prevents two cyclists passing.

A major consideration is the increase in traffic movements over the years, to further increase as well as cycle movements to the Genome. There has also been an increase in transport to and from the farm due to the agricultural workers hostel and campsite.

There has to be a holistic and visionary of this matter. There will be even more movements once the reservoir is completed, far more people cycle and there is an increase in walkers and dogs to the Dernford site and on to Little Shelford.

In order to ensure that the correct decision is made, I seek a site visit as was done

when the traffic lights were put in. Please do not put our children at risk.

Stapleford PC can only emphasise how strongly it opposes the removal of this access and it is fully supported by the populous and other Council's who are affected by any closure. The benefits of retaining this access will far outweigh the loss of a few square metres of green belt and allow for the safety of all to be secured.

16. **Great Shelford Parish Council** – Fully supports this application, and would further request that consideration be given to closing the old road at the reservoir end.
17. **Landscape Design Officer** – Has no objections.
18. **Trees and Landscapes Officer** – Has no objections.
19. **Environmental Health Officer** – Has no adverse comments.
20. **Contaminated Land Officer** – Has no objections.
21. **Drainage Officer** – Has no objections.
22. **Local Highways Authority** – Comments that in terms of highway safety the proposal as shown on drawing number 1709:04 is unacceptable to the Highway Authority as it requires members of the public to traverse a private road in order to gain access to the adopted public highway network. The Highway Authority has no control over said road, so it could be left to degenerate to such a point that using it would in and of itself be a hazard, I appreciate that this may not be the intention of the applicant however, the Highway Authority has a long term view (Dernford Lane is shown on the early edition OS Maps dating to the 19th Century) and we cannot determine what will happen in the future.

Even if the Planning Authority were minded to grant planning permission I can see no mechanism whereby the proposal can be brought forward, the existing adopted public highway cannot be stopped up under Section 247 of the Town and Country Planning Act as such action is not required to bring the proposal forward, nor can the existing adopted public highway be stopped up under the Highways Act 1980 (Section 116) as the route proposed does not form part of the adopted public highway, and extinguishing such rights over the length from the A1301 would isolate a number of properties, who at present benefit from the right of unhindered access along contiguous lengths of highway maintainable at the public expense.

The Highway Authority has no powers under the Highways Act 1980 to arbitrarily close off access to the adopted public highway as shown on drawing number 1709:04.

If the applicant wishes to bring the existing mass concrete road up to an adoptable standard (i.e. one that complies with the requirements of the Housing Estate Road Construction Specification April 2018) then the Highway Authority would consider adopting the same as highway maintainable at the public expense and if this were successful then the existing adopted public highway along Dernford Lane could be stopped up or closed to motor vehicles.

From the perspective of the Highway Authority the retention of the proposed access is acceptable and no doubt creates an easier to use access onto the A1301 for the residents of Dernford Lane, as long as the owner of the proposed track is prepared to allow the public access across their land. However, this access cannot be guaranteed in perpetuity unless and until the existing track becomes adopted public highway

which would require the reconstruction of the same.

The drawing submitted under the title Appendix A (Visibility splay Revised) shows appropriate inter vehicle visibility splays.

23. **Sustrans** - Supports the retention of the temporary road as the National cycle Network crosses the junction with the Stapleford Road in an exemplary manner. The crossing of the old access is not suitable for sharing between bikes and large sized or large number of vehicles.

Representations

24. The **Local Member** supports the application. Comments that if access to the site (which is to become publicly accessible, and will therefore see an increase in traffic volume) is forced to revert to its former layout, it would be detrimental to highway safety.

The former road exit has very poor visibility to the north. Additionally, at pre- and post-school times, the high volume of student cycle traffic at this junction makes use of it highly likely to increase the risk of accident. (It is effectively blind on both North and South side of the cycle path.)

By contrast, the use of the new "temporary" junction has much improved visibility, for motorists, cyclists and pedestrians. Bi-directional vehicular access to the quarry and in future its lake is not viable on the original road. (Its width and condition doesn't allow.)

Finally, you reminded me that the road was within the Green Belt. I would contend that the "new" road neither harms the open nature of the area, nor otherwise harms the purpose of Green Belt to stop "urban-sprawl".

25. 9 letters of representation have been received from local residents and businesses. They have support the retention of the existing temporary access road and closure of the existing access for the following reasons: -
- i) The existing access is extremely dangerous in highway safety terms to people passing the site by foot or cycle and is used heavily as commuting route between Cambridge and Sawston by cycle and by students commuting to Sawston Village College. Number of incidents have occurred and risk of more serious accidents.
 - ii) Large vehicles leaving Dernford Lane cannot see cyclists on the path and cyclists cannot see vehicles approaching the junction.
 - iii) The existing road has a poor surface with a number of potholes and the new road has a good surface that is maintained.
 - iii) The new access is wider with good visibility to motorists and cyclists.
 - iv) The amount of agricultural related traffic has increased due to the agricultural workers hostel and campsite.
 - v) There could be significant extra traffic using the proposed car park in connection with the agricultural reservoir.
 - vi) The number of cycles that use the route has increased in recent years. On 17 April 2018 between 07.30 and 09.00, 265 people on cycles used the off-road path between Stapleford and the Dernford turn.
 - vii) The existing junction is not wide enough to allow a vehicle to enter if an agricultural vehicle is exiting.
 - viii) The removal of the access could result in an unsafe route for school children and bus passes would be required as the existing bus has been withdrawn.
 - ix) Cannot stop up the highway but safety benefits would be gained as minimal traffic would use the old junction.

- x) The technical loss of a few square metres of green belt is small when compared with the big environmental, social and health benefits and enabling better, safer and more cycling.
- xi) Cyclists are supposed to give way but the signage is not clear and many just keep going.
- xii) Many rural locations have wide access roads and rather than detract from the green belt they enable it to contribute to the local economy.
- xiii) One resident does not support closure of the existing access at the junction of Dernford Lane and the A1301 as this would be a significant inconvenience in terms of access to their property. Suggests blocking off further down the road and with bollards to retain cycle/pedestrian access and allow any vehicles that enter the road space to turn to get back on to the main road.

Site and Surroundings

- 26. The site is located outside of any village framework and in the Green Belt and countryside. It formerly comprised agricultural land but currently comprises a temporary hard surfaced access road. It leads on to the A1301 that is a busy road with a speed limit of 50 miles per hour where it passes the site. A shared cycleway/footway runs alongside the road. The existing access along Dernford Lane is to the north. A small area of landscaping lies between the new temporary access and existing access along Dernford Lane. The site is situated within Flood Zone 1 (low risk).

Proposal

- 27. The proposal, as amended, seeks full planning permission for the retention of the temporary vehicular access on to the A1301 that was required in relation to the extraction of sand and gravel and construction of an agricultural reservoir on the adjacent land. The access was needed for highway safety purposes for the heavy vehicles that were required to remove material from the site due to the position of the existing access close to the railway bridge and bend that has poor visibility. The development is now complete. The proposal also seeks the existing access along Dernford Lane to be blocked at the junction with the A1301.

Planning Assessment

- 28. The key issues to consider in the determination of this application relate to whether the proposal would represent inappropriate development in the Green Belt; whether the proposal would result in any other harm; and whether any very special circumstances have been demonstrated to clearly outweigh any harm to the Green Belt through inappropriateness and any other harm to justify the development.

Principle of Development in the Green Belt

- 29. The site is located outside of any village framework and in the Green Belt and countryside.
- 30. Policy S/4 of the Local Plan states that a Green Belt will be maintained around Cambridge that will define the extent of the urban area. New development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.
- 31. The supporting text to the policy states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

32. It further states that the established purposes of the Cambridge Green Belt are to:
 - Preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre;
 - Maintain and enhance the quality of its setting; and
 - Prevent communities in the environs of Cambridge from merging into one another and with the city.
33. Paragraph 143 of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
34. Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
35. Paragraph 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include engineering operations.
36. The new temporary access road has resulted in encroachment beyond the existing access and into an area of open land in the Green Belt. Whilst it is acknowledged that the works have already taken place, this was allowed for a temporary period only for a specific need. The long term permanent retention of the access would conflict with the purposes of including land in the Green Belt. The proposal would therefore represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms.
37. The proposal would therefore be contrary to Policy S/4 of the Local Plan.
38. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted. This necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.
39. The proposal is not considered to be defined as essential development in the countryside as the access is no longer required for a specific purpose.
40. The proposal would therefore be contrary to Policy S/7 of the Local Plan.

Any Other Harm?

Character and Appearance of the Area

41. The site was previously comprised open agricultural land that had a rural character and appearance.
42. The proposal has resulted in encroachment into the Green Belt and countryside outside the existing built-up development within the village framework. The

introduction of a significant mass of hardstanding along with signage has resulted in a visually intrusive development that adversely affects the openness and informal rural character and appearance of the Green Belt and countryside.

43. The proposal would therefore be contrary to Policy HQ/1 of the Local Plan.

Highway Safety

44. The existing access from Dernford Lane serves five residential properties and Van Stomp, a business that provides labour for farms in the area. In addition, serves the car park to the reservoir. The road adjoins the section of the A1301 at the bottom of the bridge that leads out of the village of Stapleford. There is good visibility for vehicles with a splay of 2.4 metres x 160 metres for in both directions but poor visibility for cyclists with a splay of 2.4 metres x 25 metres to the south but a splay of 2.4 metres x 10 metres to the north due to landscaping and the position of Bridge End Cottage. The visibility splays for cyclists would not comply with Local Highways Authority standards. The access measures at least 5 metres in width.
45. However, it should be noted that the access along Dernford Lane was in situ prior to the cycle path being constructed and that there are markings on the path and signs that require cyclists to give way to traffic on Dernford Lane.
46. The new temporary access adjoins a straight section of the A1301 road that has a speed limit of 50 miles per hour. There is good visibility for vehicles with a splay of 2.4 metres x 160 metres for vehicles in both directions and good visibility for cyclists with a splay of 2.4 metres x 25 metres in both directions. The visibility splays comply with Local Highways Authority standards. The access measures at least 5 metres in width.
47. The temporary access was required to cater for the heavy traffic required for construction of the adjacent agricultural reservoir. It was not required in relation to an increase in traffic as a result of the provision of a public car park with 60 spaces at the reservoir or any other development on Dernford Lane. Therefore, the existing access is considered satisfactory in relation to the existing level of traffic using Dernford Lane.
48. The applicants carried out a survey between 7.00 and 19.00 on Friday 22 June 2018 in relation to the level of traffic using the existing access along Dernford Lane and the new temporary access. The surveys showed that 87 vehicles used the existing access and 59 vehicles used the new temporary access. However, this did not include traffic in relation to the business where traffic generally leaves prior to 7.00 and would include a low level of agricultural traffic that would increase during harvest.
49. Whilst there no dispute that the new temporary access would improve highway safety in terms of visibility to cyclists, the existing access would need to be blocked to ensure that it is not used in order to result in a benefit in terms of highway safety.
50. The existing access is an adopted public highway and cannot be blocked unless a new access that is constructed in accordance with Local Highways Authority standards can be adopted in its place. If the existing access is blocked, it would lead to access from existing properties and the public car park serving the reservoir along a private road that cannot be guaranteed in perpetuity.
51. The new temporary access does not meet Local Highways Authority standards as a result of its method of construction. It would have no control over the road and could be left to degenerate to an unacceptable standard that would be detrimental to highway safety notwithstanding that the applicant has aged to it being maintained.

52. The applicant would therefore need to improve the access to ensure that it is acceptable in highway safety terms. A quote has been obtained and the costs of constructing the access to an adoptable standard is not within the remit of the applicant.
53. In summary, as the existing access cannot be blocked and the new temporary access is not and cannot be constructed to Local Highways Authority standards, the proposal cannot be considered to provide a benefit in highway safety terms.
54. The proposal is therefore contrary to Policy HQ/1 of the Local Plan.

Other Matters

55. The development would not result in the loss of any important trees and landscaping, have an adverse impact upon biodiversity, result in an increase in the risk of flooding to the site and surrounding area or adversely affect the amenities of neighbours.

Very Special Circumstances

56. Whilst the comments from the local Parish Council's, Local Member and residents in relation to highway safety from the existing access are acknowledged, the new access is not considered to result in a benefit in highway safety terms.
57. Consequently, there are not considered to be any very special circumstances that would justify the development and clearly outweigh the harm to the Green Belt through inappropriateness and other visual harm and highway safety concerns identified.

Conclusion

58. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The proposal would represent inappropriate development in the Green Belt and would also result in harm to the character and appearance of the Green Belt and countryside and highway safety. The proposal conflicts with policies S/4 and S/7 which are such that the proposal should be regarded as being in conflict with the development plan as a whole. No very special circumstances have been put forward that would justify the development and clearly outweigh the harm to the Green Belt through inappropriateness and other visual harm and highway safety concerns identified. Planning permission should therefore be refused.

Recommendation

59. It is recommended that the Planning Committee refuses the application for the following reasons: -
- i) The retention of the existing access on a permanent basis would represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms.

The development has also resulted in other harm through a visually intrusive development and loss of openness and informal rural character and appearance of the Green Belt and through being detrimental to highway safety as a result of the

existing access being blocked and the new temporary access not being constructed in accordance with Local Highways Authority standards.

No evidence has been submitted that would justify very special circumstances that would clearly outweigh the harm through inappropriateness and the other harm identified above

The proposal is therefore contrary to Policy S/4 of the South Cambridgeshire Local Plan 2018 that seeks to resist inappropriate development in the Green Belt and Policy HQ/1 of the South Cambridgeshire Local Plan 2018 that states all development proposals should preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape.

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.

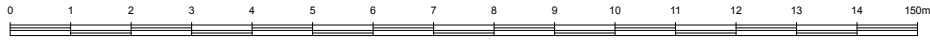
- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File References: S/1699/18/FL, S/0126/18/FL, S/0201/16/CM, S/00468/13/CM, S/01283/10/CM and S/1669/02/CM

Report Author:

Karen Pell-Coggins
Telephone Number:

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01954 713230

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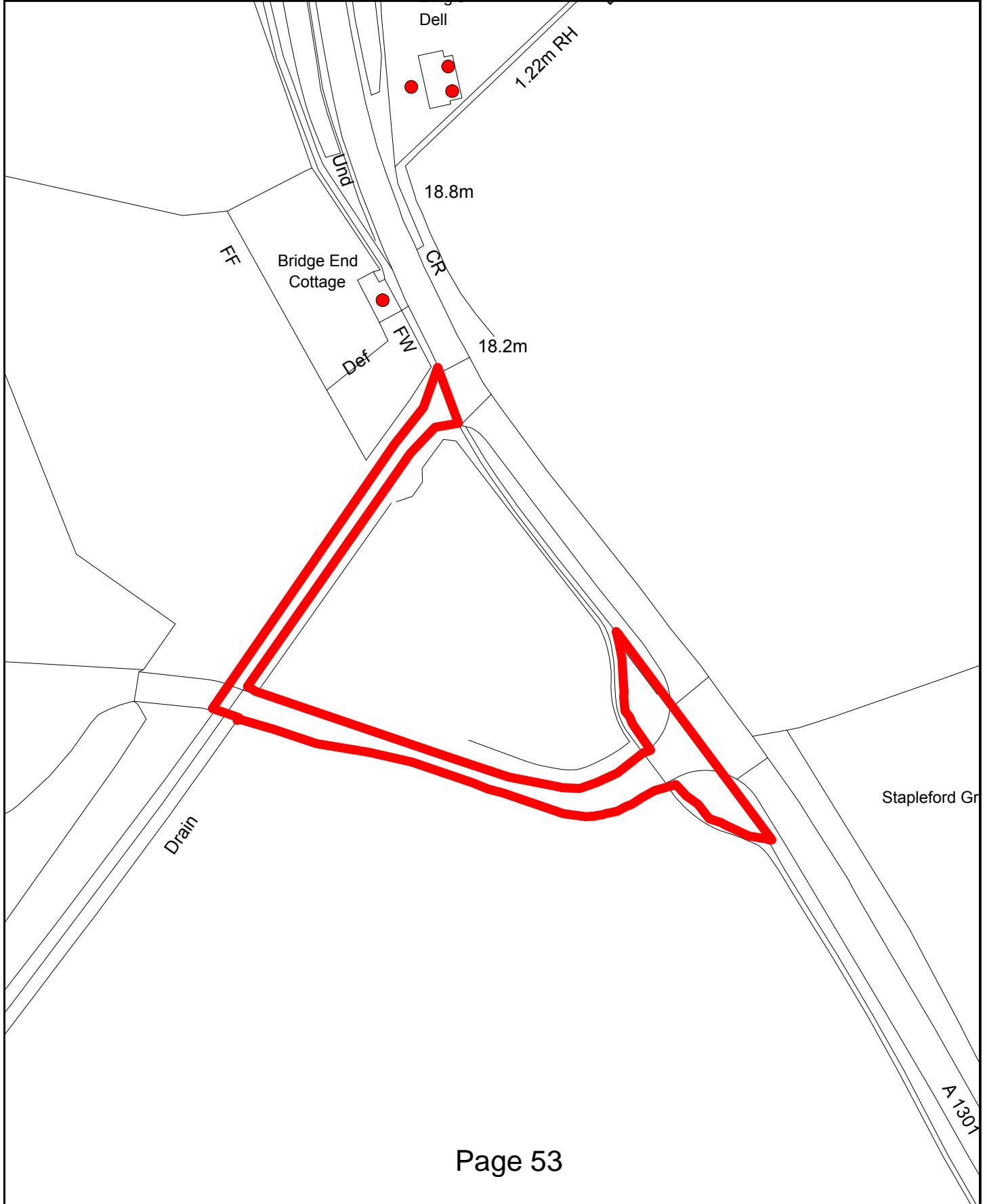
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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 12 December 2018
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1911/18/OL

Parish(es): Bassingbourn

Proposal: Outline application for residential development for up to 10 dwellings and open space provision, with matters of access, all other matters reserved.

Site address: Land south of Clear Farm, Bassingbourn, SG8 5NL

Applicant(s): Cambridgeshire County Council

Recommendation: Delegated Refusal

Key material considerations: Principle of development
Landscape and Countryside Impact
Housing Provision
Developer Contributions & Open Space Provision
Highway Safety & Parking
Scale Layout & Appearance
Impact on Adjacent Heritage Assets
Highway Safety & Parking
Flood Risk & Drainage
Neighbour Amenities
Trees Hedgerows and Ecology Enhancements
Loss of Agricultural Land
Archaeology
Contamination
Noise
Other Matters

Committee Site Visit: Yes

Departure Application: Yes (advertised on 06 June 2018)

Presenting Officer: Michael Sexton, Senior Planning Officer

Application brought to Committee because: The recommendation of Officers conflicts with that of the Parish Council and approval would represent a departure from the Local Plan

Date by which decision due: 14 December 2018 (agreed extension of time)

Executive Summary

1. This is an outline application for the erection of up to 10 dwellings and open space provision, with all matters reserved apart from access. Formal consultation has taken place with the Local Highways Authority and safe vehicular access to the site can be achieved from an existing access point from South End.
2. The site is located outside of the village framework of Bassingbourn and in the open countryside. As the site sits outside of the village framework, the proposal would not provide a suitable site for housing, having regard to its location and very recently adopted policies in the Local Plan. Officers consider that the application is clearly contrary to Local Plan policies S/7 and S/9 as a matter of principle.
3. Critically, the proposed development would result in encroachment into the open countryside setting of the village and result in a loss of a proportion of village edge which makes an important contribution to the landscape character and setting of the edge of the village. Officers consider that the proposal would result in a significant urbanising effect on the rural character of the area and would extend the built-up part of the village, resulting in the open and undeveloped gap between the two lines of linear development along South End and Spring Lane being partially infilled. This would result in unacceptable encroachment of a built form of development into the established rural character of the countryside.
4. Officers consider that the proposed development would therefore fail to either preserve or enhance the character and local rural area and fail to respond to its context in the wider landscape contrary to policies S/7 and HQ/1 (criterion a) of the Local Plan.
5. Officers note that the proposed development includes an area of 1.13 hectares of informal open space that the applicant proposes being leased to the Parish Council. Officers also note that the South Cambridgeshire Recreation and Open Space Study (July 2013) identifies that the parish of Bassingbourn–cum–Kneesworth has a shortfall of 0.56 hectares of informal open space. Whilst this area of open space exceeds that which could be reasonably required from a development of this scale, it is therefore not considered necessary to make the development acceptable in planning terms. If planning permission were to be granted, as it forms part of the development proposal, the management and maintenance of this area would need to be secured via a planning obligation.
6. Officers do not consider that the provision of open space is sufficient to outweigh the in-principle harm which has been identified.

Planning History

7. None

Environmental Impact Assessment

8. 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

9. National Planning Policy Framework 2018 (NPPF)
National Planning Practice Guidance (NPPG)

Development Plan Policies

10. **South Cambridgeshire Local Plan 2018**
 - 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
 - CC/1 Mitigation and Adaptation to Climate Change
 - CC/3 Renewable and Low Carbon Energy in New Developments
 - CC/4 Water Efficiency
 - 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/3 Protecting Agricultural Land
 - NH/4 Biodiversity
 - NH/5 Sites of Biodiversity or Geological Importance
 - NH/6 Green Infrastructure
 - NH/14 Heritage Assets
 - H/8 Housing Density
 - H/9 Housing Mix
 - H/10 Affordable Housing
 - H/11 Rural Exception Site Affordable Housing
 - H/12 Residential Space Standards
 - SC/6 Indoor Community Facilities
 - SC/7 Outdoor Play Space, Informal Open Space and New Developments
 - SC/9 Lighting Proposals
 - SC/10 Noise Pollution
 - SC/11 Contaminated Land
 - TI/2 Planning for Sustainable Travel
 - TI/3 Parking Provision
 - TI/8 Infrastructure and New Developments
 - TI/10 Broadband
11. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
 - Cambridgeshire Flood and Water SPD – Adopted November 2016
 - Health Impact Assessment SPD – Adopted March 2011
 - Affordable Housing SPD – Adopted March 2010
 - District Design Guide 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

Consultation

12. Bassingbourn Parish Council – Holding objection

Updated comments received by email 28 September 2018:

At its meeting on 03 July 2018, Bassingbourn-cum-Kneesworth Parish Council's Planning Committee made a holding objection to the above planning application.

Recommendation – Holding Objection

The Parish Council is making a holding objection because:

[1] the land at Clear Farm is important to the local community. The applicant has made the offer of a grant to the Parish Council of a 99-year lease on part of that land, which is a local financial consideration and hence a material planning consideration, and the terms of that lease have yet to be agreed and

[2] the decision of the Planning Inspector on the emerging Local Plan, particularly with regard to the objection to the removal of designation of the land as Local Green Space and also with regard to the village framework, is not yet known.

The Parish Council will be pleased to reconsider its objection once further progress has been made on the above. Other concerns have been raised including but not limited to physical infrastructure (surface water and foul water drainage not demonstrated), highway safety (risks to children crossing South End to the Village College) and potentially contaminated land (asbestos).

At the current time, that holding objection remains in place but is being kept under active review.

With the District Council's approval of the Local Plan yesterday, paragraph [2] above no longer applies.

The draft of the lease to which paragraph [1] of the holding objection refers is currently with the Parish Council's solicitor. At its meeting this week, 26 September, the Parish Council's Planning Committee reviewed its recommendation and decided that, when the lease has been satisfactorily negotiated and signed, that it will withdraw its holding objection and thus open the way to approval in principle.

Although the September 2018 Local Plan Policy S/7 applies to this Clear Farm site, there are grounds we feel for considering an exception under Policy SC/7. In the Recreation and Open Space Study of July 2013, there is 0.58 ha informal open space in the parish. Based on the 0.4 ha / 1000 population standard in Policy SC/7 and the official population figure of 3583 (from www.ukcensusdata.com and also at https://cambridgeshireinsight.org.uk/wp-content/uploads/.../Census-database_Parishes.xls and <https://www.scamb.gov.uk/media/5647/bassingbourn-october-2012.pdf>) Bassingbourn-cum-Kneesworth should have informal open space of 1.43 ha. There is thus a deficiency of 0.85 ha informal open space in the parish. (The Recreation and Open Space study uses a somewhat lower population estimate but this study still shows a significant deficiency of informal open space in the parish). The offer of 1.13 ha informal open space at Clear Farm to the Parish Council under a long-term lease would rectify this deficiency in informal open space.

13. **Affordable Housing Team**

Affordable Housing (Proposed Submission South Cambridgeshire Local Plan July 2013 Policy H/10) Policy H/10 requires that all developments on sites which are outside the development framework should be for 100% affordable housing and to meet the local housing need. This site is outside the development framework and should be treated as an exception site. However, if it is not assessed as an exception site, then there is a requirement for 40% affordable housing on this site, this is in accordance with the written ministerial statement provided by the then housing minister Brandon Lewis in 2014, which only, allows an affordable housing requirement, which in our case is 40% on a development of 10 or more dwellings or less than 10 dwellings if there is existing floor space which exceeds 1,000 square metres. Therefore, the developer should provide 4 affordable dwellings.

Tenure Mix Affordable Housing SPD (July 2010)

The tenure mix for affordable housing in South Cambridgeshire District is 70% Rented and 30% Intermediate/shared ownership housing. This scheme should provide 3 Affordable/Social rented properties and 1 Intermediate/Shared Ownership properties.

Rented Housing is defined as Affordable Rented housing let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rented housing is let to households that are unable to purchase Intermediate or Open Market housing (typically those in Band A and B in the table below) and subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable). Affordable Rented housing should remain affordable in the longer term. Affordable Rent should not be set higher than the Local Housing Allowance rates for this area.

Intermediate Housing is defined as Shared Ownership, Older Person Shared Ownership (OPSO), Home Ownership for people with Long-Term Disabilities (HOLD), Rent to Buy and Intermediate Rent. Intermediate Housing is suitable for those who may be able to afford to purchase open market housing, but need assistance in doing so.

Housing Need

There are currently approximately 2,000 applicants on the housing register in the district of South Cambridgeshire. Predominantly, the largest need is for 1 and 2 bedroom dwellings, both locally and district wide. With regards to the shared ownership need in South Cambs, there are currently approximately 800 applicants registered on the Home Buy register, and the highest demand is for 2 and 3 bedroom properties.

Our preferred housing mix for this site is set out below:

Affordable/ Social Rented 3 no
2 x 1 Bed Flats
1 x 2 Bed House

Shared Ownership 1 no
1 x 3 Bed Houses

Housing Design Standards

The properties should be built to 'DCLG Technical and Nationally Described Space Standards'.

Lifetime Homes

The 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). Although this type of housing is more often required for those over the age of 60, we currently have a district wide requirement for 10 affordable homes built to this standard from those in the greatest housing need, not all of whom will be aged over 60. In terms of size, two bedrooms would be required for these applicants to ensure a separate bedroom is available for a live in carer. In this scheme, we would recommend that all of the affordable housing is built to Part M4 (1): Category 1 – Visit able dwellings.

A registered provider should be appointed to manage the affordable housing; a list of registered providers operating in South Cambs can be obtained from the Housing Strategy Team.

14. **Anglian Water** – No objection in principle; there are no assets owned by Anglian Water or those subject to an adoption. Recommends a condition is imposed requiring a surface water management strategy.
15. **Cambridgeshire Fire & Rescue** – Requests adequate provision be made for fire hydrants by way of a Section 106 agreement or a planning condition.
16. **Contaminated Land Officer** – There are no immediately evident environmental constraints that would attract a contaminated land condition as the site has not been previously developed, however asbestos containing materials have historically been used as hard core in tracks and farm yards in this area (specifically offsite to the north west) and the above report draws on evidence from an archaeological survey suggesting the presence of asbestos on site.

The proposed use is sensitive to the presence of contamination (residential) and recommendations are for intrusive site investigation. Recommends a condition requiring a risk assessment, remediation method statement, verification report and the identification of any contamination during remediation and/or construction works that has not been considered in the remediation method statement.

17. **Cambridgeshire County Council Historic Environment Team** – No objection, recommend the site should be subject to a programme of archaeological investigation secured by condition.
18. **Cambridgeshire County Council Flood and Water Team** – No objection following submission of additional information, which demonstrate that the surface water from the proposed development can be managed through the use of permeable paving feeding above ground swale and detention basis before discharging to an existing watercourse. Request conditions relating to a detailed surface water drainage scheme for the site and details for the long term maintenance arrangements for the surface water drainage system.
19. **Ecology Officer** – No objection. Recommends a condition that all ecological measures and/or works are carried out in accordance with the details contained in section 6 of the Ecological Assessment and a condition for a scheme of biodiversity enhancement.

20. **Environment Agency** – No objection in principle, offers a number of recommendations and informatives relating to surface water drainage and infiltration sustainable drainage systems (SuDS), pollution control, foul water drainage, contaminated land, oil storage tanks and conservation.
21. **Environmental Health Officer** – No objection, request conditions relating to an Operational Noise Minimisation Management Plan / Scheme, Traffic Management Plan, driven pile foundations, measures to minimise the spread of airborne dust, hours of work, burning of waste and lighting.
22. **Landscape Officer** – No objection, recommends conditions relating to the applicant consider a Design Workshop with relevant consultants prior to submission of final detailed drawings to ensure the proposed works respect the local landscape character. Recommends conditions for hard and soft landscape works and boundary treatments.
23. **Local Highways Authority** – No objection, following submission of drawing number P18020-001E, Site Visit Report and Highway Extent Plan. Requests conditions relating to access width (5 metres for a minimum distance of 10 metres from the near edge of the highway boundary), pedestrian visibility splays, driveway falls and levels, driveway material, management and maintenance of the proposed streets within the development and the submission of a Traffic Management Plan. An informative relating to works to or within the public highway has also been requested.

The Local Highway Authority would seek justification as to why the applicant proposes to install the raised table at the junction of South End and High Street.

24. **Natural England** – No comments.
25. **Sport England** – No formal comment (outside statutory and non-statutory remit) but offers general guidance and advice.
26. **Sustainable Drainage Engineer** – No objection, requests surface water and foul water drainage conditions.
27. **Trees Officer** – No objection, recommend a condition requiring a detailed Arboricultural Method Statement and Tree Protection Strategy; approved protection measures to be installed prior to works and remain in place until completion.
28. **Urban Design Officer** – objection.

Notwithstanding the fact that this is an outline application, the submitted layout should demonstrate how the site can accommodate up to 10 dwellings in a manner that respects the site context and meets the requirements of the Policy HQ/1 of the South Cambridgeshire Local Plan (2018) and South Cambridgeshire District Council's District Design Guide (2010). In this instance, the submitted layout has failed to meet these requirements. In urban design terms, the scheme is not supported because of the layout - concerns about car parking arrangements and a lack of enclosure for the street.

Representations

29. 11 letters of representation have been received, including a letter from Save The Rouses Group.
30. 5 representations are supportive of the proposal through the provision open space to the village, maintaining it for the long term and the low key nature of the development (i.e. 10 dwellings rather than 30+).
31. 5 representations object to the proposed development on the grounds of loss of valuable green space, ecology impact, local green space designation, struggling facilities within the village highway safety, motives of the submission (before any neighbourhood or village plans approved) and other development within the village. The Save The Rouses Group also raises the following points of objection:
- The easy, level access to the space and the three footpaths are crucial for the wellbeing of many in the village, allowing the space to be enjoyed as part of circular walks taking in the full range of difference landscapes and habitats in the village. Of particular importance is the visual and physical link between the recreation ground and Fort Wood as it allows all three spaces to be enjoyed together.
 - A conditional lease and covenant should be put in place before grant of the applications such that in the event of planning permission being granted, the Parish Council is assured that the County Council will honour its commitment to them.
 - Concerns of design; close proximity of houses to community space would dramatically add to the feeling of urbanisation and reduction in size, continuation of access road for future development and construction methodology.
32. 1 representation states that they have not been notified as an adjoining neighbour.

Site and Surroundings

33. The site is located outside of the Bassingbourn village framework and in the countryside; the area proposed for residential development does not abut the village framework at any point.
34. A very small portion of the red-line boundary is located within the village framework at the point of vehicular access on the western side of the site; the existing access to Clear Farm from South End. Another small portion of the red-line boundary is within the village framework on the eastern side of the site; a narrow pedestrian access from Spring Lane. This access is a public right of way.
35. The site measures approximately 2.1 hectares in size. The site currently comprises agricultural land composed of a grass field / managed meadow and is generally level. The site is bound by residential dwellings to the east which front onto Spring Lane and Knutsford Road respectively and abuts the edge of the village framework in this location. The site is bound to the west by residential dwellings which front South End, although the site boundary is separated from the village framework by approximately 38 metres. The northern boundary of the site, which is again largely separated from the edge of the village framework by approximately 25 metres, abuts the existing access to Clear Farm and an area of open space which extends north towards the village recreation ground. Directly to the south of the site is Ford Wood beyond which is relatively flat open countryside.

36. The site is located to the south east of Bassingbourn conservation area, which covers South End to the west of the site and the recreation ground to the north. Again, a very small portion of the red-line boundary is within the village framework at the point of vehicular access. There are several listed buildings around the site, most notably Clear Farm Dovecot to the north, of Grade II listing. Other Grade II listed buildings of note are nos.43 & 45 South End to the west, Barns, Coach House, Bakehouse and Maltings to the north west, Rivendell House (formerly United Reform Church Chapel) to the north and no.68 Spring Lane to the east.
37. Two public rights of way run through the eastern portion of the site. Both are designated footpaths, one running in a north-east south-west direction from South End through to Spring Lane through Ford Wood, and the second in a north-west south-east direction from the recreation ground through to Spring Lane (where the two converge).
38. The site is mainly located within Flood Zone 1 (low risk); a very small portion of the site is located in Flood Zone 3 (high risk) in the north east corner of the site.

Proposal

39. The proposal seeks outline planning permission for a residential development for up to 10 dwellings and open space provision, with all matters reserved apart from access.
40. Of the 2.1-hectare site, approximately 0.97 hectares is allocated for residential development on the western portion of the site, with the remaining 1.13 hectares to be leased to Bassingbourn Parish Council for community use as open space.
41. There would be a single point of vehicular access to the site from the existing access off South End, which currently serves Clear Farm.

Planning Assessment

42. The key planning issues relevant with respect to the proposed development are considered to be the following: Principle of development, Landscape and Countryside Impact, Housing Provision, Developer Contributions & Open Space Provision, Highway Safety & Parking, Scale Layout & Appearance, Impact on adjacent Heritage Assets, Flood Risk & Drainage, Neighbour Amenity, Trees Hedgerows and Ecology Enhancements, Loss of Agricultural Land, Archaeology, Contamination, Noise and Other Matters.

Principle of Development

43. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that proposals must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 11 of the NPPF states that proposals that accord with an up-to-date development plan should be approved without delay.
44. Policy S/2 of the Local Plan sets out the Plan objectives based on principles of sustainable development. Policy S/3 provides a presumption in favour of sustainable development. In locating new residential development, policy S/6 sets out the development strategy based on a sequential approach to development.
45. Policy S/6 of the Local Plan adopts a strategic approach which focusses development on edge of Cambridge, new settlements and in rural and minor rural centres. Development in the rural area will be limited.

46. Policy S/9 of the Local Plan identifies Bassingbourn as a Minor Rural Centre where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings is considered acceptable in principle on land within village frameworks. Officers acknowledge that the level of development proposed falls below the indicative maximum size of 30, however, the site is not located within the village framework and therefore does not accord with the requirements of the policy.
47. The development is therefore contrary to policy S/9 as a matter of principle.
48. Bassingbourn is relatively well-served as a village as detailed in the South Cambridgeshire Services & Facilities Study (March 2014) and reflected in its category of a Minor Rural Centre. Officers do not consider that it would be reasonable to refuse the application on sustainability grounds, given the scale of development proposed and status of the village as a Minor Rural Centre.
49. The site is located outside of the Bassingbourn village framework and in the countryside. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted. There is no Neighbourhood Plan in force and the proposed use clearly falls outside the listed exceptions.
50. Officers acknowledge that a neighbourhood area has been designated for Bassingbourn-cum-Kneesworth and the Neighbourhood Plan is currently being prepared. At this stage no weight can be attached to the Neighbourhood Plan.
51. The sub-text to policy S/7 states that development frameworks define where policies for the built-up areas of settlements give way to policies for the countryside. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages. As a matter of fact, the site is clearly regarded as part of the wider open countryside to the south of the village and residential development of the scale proposed will result in a loss of countryside.
52. Furthermore, officers note that the area of the site to be developed is spatially divorced from the village framework; the development therefore cannot be considered to be a direct extension of the existing village but significant encroachment into the open and undeveloped countryside.
53. The development is therefore contrary to policy S/7 as a matter of principle.
54. Together, policies S/7 and S/9 of the South Cambridgeshire Local Plan 2018 seek to restrict growth to the most sustainable areas of the district for two reasons. Firstly, to prevent gradual encroachment on the edges of villages that would result in urban sprawl and urbanisation of the countryside. Secondly, to prevent incremental unsustainable growth where there is insufficient infrastructure to support such development. The proposal is considered to represent encroachment on the edge of a village that would result in urban sprawl and an urbanisation of the countryside.
55. The proposal would not provide a suitable site for housing, having regard to its location and very recently adopted policies in the Local Plan. On the basis of the above, the proposed development is considered to be unacceptable in principle and is contrary to adopted policies S/7 and S/9.

Housing Land Supply

56. In terms of housing land supply, the Local Plan Inspectors have concluded that the Councils' assessment of housing supply is reasonable and evidenced based. The approach to monitoring the supply of land and delivery of housing units via a joint Housing Trajectory for Cambridge and South Cambridgeshire District has also been endorsed as sound, reflecting the delivery of the joint development strategy with greater delivery in Cambridge in the early years and in South Cambridgeshire in the later years, including at the new settlements. The Inspectors confirm that the use of the Liverpool method for calculating housing supply where any early undersupply is made up over the remainder of the plan period (rather than in the following five-year period) is sound, also reflecting delivery in the mid or later years of the plan period at new settlements. The Inspectors have concluded that the appropriate buffer for five-year supply housing calculations is 20% with confirmation of a 5 year housing land supply calculation for the period 2018 to 2023.
57. The Council can now demonstrate a 6.0 year supply using Liverpool methodology.

Landscape and Countryside Impact

58. Policy HQ/1 of the Local Plan requires all new development to make a positive contribution to its local and wider context. Development proposals should, appropriate to their scale and nature, preserve or enhance the character of the local rural area and respond to their context in the wider landscape (criterion 1a).
59. As the application is in outline only, the precise design and layout of the proposed development is not known at this stage. Nonetheless, as a matter of principle, the application site is located outside of the village framework and in the open countryside, situated on the edge of the built-up area of the village. Paragraph 170 of the NPPF confirms that the countryside should be protected for its own sake and, although the design and layout of the scheme may be acceptable when taken in isolation, the proposal is still inappropriate as a matter of principle.
60. While it is noted that the Council's Landscape Officer has not raised objection to the proposed development, subject to conditions, the application site is undeveloped in nature and reads as part of the open landscape and part of the wider countryside, rather than as part of the built-up part of the village. This distinction is important.
61. It is noted in regard to the landscape impact that mitigation is needed both in respect of the adverse landscape and visual impacts, as detailed in the comments of the Council's Landscape Officer, including additional planting and a landscape buffer to the east of the residential development (to create a new green corridor through the site). However, these mitigation measures would do little to retain the existing local character of the landscape and its distinctiveness in terms of the agricultural landscape character and visual effects. This encroachment is further enhanced by virtue of the public rights of way which run through and adjacent to the site, which would enhance public viewpoints of the proposed development and its visual impact on an open and undeveloped village edge.
62. Officers acknowledge that Ford Wood to the south of the site provides a degree of natural enclosure to the site from the wider landscape, but the site nonetheless forms an important part of the countryside and rural character of the village edge. Ford Wood does not define the village edge and countryside beyond, as alluded to in section 3.1 of the Design and Access Statement, rather the site forms an important and transitional connection and part of the overall 'green lung' into the village, through the

site and to the recreation ground to the north. The importance of this connection is acknowledged in paragraph 5.26 of the Planning Statement which also highlights the importance of the green space, describing that “the illustrative layout details how a modest housing development can be developed whilst integrating large swathes of green space connecting the recreation ground and Ford Wood.”

63. Critically, the proposed development would result in encroachment into the open countryside setting of the village and result in a loss of a proportion of village edge which makes an important contribution to the landscape character and setting of the edge of the village. Officers consider that the proposal would result in a significant urbanising effect on the rural character of the area and would extend the built-up part of the village, resulting in the open and undeveloped gap between the two lines of linear development along South End and Spring Lane being partially infilled. This would result in unacceptable encroachment of a built form of development into the established rural character of the countryside.
64. The proposed development will therefore fail to either preserve or enhance the character and local rural area and fail to respond to its context in the wider landscape contrary to policies S/7 and HQ/1 (criterion a) of the adopted Local Plan.

Housing Provision

Density

65. The total site measures approximately 2.1 hectares in area, including the 1.13 hectares of open space. The residential development proposed would take place on an area of approximately 0.97 hectares; the erection of up to 10 dwellings would equate to a maximum density of 10 dwellings per hectare.
66. Policy H/8 states that housing developments including rural exception sites, will achieve an average net density of 30 dwellings per hectare (dph) in Rural Centres, Minor Rural Centre villages, and Group villages (criterion 1a). The net density on a site may vary from the above where justified by the character of the locality, the scale of the development, or other local circumstances (criterion 2).
67. While a maximum density of 10 dwellings per hectare would not comply with the requirement of at least 30 dwellings per hectare, it is considered acceptable in this case given the more rural character and appearance of the area and countryside location, complying with criterion 2 of the policy.
68. The proposal would therefore comply with Policy H/8 of the Local Plan.

Residential Space Standards

69. Policy H/12 of the Local Plan requires all new residential units to meet or exceed the Government’s Technical Housing Standards – Nationally Described Space Standard (2015) or successor document with their gross internal floor areas. Although in outline only, officers are satisfied that any properties would be able to meet these standards. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose a condition requiring the development to accord with the requirements of policy H/12.

Affordable Housing

70. The application does not propose the provision of any affordable housing.
71. The comments of the Council's Affordable Housing Team are noted. The comments refer to policy H/10, which at the time of comment was the 'Rural Exception Site Affordable Housing' policy in the submission of the Council's Local Plan for examination, which is now policy H/11 of the adopted Local Plan. The application is not considered under adopted policy H/11 as it has not been submitted as a rural exception site for affordable housing (i.e. 100% affordable).
72. Policy H/10 of the Local Plan states that all developments of 11 dwellings or more, or on development sites of less than 11 units if the total floorspace of the proposed units exceeds 1,000m², will provide affordable housing. This is to provide that 40% of the homes on site will be affordable, to address evidence of housing need and to locate in small groups or clusters distributed through the site. Policy H/10 makes exception to this requirement where it can be demonstrated that the level of affordable housing sought would make a development unviable in light of changing market conditions, individual site circumstances and development costs.
73. Paragraph 63 of the NPPF states that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
74. On 14 November 2018, a report on Local Plan Affordable Housing Threshold was reported to Planning Committee (see appendix A). The report recommended that Planning Committee take note of the different affordable housing thresholds between the adopted Local Plan 2018 (policy H/10) and the NPPF 2018 (paragraph 63) and agree that when determining planning applications, significant weight will be given to the affordable housing threshold policy set out in the NPPF paragraph 63. This recommendation was approved by Planning Committee.
75. The Town and Country Planning (Development Management Procedure) (England) Order 2015 states that "major development" means development involving any one or more of the following:
(c) the provision of dwellinghouses where —
(i) the number of dwellinghouses to be provided is 10 or more; or
(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i).
76. The application is a major development.
77. Considering the above, significant weight is given to the affordable housing threshold policy set out in the NPPF. The application is for up to 10 dwelling; the precise number is not known at this stage and the site has an area of approximately 2.1 hectares. Therefore, should the proposal benefit from support and planning consent, as it is a "major development" the provision of affordable housing would be required, irrespective of the final number developed at Reserved Matters stage.

Developer Contributions & Open Space Provision

78. 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.

79. 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.
80. The Written Ministerial Statement and PPG dated November 2014 seeks to limit Section 106 contributions secured from small scale developments of less than 10 dwellings or those where the gross floor space would not exceed 1000 square metres. No contributions in relation to open space, community facilities, education, libraries and waste could be secured from the development.

Open Space Provision

81. Policy SC/7 of the Local Plan states that all housing developments will contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities), and Informal Open Space to meet the need generated by the development in accordance with the Council's adopted standards.
82. Officers acknowledge that the proposed development includes an area of 1.13 hectares of informal open space that the applicant proposes being leased to the Parish Council, and the comments made by the Parish Council and third party representations in this respect.
83. The South Cambridgeshire Recreation and Open Space Study (July 2013) identifies that the Parish of Bassingbourn-cum-Kneesworth has a shortfall of 0.56 hectares of informal open space. However, as noted above, contributions cannot be secured from this development and the area of open space to be leased is not directly required by the proposed development.
84. The proposed provision of open space is not considered to outweigh the in-principle harm which has been identified.
85. Whilst the area of open space exceeds that which could be reasonably required from a development of this scale, and is therefore not considered necessary to make the development acceptable in planning terms, as it forms part of the development proposal the management and maintenance of this area would need to be secured via a planning obligation, should the proposal benefit from support and planning consent.

Scale, Layout and Appearance

86. Policy HQ/1 of the Local Plan requires all new development to make a positive contribution to its local and wider context. Development proposals should, appropriate to their scale and nature, be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportions and materials (criterion d).
87. The matters of scale, layout and appearance are all reserved at this stage and would be formally considered at reserved matters stage. The application is for up to 10 dwellings and an illustrative masterplan has been submitted to show how the development may be accommodated within the site. The comments of the Urban Design Officer are noted, and those from third party representations, but cannot be attached significant weight at outline stage.

88. Notwithstanding the in-principle village framework objection and the harm identified in landscape and countryside impact terms, officers consider that should the proposal benefit from support and planning consent, the proposed dwellings could be accommodate on site in a style and design which is in keeping in terms of scale, layout and appearance of the character of the surrounding area and local built form.

Impact on adjacent Heritage Assets

89. 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.”
90. 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.
91. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to preserving or enhancing the character or appearance of conservation areas.
92. Paragraph 193 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 (and the more important the asset the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”
93. Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
94. Paragraph 196 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”.
95. The nearest Listed Building is the Clear Farm Dovecot to the north of the site, which is Grade II listed. The listing for this property states:
- “TL 3243 BASSINGBOURN-CUM-KNEESWORTH SOUTH END (East Side) 20/77 Dovecot c.55 25.11.85 metres to south- east of No 29 (South End House) II Dovecot. Circa 1800. Light red brick, plain tiled roof hipped in two stages for flight entry. Boarded door facing west in round headed brick arch. Square plan. The dovecot is sited within the 'new' farmyard and buildings that replaced the original buildings burnt by discontented farm labourers in 1849.”*
96. Although in outline only, with matters of scale, layout and appearance reserved, the indicative masterplan shows the area of proposed development being spatially

divorced from the Dovecot. As noted above, the northern boundary of the site is approximately 25 metres from the framework boundary, and siting of the Dovecot. Therefore, an area of green open space is maintained separating the development site from the existing farmyard and listed Dovecot, largely preserving the key characteristics of its immediate setting.

97. Similarly, the proposed development is spatially divorced from the boundaries of the conservation area, and other listed buildings, maintaining an area of green open space around the edge of the proposed residential development and as such is considered to preserve their character and appearance.
98. Officers are satisfied that the proposal is not considered to damage the setting of the adjacent listed building, other nearby listed buildings or the conservation area given the distance and relationship of the development on the site and their significance would remain preserved.
99. The proposal is considered to accord with policy NH/14 of the Local Plan.

Highway Safety and Parking

100. Several concerns have been raised by local residents in respect of Highway safety and the potential impact of the scheme on highway safety. However, no objection has been raised by the Local Highway Authority, following the submission of additional information, subject to conditions. The applicant has demonstrated that both vehicle and pedestrian visibility splays can be achieved on both sides of the access in accordance with Manual for Streets and to the approval of the Local Highways Authority. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose the conditions and informative recommended by the Local Highways Authority to ensure the development does not result in significant harm to highway safety.
101. The application includes the proposal installation of a raised table at the South End and High Street junction. However, in consultation with the Local Highways Authority, the raised table is not required to make the development acceptable and therefore cannot be secured as part of any consent. The conditions recommended by the Local Highways Authority do not make any reference to the proposed raised table. The Local Highway Authority has in fact commented that they would seek justification as to why the applicant proposes to install the raised table at the junction of South End and High Street.
102. Although in outline only, the illustrative masterplan indicates that each property would benefit from off-road parking spaces. Officers consider that the site is of a sufficient size that any formal layout would be able to provide sufficient off-road car and cycle parking to meet the requirements of policy TI/3 of the Local Plan.
103. The proposal is therefore considered to comply with the requirements of policy HQ/1 in terms of highway safety and the traffic generated and policy TI/3 in respect of promoting sustainable modes of travel.

Flood Risk and Drainage

104. The application site lies within Flood Zone 1 (low risk), with a small area to be retained as open space within Flood Zone 3 (high risk) and has therefore passed the sequential and exemption tests as required by the NPPF.

105. The application has been subject to formal consultation with Anglian Water, the Environment Agency, the Lead Local Flood Authority and Sustainable Drainage Engineer, who raise no objection to the proposed development following the submission of additional information, subject to conditions. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose the recommended conditions to ensure the development does not result in increased flood risk and has appropriate pollution control, foul water and surface water drainage schemes in accordance with policies HQ/1, CC/7, CC/8 and CC/9 of the Local Plan.

Neighbour Amenity

106. The application is in outline only with all matter reserved at this stage; therefore, formal floor plans and elevations have not been submitted. Officers consider that the development of up to 10 dwellings on the site could be accommodated without significant adverse impacts on neighbouring properties, or any future occupiers of the proposed development. The site would be of sufficient size to ensure each property benefits from a good standard of private amenity space, in line with the recommendations of the Council's District Design Guide. Full details, consultation and assessment would take place at any Reserved Matters stage.

Trees Hedgerows and Ecology Enhancements

107. The application has been subject to formal consultation with the Council's Trees Officer who raises no arboricultural or hedgerow objection. The Council's Trees Officer has recommended a condition requiring a detailed Arboricultural Method Statement and Tree Protection Strategy. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose the recommended condition to ensure the development complies with policy NH/4 of the Local Plan.
108. The application has been subject to formal consultation with the Council's Ecology Officer and is supported by an Ecological Assessment. No objection has been raised by the Council's Ecology Officer who recommends two conditions as noted above. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose the recommended conditions to ensure the development does not result in harm to biodiversity and promotes an overall net gain, in accordance with policy NH/4 of the Local Plan and the NPPF.

Loss of agricultural land

109. The proposal would result in the loss of agricultural land (grade 2). In relation to the loss of higher grade agricultural land, policy NH/3 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 Plan
 - b) Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
110. The site is not allocated for development in the Local Plan. Officers do not consider there is a need for the development but also note that the land does not appear to be actively farmed at present and therefore do not consider the field to be in active use. Given its size and location, officers do not consider the potential conflict with policy NH/3 is so significant so as to warrant a reason for refusal.

Archaeology

111. Cambridgeshire County Council's Historic Environment Team has raised no objection to the proposed development, noting the archaeological potential of the site and recommending that the site should be subject to a programme of archaeological investigation secured by condition. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose the recommended condition to ensure the development complies with policy NH/14 of the Local Plan.

Contamination

112. The Council's Contaminated Land Officer has raised no objection to the proposed development, requesting a condition requiring a risk assessment, remediation method statement, verification report and the identification of any contamination during remediation and/or construction works that has not been considered in the remediation method statement. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose the recommended condition to ensure the development complies with policy SC/11 of the Local Plan.

Noise

113. The Council's Environmental Health Officer has raised no objection to the proposed development, subject to a number of conditions relating to a Operational Noise Minimisation Management Plan / Scheme, Traffic Management Plan, driven pile foundations, measures to minimise the spread of airborne dust, hours of work, burning of waste and lighting. Should the proposal benefit from support and planning consent, it would be reasonable and necessary to impose the recommended conditions to ensure the development complies with policies CC/6, HQ/1, SC/9 and SC/10 of the Local Plan.

Other Matters

Consultation

114. One third party comment states that they were not notified as an adjoining neighbour. However, the Council's planning system indicates that a consultation letter was generated for this property, as they were for all other adjoining neighbours. The application was also subject to two site notices, one on South End and the other on Spring Lane at the points of access, along with a press notice in the paper. Officers are satisfied that the statutory consultation requirements have been carried out. Furthermore, as the resident has provided comment on the application, they are not considered to have been prejudiced in any way during the application.

Lease Agreement

115. Several representations refer to a lease agreement between Cambridgeshire County Council and Bassingbourn Parish Council and the details it should contain. As noted above, the open space being offered cannot be secured as it is not a direct requirement, only details of its management and maintenance. The formal details of the lease would be dealt with outside of the planning application process between the relevant parties.

Local Green Space

116. Third party comments refer to the site being designated as a Local Green Space, as do those of the Parish Council. At the time of consultation, the Council's Local Plan was under examination and the application site had been put forward as a Local Green Space. However, this site was removed from the designation and is not a Local

Green Space under policy NH/12 of the Local Plan. No weight can be attached in this respect.

Other

117. One third party comment questions the timing of the submission being before any Neighbourhood of Village Plan is in place. This is not a material consideration; the application has been assessed against the relevant adopted planning policies as detailed above.

Conclusion

118. In accordance with paragraph 11 of the National Planning Policy Framework, decisions should apply a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
119. The proposed development is contrary to the recently adopted and therefore very up to date policies in the Local Plan regarding the location of housing development. Additional harm has been identified in respect of the landscape and countryside impact. These harmful impacts should be given significant weight against approval of the application. Officers note the area of open space to be leased to the Parish Council, but this is not considered to outweigh the clearly identified harm and accordingly the application is considered to amount to an inappropriate form of development and is recommended for refusal in line with the reasons set out below.

Recommendation

120. Refusal for the following reasons;

- a) The application site is located outside the village framework of Bassingbourn and in the countryside.

Policy S/7 of the South Cambridgeshire Local Plan 2018 states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted. Bassingbourn is also designated as a Minor Rural Centre by Policy S/9 of the adopted South Cambridgeshire Local Plan 2018 whereby residential development up to an indicative maximum scheme of 30 dwellings will be permitted within the village frameworks of such villages.

Consequently, the proposed development is contrary to the provisions of policies S/7 and S/9 of the adopted South Cambridgeshire Local Plan 2018 which seek to prevent gradual encroachment on the edges of villages that would result in urban sprawl and urbanisation of the countryside.

- b) The proposed residential development is located outside the Development Framework for Bassingbourn and in the defined countryside, where policy S/7 of the adopted Local Plan 2018 seeks to ensure the countryside is protected from gradual encroachment on the edge of villages.

The site is currently open and undeveloped and surrounded by a degree mature planting, most notably Ford Wood to the south. Whilst the site is not highly visible in the wider landscape, on a more local level, given the scale of

the development proposal, it would represent a significant shift from an open semi-rural character to one that is built-up. The development would thus encroach into the designated countryside causing harm to the transition between the village and the countryside contrary to policies S/7 and HQ/1(a) of the adopted South Cambridgeshire Local Plan 2018.

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 Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1911/18/OL
- Appendix A - Local Plan Affordable Housing Threshold Report

Report Author:

Michael Sexton
Telephone Number:

Senior Planning Officer
01954 713417

Local Plan Affordable Housing Threshold (Policy H/10 Affordable Housing)

Purpose

1. To inform Committee about the differences between the affordable housing threshold set out in the Local Plan 2018 (in policy H/10 affordable housing), and that in the new National Planning Policy Framework 2018 (NPPF) and recommend that significant weight be given to the national threshold in planning decision making and when planning advice is given. This is not a key decision.

Recommendations

2. It is recommended that Planning Committee:
 - a) take note of the different affordable housing thresholds between the adopted Local Plan 2018 (policy H/10) and the National Planning Policy Framework 2018 (at paragraph 63 and the glossary); and
 - b) agree that for the reasons set out in this report in paragraphs 5-16 that when determining planning applications and when giving pre-application advice that significant weight will be given to the affordable housing threshold policy set out in the National Planning Policy Framework 2018 (at paragraph 63 and the glossary).

Reasons for Recommendations

3. Through the course of the examination of the plan the Local Plan Inspector's have sought to ensure that the affordable housing threshold included in the Local Plan was in conformity with national planning policy and the modifications to the plan proposed in January 2018 about this were in conformity with national planning policy as it then stood. However in July 2018 just before the Inspector's report was published in August 2018 a new National Planning Policy Framework was published which included a different national affordable housing threshold.
4. The NPPF 2018 states at paragraph 214 that the previous NPPF from 2012 will continue to apply for the purpose of examining plans submitted for examination before the 24th January 2019. Our Local Plan was submitted for examination in 2014 and so it is understandable that the Local Plan Inspector's Report makes no reference to the NPPF 2018. Nevertheless the Local Plan Inspector in recommending plan modifications needed to ensure soundness had sought to ensure that the Local Plan affordable housing threshold was consistent with that set out in national policy as then stated in the Written Ministerial Statement 2014.

Background

5. When our Local Plan was submitted for examination in 2014 the proposed affordable housing threshold in policy H/9 'affordable Housing' was 3 dwellings or more (with such developments having to provide an affordable housing contribution). This was

very similar to the threshold included in our then adopted Development Control Policies plan.

6. In 2014 a Written Ministerial Statement (WMS) was published stating:

*“Due to the disproportionate burden of developer contributions on small scale developers, **for sites of 10-units or less**, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought.” (bold emphasis added)*

7. Between 2014 and 2017 this Council had some success in defending the lower affordable housing threshold in its adopted Development Control policies plan through a series of planning appeals. However in January 2017 the Local Plan Inspector wrote to the Council on this threshold issue following the Local Plan hearing into policy H/9 ‘Affordable Housing’ stating:

“the application of the threshold of 3 or more dwelling units across the District represents a substantial departure from the WMS”.

The letter went on to note that local affordable housing delivery would be reduced as a consequence of the need (for the Local Plan) to be consistent with the minimum threshold in the WMS. Officers sought to advance reasons why the WMS should not be followed locally but were not successful, the Inspector’s eventually concluding in October 2017:

“We are therefore inviting the Council to amend the wording of the policy in order to remove the conflict with the WMS.”

8. Appropriate modifications to this effect was included in the January 2018 Main Modifications which can be read in Appendix 1 to the Inspector’s Report (Mod numbers SC194 and SC195 and as included in Appendix A to this report). The modifications were required to be made to the Local Plan in order for it to be found ‘sound’ by the Inspector’s. Paragraph 114 of their report stating:

“Policy H/9 requires all developments which increase the net number of homes on a site by 3 or more to provide affordable housing. For the reasons given in our interim findings (RD/GEN/390) SC194 and SC195 are necessary to increase the threshold to ensure conformity with national policy which requires that affordable housing should not be sought from developments of 10 units or less.”

9. In the Local Plan adopted on the 27th September policy H/9 is now numbered as policy H/10. The threshold in the policy is consistent with that given in the Inspector’s Report Appendix 1 whereby developments of **11 or more homes** are required to provide affordable housing which wording is also consistent with that in the WMS of 2014.

10. In July 2018 the new NPPF was published coming into immediate effect. Relevant extracts from the NPPF are included in this report as Appendix B. When the policy text in paragraph 63 and the definition of ‘Major Development’ given in the glossary are read together it can be seen that national planning policy towards affordable housing thresholds has evolved away from that given in the WMS. National planning policy is now that affordable housing should not be sought from developments that are not major development and the definition of which given in the glossary of the NPPF only relates to housing developments of **10 or more homes** or where the site has an area of 0.5 hectares. This policy formulation is not consistent with the Local Plan Inspector’s intention to ensure that our Local Plan policy was consistent with national planning policy.

11. It follows that the affordable housing threshold given in policy H/10 is no longer consistent with national planning policy towards affordable housing both in terms of the Local Plan policy threshold being 11 or more homes (as opposed to the NPPF threshold of 10 or more), and in its inclusion of a 1,000 sqm housing floorspace threshold (as opposed to a site area threshold of 0.5 hectares in the NPPF).

Considerations

12. Planning law requires that applications for planning permission have to be determined in accordance with the development plan, unless material considerations indicate otherwise (the development plan includes our Local Plan 2018). However the NPPF 2018 states at paragraph 212 that *“The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication”*. And paragraph 213 of the NPPF 2018 states: *“However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”*
13. In regard to the affordable housing threshold set out in policy H/10 of the adopted Local Plan 2018 it is clear that it is not consistent with the policy set out in the NPPF 2018. It follows that in planning decision making and when giving pre-application advice significant weight needs to be given to the affordable housing threshold set out in the National Planning Policy Framework 2018 (at paragraph 63 and the glossary). This point is reinforced by the fact that the Local Plan Inspector in recommending plan modifications needed to ensure soundness had sought to ensure that the Local Plan affordable housing threshold was consistent with that set out in national policy as stated in the WMS 2014.
14. Furthermore it can be noted that the Local Plan Inspector did not disagree with the viability evidence officers advanced in evidence to the Inspector’s that a lower affordable threshold than that in the WMS was normally viable across much of South Cambridgeshire or that there was not significant affordable housing need across the district (see Background Papers RD/GEN/530). On this basis there is no risk that applying the lower affordable housing threshold set out in the NPPF 2018 would have any negative impacts on the viability of housing delivery in South Cambridgeshire compared to the marginally higher threshold set out in the Local Plan at policy H/10.
15. It is therefore appropriate and necessary that when making planning decisions and when giving pre-application advice that significant weight is given to the affordable housing threshold policy set out in the NPPF.

Options

16. The only alternative option would be to seek to continue to apply the affordable housing thresholds set out in the Local Plan at policy H/10. This is not recommended as it would not be consistent with the NPPF 2018 and because to do so could lead to a small loss of much needed local affordable homes.

Implications

17. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Equality and Diversity

18. Access to affordable and quality housing can make an important contribution to household health, education and employment. Application of the national affordable housing threshold will make a marginal improvement to the provision of affordable housing in Greater Cambridge and so can be expected to have a beneficial impact on social equality.

Consultation responses

19. There has been no formal consultation involved in the preparation of this report.

Effect on Strategic Aims

A. LIVING WELL Support our communities to remain in good health whilst continuing to protect the natural and built environment

20. Access to affordable, sustainable and quality housing can make an important contribution to household health.

B. HOMES FOR OUR FUTURE Secure the delivery of a wide range of housing to meet the needs of existing and future communities

21. The provision of additional affordable housing across Greater Cambridge will help to meet the housing needs of households whose needs are not being adequately met by the market.

Background Papers

The following background papers were used in the preparation of this report:

House of Commons: Written Statement (HCWS50)

Written Statement made by: The Minister of State for Housing and Planning on 28 Nov 2014.

<https://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf>

Letter from the Local Plan Inspectors to South Cambridgeshire District Council regarding policy H/9 Affordable Housing (19/1/2017) RD/GEN/390

<https://cambridge.blob.core.windows.net/public/ldf/coredocs/RD-GEN/rd-gen-390.pdf>

Letter from the Local Plan Inspectors to South Cambridgeshire District Council regarding policy H/9 Affordable Housing (20/10/2017 at page 20) RD/GEN/530

<https://cambridge.blob.core.windows.net/public/ldf/coredocs/RD-GEN/rd-gen-530.pdf>

South Cambridgeshire Local Plan Inspector's Report (2018) & Main modifications recommended by the Inspector's (Appendix 1 of the Inspector's Report) & South Cambridgeshire Local Plan (2018)

<http://www.scambs.gov.uk/planning/local-plan-and-neighbourhood-planning/the-adopted-development-plan/south-cambridgeshire-local-plan-2018/>

National Planning Policy Framework (2018)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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Appendices:

Appendix A – Extract from the Inspector’s Report Appendix 1 showing modifications to the policy for affordable housing (was policy H/9 now policy H/10).

Appendix B – Extracts from the NPPF 2018

Appendix A – Extract from Appendix 1 of the Inspector’s Report

Mod No.	Local Plan Page	Policy / Paragraph	Proposed Modification
SC194	141	Policy H/9: Affordable Housing	Amend part 1 of Policy H/9 to read: ‘1. All developments which increase the net number of homes on a site by 3 of 11 dwellings or more, <u>or on development sites of less than 11 units if the total floorspace of the proposed units exceeds 1,000 sqm,</u> will provide affordable housing as follows.’ <i>Note: criteria a, b and c to part 1 are unchanged.</i>
SC195	142	Paragraph 7.35	Amend paragraph 7.35 to read: ‘7.35 The Council has previously operated a threshold of 2 properties, but has raised this threshold to 3 <u>has been raised in line with the Written Ministerial Statement of 28 November 2014,</u> to encourage more very small scale developments to come forward <u>development on smaller brownfield sites and to help diversify the house building sector by providing a boost to small and medium sized developers.</u> Affordable homes should be integrated with market homes in small groups or clusters to create sustainable, inclusive and mixed communities. <u>Note that a vacant building credit may apply to developments bringing vacant buildings on site back into lawful use or where such buildings are demolished as part of a development. If a vacant building credit is allowed the effect would be to reduce the expected affordable housing contribution from a site.</u> ’

Changes shown in **bold** text. Deletions ~~struck through~~. New text underlined.

Appendix B – Extracts from the NPPF 2018

63. Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount²⁸.

²⁸ Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.

Note that South Cambridgeshire is not a designated rural area.

Annex 2 Glossary

Major development⁷⁰: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

⁷⁰ Other than for the specific purposes of paragraphs 172 and 173 in this Framework.

Note that paragraphs 172 and 173 relate to National Parks, Areas of Outstanding Natural Beauty and Heritage Coastal areas only.

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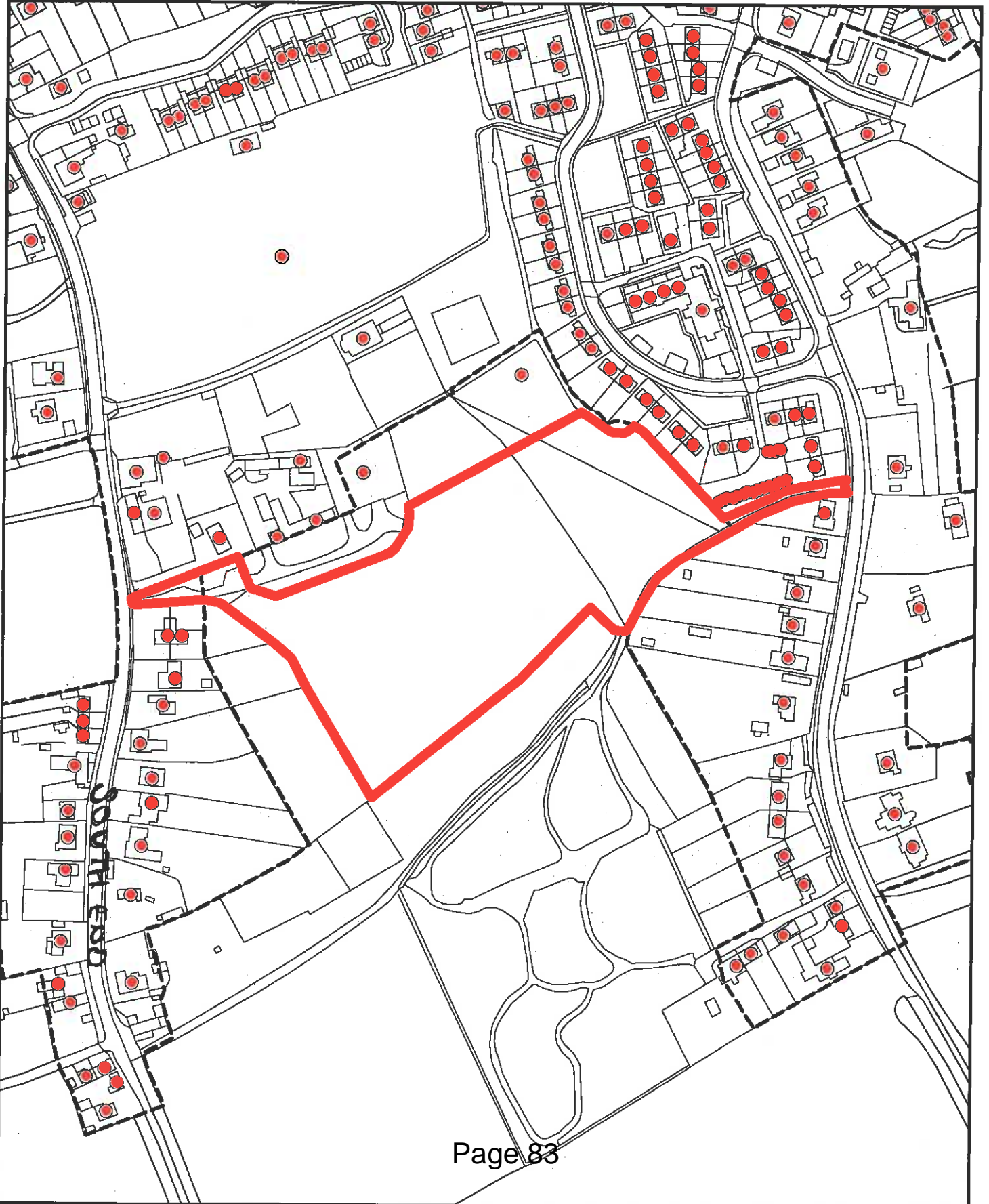
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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 12 December 2018
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2454/18/FL

Parish(es): Teversham

Proposal: Demolition of Nos. 1 and 3 Pembroke Way and replacement with two houses, two flats and one bungalow with associated car parking amenity space and landscaping

Site address: Nos. 1 and 3 Pembroke Way

Applicant(s): South Cambridgeshire District Council

Recommendation: Delegated Approval subject to s106 agreement

Key material considerations: Principle of Development
Density
Affordable Housing
Developer Contributions
Character and Appearance of the Area
Trees and Landscaping
Biodiversity
Highway Safety and Sustainable Travel
Flood Risk
Neighbour Amenity

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Karen Pell-Coggins, Senior Planning Officer

Application brought to Committee because: The Council is the applicant.

Date by which decision due: 14 December 2018 (Extension of Time agreed)

Relevant Planning History

1. S/2356/17/FL - Three Dwellings and Two Flats - Withdrawn

National Guidance

2. National Planning Policy Framework 2018
National Planning Practice Guidance

Development Plan Policies

3. **South Cambridgeshire Local Plan 2018**
 - 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/8 Housing Density
 - H/9 Housing Mix
 - H/10 Affordable Housing
 - H/12 Residential Space Standards
 - NH/2 Protecting and Enhancing Landscape Character
 - NH/4 Biodiversity
 - NH/8 Mitigating the Impact of Development In and Adjoining the Green Belt
 - CC/1 Mitigation and Adaptation to Climate Change
 - CC/3 Renewable and Low Carbon Energy in New Developments
 - CC/4 Water Efficiency
 - CC/7 Water Quality
 - CC/8 Sustainable Drainage Systems
 - CC/9 Managing Flood Risk
 - SC/6 Indoor Community Facilities
 - SC/7 Outdoor Play Space, Informal Open Space and New Developments
 - SC/9 Lighting Proposals
 - SC/10 Noise Pollution
 - SC/11 Contaminated Land
 - TI/2 Planning for Sustainable Travel
 - TI/3 Parking Provision
 - TI/8 Infrastructure and New Developments
 - TI/10 Broadband
4. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
 - Open Space in New Developments SPD - Adopted January 2009
 - Biodiversity SPD - Adopted July 2009
 - Trees & Development Sites SPD - Adopted January 2009
 - Landscape in New Developments SPD - Adopted March 2010
 - Affordable Housing SPD - Adopted March 2010
 - District Design Guide SPD - Adopted March 2010

Consultation

5. **Teversham Parish Council** – Has no comments, as amended.
6. **Trees and Landscapes Officer** – Has no objections, as amended. Comments that there are two trees subject to Tree Preservation orders that would be affected by the development. A Sycamore stands within the front gardens of dwellings in Pembroke Way and a Walnut stands directly adjacent to the site within the rear gardens of dwellings in Spurgeons Close.

A Tree Survey and Arboricultural Implications Assessment, Preliminary method Statement and Tree Protection has been submitted with the application. This document is sufficient for this stage of the application but recommends that a further detailed Tree Protection Plan is required as a condition of any consent.

7. **Landscape Design Officer** – Objects to the application, as amended, on the grounds that no landscape measures have been undertaken to mitigate the impact upon the Green Belt within the site area, the existing planting to the south would restrict light into the ground floor windows and the amenity space for Plot 5 is inadequate in size. Welcomes the retention of the TPO trees and hedge along Cherry Hinton Road and advises that these should be protected, the use of permeable paving, screened bin storage and the provision of cycle parking.

8. **Ecology Officer** – Has no objections, as amended. Comments that the site is a two dwelling semi-detached building with gardens to the front and rear.

The site is within the impact zone of a local statutory protected site but does not meet the criteria that would require consultation with Natural England. The Airport Way Road Side Verge County Wildlife Site is 250 metres to the west but given the nature of the development, distance from the CWS and intervening land use it is unlikely that this will directly impact upon the CWS.

Species records in the area indicate that there are a variety of farmland birds, bats and hedgehogs within the vicinity.

A Preliminary Ecological Appraisal and an updated bat survey letter report has been submitted with the application. The updated survey confirms the findings from the original bat survey and confirms that the conditions on site have not significantly changed and the original appraisal remains valid. This is agreed and no further surveys are required.

Although there was no evidence of roosting behaviour within the buildings, there was some low level commuting activity within the vicinity. Other constraints include possible breeding birds and hedgehogs. The recommendations within both reports are reasonable and a condition is requested in relation to compliance with the ecological measures set out in the reports. Also suggests a condition in relation to ecological enhancement measures such as bird and bat boxes, native planting and features such as log piles, insect hotels and hedgehog connectivity to achieve a net gain in biodiversity.

9. **Affordable Housing Officer** – Has no objections, as amended. Comments that Policy H/10 of the Local Plan requires developments of 11 dwellings or more, or on development sites of less than 11 units if the total floorspace of the proposed units exceeds 1,000 sq.m, to provide 40% affordable housing suitable to address local housing needs. This proposed scheme is for the demolition of 2 existing dwellings and the development of 5 new dwellings – a net increase of 3 dwellings. This proposal exceeds policy requirements in that all the dwellings proposed are for affordable housing.

The tenure mix for affordable housing in South Cambridgeshire District is 70% Rented and 30% Intermediate housing. If this policy were applied to this proposed development, it would result in a requirement for 4 Affordable Rented and 1 Intermediate dwellings. The proposal exceeds policy recommendations by delivering all 5 units as social rented housing.

As at September 2017 there were a total of 2,089 applicants registered on the housing register for South Cambridgeshire. The chart below shows their bedroom requirements and housing need:

bedroom requirements	Band A (urgent need)	Band B (high need)	Band C (medium need)	Band D (low need)	Total	%
1bed	96	153	501	424	1,174	56%
2bed	58	157	112	292	619	30%
3bed	21	110	14	94	239	11%
4bed	9	24	4	10	47	2%
5bed	5	3	0	2	10	0%
total	189	447	631	822	2,089	100%

The Housing Statistical Information Leaflet (HSIL) provides the following information on the need for affordable rented housing in Teversham:

Specific Village Local Connection	Bedroom Requirements for applicants aged under 60				Bedroom Requirements for applicants aged 60+			Total	Comparison to 2016
	1 Bed	2 Bed	3 Bed	4+Bed	1 Bed	2 Bed	3 Bed		
Teversham	13	8	5	0	3	1	0	30	+10

The S106 agreement for the development, should it be consented, should confirm that Affordable Rented Housing is to be provided within the Local Housing Allowance (LHA) cap.

The proposed mix of 2 x 1 Bed (2 Person) Flats, 2 x 2 Bed (4 Person) Houses and 1 x 1 Bed (2 Person) Bungalows is reflective of the local need in Teversham and the district need, which is for an increased demand for 1 and 2 bedroom dwellings.

All properties exceed minimum space standards and 5% of the development will be accessible and adaptable.

10. **Environmental Health Officer** – Has no objections and suggests conditions in relation to an Operational Noise Minimisation Management Plan / Scheme to include details of site wide measures to be undertaken and implemented to minimise and mitigate noise activities / operations; contractors' access arrangements for vehicles, plant and personnel; Contractors' site storage area(s) and compound(s); Parking for contractors' vehicles and contractors' personnel vehicles; Method statement for the control of debris, mud and dust arising from the development during the construction period; 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; the hours of operation of site machinery and plant and construction related deliveries; pile driven foundations, external lighting and the burning of waste. Suggests an informative with regards to a demolition notice.
11. **Drainage Officer** – Has no objections subject to conditions in relation to a scheme for the disposals of surface water and foul water that can be maintained for the lifetime of the

development.

12. **Local Highways Authority** – Comments that it will not adopt the development Requires conditions in relation to the submission of a traffic management plan ,the removal of permitted development rights for access from Plot 5 to Cherry Hinton Road, the access to be constructed so that it falls and levels are such that no private water from the site drain on to across the public highway and the access to be constructed from bound material to prevent debris spreading on to the public highway. Requests an informative with regards to works to the public highway.

Representations

13. None received, as amended.

Site and Surroundings

14. The site is located within the Teversham village framework. It is situated off the private shared driveway of Pembroke way at the junction of Cherry Hinton Road and Borely Way on the southern edge of the village. The site currently comprises an existing pair of semi-detached, two-storey dwellings at Nos. 1 and 3 Pembroke Way along with a hard surfaced shared private driveway with access off Pembroke Way. There is a Sycamore tree subject to a Tree Preservation Order on the boundary with Cherry Hinton Road along with a hedge. There is an area of landscaping with a number of trees outside the site adjacent to the boundary with Borely Way that falls within the Green Belt. The site lies within flood zone 1 (low risk).

Proposal

15. The proposal, as amended, seeks full planning permission for a residential development of five dwellings following demolition of the existing two dwellings at Nos. 1 and 3 Pembroke Way.
16. All of the dwellings would be affordable to meet local needs to replace the existing affordable dwellings. The mix would consist of 2 x one bed flats (plots 1 and 2), 2 x two bed dwellings (plots 3 and 4) and 1 x two bed bungalow (plot 5). The tenure mix would consist of 5 social rented properties.
17. The dwellings would be two-storey and single storey in scale. The designs would incorporate gable roofs. The materials of construction would be red bricks for the walls and slate grey tiles for the roof.
18. Access to the site would be via a shared provate driveway off Borely Way as existing. A new footpath link would be provided to Cherry Hinton Road. One vehicle parking space would be provided for the one bedroom flats and two bedroom bungalow and two vehicle parking spaces would be provided for the two bedroom houses. Each unit would have a cycle store.
19. The existing Sycamore tree on the site would be retained and protected.

Planning Assessment

20. The key issues to consider in the determination of this application relate to the principle of the development, housing density, housing mix, affordable housing, developer contributions and the impacts of the development upon the character and appearance of the area, biodiversity, trees and landscaping, flood risk, highway safety

and neighbour amenity.

Principle of Development

21. The site is located within the village framework of Teversham. Residential developments within village frameworks are considered acceptable in principle providing the development is of a scale, density and character appropriate to the location, and is consistent with other policies in the Local Plan; retention of the site in its present state does not form an essential part of the local character, and development would protect and enhance local features of green space, landscape, ecological or historic importance; and there is the necessary infrastructure capacity to support the development.
22. The demolition of the existing two dwellings and the erection of five dwellings within the village framework is a location where such developments are supported in policy terms.
23. The proposal would therefore comply with Policy S/7 of the Local Plan.
24. Teversham is identified as a Group Village where there a reasonable range of services and facilities and residential developments and redevelopment up to an indicative maximum scheme size of 8 dwellings is considered acceptable in principle.
25. The demolition of the existing two dwellings and the erection of five dwellings is a scale of development which is supported in policy terms.
26. The proposal would therefore comply with Policy S/10 of the Local Plan.

Housing Density

27. The site measures 0.115 of a hectare in area. The erection of five dwellings would equate to a density of 43 dwellings per hectare. This density would meet the required average density of 30 dwellings per hectare for villages.
28. The proposal would therefore comply with Policy H/8 of the Local Plan.

Affordable Housing

29. The existing two dwellings to be demolished are affordable to meet local needs. The five new dwellings would also be affordable to meet local needs.
30. The dwelling type and size mix would consist of 2 x one bed flats (plots 1 and 2), 2 x two bed dwellings (plots 3 and 4) and 1 x two bed bungalow (plot 5). The tenure mix would consist of 5 social rented properties (100%). This is supported and would be reflective of the local need in Teversham and the district need, which is for an increased demand for social rented 1 and 2 bedroom dwellings. A Section 106 agreement would be secured to ensure that the dwellings would remain affordable in perpetuity.
31. All properties exceed minimum space standards and at least one dwelling (5% of the development) will be accessible and adaptable.
32. The proposal would therefore comply with Policies H/9, H/10 and H/12 of the Local Plan.

Developer Contributions

33. Policy TI/8 of the Local Plan states 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.
34. 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.
35. The need for contributions towards open space, community facilities, education, health and waste receptacles could be considered necessary in this case to make the development acceptable in planning terms. However, the Written Ministerial Statement (WMS) dated 28 November 2014 that states due to the disproportionate burden of developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought is a material consideration in relation to this matter.
36. The development is for five dwellings that has a combined gross floor space of 320 square metres. This would fall under the threshold set out above.
37. Whilst the proposal would not therefore accord with Policies SC/6, SC/7, SC/8 and TI/8 of the emerging Local Plan, it would accord with the WMS. This material consideration should be given significant weight due to compliance with national policy that would outweigh local policy.

Character and Appearance of the Area

38. Borely Way is a modern development that is situated on the southern edge of the village. The majority of the development is located within the village framework but part of the road and the existing landscaping to the front of dwellings within the shared private driveway of Pembroke Way fall within the Green Belt and countryside. The main village is to the north and there is open grassland and the village recreation ground to the south.
39. The development comprises a linear pattern of development of mainly pairs of semi-detached and detached two storey dwellings set back from the road behind hard surfaced parking areas and small front gardens as well as some garages. The designs of the dwellings are simple with ridgelines parallel to the road or comprise gables. The materials of construction include red bricks, buff bricks and some render for the walls and slate tiles, pantiles and plain tiles for the roofs.
40. The proposal would result in the replacement of the existing pair of semi-detached dwellings with a pair of semi-detached two storey dwellings and a detached two storey building that would comprise two flats. A new single storey bungalow would be introduced to the front of the site.
41. The siting of the two storey buildings would be in keeping with the existing slightly staggered line of two storey dwellings along Borely Way being set back from the road behind gardens. The single storey dwelling would set further forward in a similar position to the existing garages along Borely Way. Whilst it is acknowledged that the

bungalow is a larger building than a garage, it is not considered to result in a visually dominant development that would be out of keeping with the character and appearance of the area or have an adverse effect upon the open and rural character of the Green Belt. This is because it would be partially screened from the road and the main open and rural part of the Green Belt in terms of the grassland opposite the site by existing landscaping in the form of a hedge and trees. Two trees and the landscaping would be retained and one tree would be replaced as part of the development that would be secured under a condition of any consent.

42. The form and design of the dwellings would be simple with a linear footprint and single storey monopitch front elements with ridgelines parallel to the road to reflect the character of the existing dwellings at Nos. 5 and 7 Pembroke Way. The materials would comprise red brick and slate tiles to match surrounding dwellings.
43. Each dwelling would have a small garden and provide adequate amenity space for the units. Although the garden to the bungalow would not comply with the advice set out in the District Design Guide that seeks a ideal space of 50 square metres, it is not considered insufficient in size to warrant refusal of the application and would be similar in size to gardens in the locality.
44. The proposal would therefore comply with Policies HQ/1 and NH/8 of the Local Plan.

Trees/ Landscaping

45. The site comprises a Sycamore tree on the Cherry Hinton Road frontage and a Walnut tree adjacent to the gardens of properties in Spurgeons Avenue that are protected by a Tree Preservation Order. There are also three trees within a landscaped area between Pembroke Way and Borely Way.
46. The development is not considered to result in the loss of any important trees that make a significant contribution to the visual amenity of the area.
47. The existing protected trees would be retained along with two trees within the landscaped area. However, one tree within the landscaped area would be removed and replaced.
48. A Tree Survey and Arboricultural implications Assessment, Preliminary method Statement and Tree Protection Plan has been submitted with the application. This document is sufficient for the site at this stage but a condition is required to be attached to any consent to secure a detailed Arboricultural Method Statement and Tree Protection Strategy to ensure the protected trees are retained.
49. The proposal would therefore comply with Policy NH/4 of the Local Plan.

Ecology

50. The site comprises two existing dwellings and their gardens together with an area of hard and soft landscaping.
51. A Preliminary Ecological Appraisal and an updated bat survey letter report were submitted with the application. The reports have not shown any evidence of bat roosts within the building but has identified a low level commuting activity within the vicinity. Other constraints on the site include possible breeding birds and hedgehogs.
52. No further surveys are required and the recommendations within both reports are

reasonable. Conditions would be attached to any consent to secure the recommendations and ecological enhancement to achieve a net gain in biodiversity.

53. The proposal would therefore comply with Policy NH/4 of the Local Plan.

Highway Safety and Sustainable Travel

54. Borely Way is a residential estate road that has a speed limit of 30 miles per hour. The access to Pembroke Way is close to the junction of Cherry Hinton Road.
55. The proposal would result in an increase in traffic in the area. However, the increase is not considered significant to the extent that it would adversely affect the capacity and functioning of the public highway.
56. The main access from Borely Way would measure 5 metres in width that would allow two vehicles to pass.
57. Vehicular visibility splays measuring 2.4 metres from the edge of the carriageway to the bend in the road on Borely Way would be provided to the east and to the junction with Cherry Hinton Road would be provided to the west. This would accord with Local Highway Authority standards.
58. Conditions would be attached to any consent to secure a traffic management plan during construction. It should be noted that the Council would not adopt the road.
59. Two vehicle parking spaces would be provided for each two bedroom house and one vehicle parking space would be provide for each one bedroom flat and the bungalow.
60. The Council's indicative parking standards require 2 vehicle parking spaces per dwelling with 1 space to be allocated within the curtilage.
61. The level of parking on the site is considered satisfactory given the size of the units and Borley Way has unrestricted on street parking that could accommodate any additional vehicle parking required above the spaces provided on site.
62. The development would therefore comply with Policies HQ/1, TI/2 and TI/3 of the Local Plan.

Flood Risk

63. The site is located within Flood Zone 1 (low risk). It is in an area where there is not a high risk from fluvial flooding and groundwater flooding.
64. A Drainage Assessment report has been submitted with the application. The development would increase the impermeable area on the site. Surface water drainage is proposed to be discharged by infiltration to two soakaways located under the private shared driveway or alternatively an attenuation tank with flow restrictor and then to the surface water sewer given. There is no space on site for a water body. Given the scale of the development, it is considered appropriate to attach a condition to any consent to agree the precise details of the method of surface water drainage including the size of the attenuation on site and the maintenance of the system.
65. The proposal is not therefore considered to increase the risk of flooding to the site and surrounding area.

66. The proposal would therefore comply with Policies CC/8 and CC/9 of the Local Plan.

Neighbour Amenity

67. No. 9 Cherry Hinton Road has a kitchen and bedroom window in its rear elevation and a rear garden.

68. The development is not considered to result in an unduly overbearing mass or significant loss of light that would adversely affect the amenities of that neighbour given that plots 1 and 2 would be orientated to the south east of this property and away from the habitable room window and main garden area to that neighbour which is located adjacent to the gardens of Plots 1 and 2.

69. The existing dwelling at No. 5 Pembroke Way has door in its side elevation and a driveway to the side. It has a single storey extension at the rear and habitable room windows in its rear elevation.

70. The development is not considered to result in an unduly overbearing mass or significant loss of light that would adversely affect the amenities of that neighbour given that plot 4 would be orientated to the north west of this property and would only just obstruct the part of the 45 degree angle of view from the first floor windows of that property. This relationship is considered acceptable.

71. The dwellings on plots 1,2, 3 and 4 would be situated 7 metres off the boundary with the dwellings in Spurgeons Close and 19 metres from the main rear elevations of those properties. No. 2 has a single storey rear element that is 10 metres off the boundary with a patio area to the rear.

72. The development is not considered to result in overlooking from the first floor windows of plots 1 and 2 that would lead to a severe loss of privacy due to the nearest window serving a kitchen that would have an oblique angle of view at a distance of 17 metres away.

73. The trees within the landscaped area adjacent to plot 5 are not considered to result in a significant loss of light given their position in relation to the windows.

74. Conditions would be attached to any consent in relation to the hours of use of power operated machinery during construction and construction related deliveries, an Operational Noise Minimisation Management Plan, contractors' access arrangements for vehicles, plant and personnel, Contractors' site storage area(s) and compound(s); parking for contractors' vehicles and contractors' personnel vehicles and a method statement for the control of debris, mud and dust arising from the development during the construction period, pile driven foundations and potential air source heat pumps to minimise the noise impact upon neighbours.

75. The proposal would therefore comply with Policies HQ/1 and SC/10 of the Local Plan.

Other Matters

76. A condition would be attached with regards to a satisfactory method of foul water drainage to comply with Policy CC/7 of the Local Plan.

77. Conditions would be attached to any consent in relation to renewable energy measures and water conservation to ensure the proposal would comply with Policies CC/3 and CC/4 of the Local Plan.

78. A condition would be attached to any consent in relation to the provision of infrastructure for broadband to comply with Policy T/9 of the Local Plan.

Conclusion

79. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

80. It is recommended that the Planning Committee grants officers delegated powers to approve the application subject to a Section 106 agreement and the following conditions:

Conditions

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: Drawing numbers 1377-P2-500 Revision B, 1377-P2-501 Revision E, 1377-P2-010 Revision A, 1377-P2-011 Revision A, 1377-P2-200 Revision A and 1377-P2-012 Revision C.

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

c) 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 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 HQ/1 of the adopted Local Plan 2018.)

d) No development above base course 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 shall be completed before the development 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 HQ/1 of the adopted Local Plan 2018.)

e) No development shall be occupied until full details of both hard and soft landscape works 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 Policy NH/4 of the adopted Local Plan 2018.)

f) 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 Policy NH/4 of the adopted Local Plan 2018.)

g) Before any works on site commence including archaeology, a detailed Arboricultural Method Statement and Tree Protection Strategy shall be submitted to and approved in writing by the Local Authority, including details of timing of events, protective fencing and ground protection measures. This should comply with BS5837. The tree protection measures shall be installed in accordance with the approved tree protection strategy before any works commence on site. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.

(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 Policy NH/4 of the adopted Local Plan 2018.)

h) The development shall be carried out in accordance with the recommendations in the Preliminary Ecological Appraisal dated February 2016 by Greenwillows Associates Ltd and the Bat Survey letter dated 18 May 2018 by Greenwillows Associates Ltd.

(Reason - To minimise disturbance, harm or potential impact upon protected species and achieve biodiversity enhancement on the site in accordance with Policy NH/4 of the adopted Local Plan 2018.)

i) No development shall be occupied until a scheme of ecological enhancement 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 enhance ecological interests in accordance with Policy NH/4 of the adopted Local Plan 2018.)

j) The development, hereby permitted, shall not be occupied until the provision of the vehicle parking and turning spaces shown on drawing number 1377-P2-501 Revision E. The vehicle parking and turning space shall thereafter be retained.

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

k) 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 - In the interest of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

l) The proposed access 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 HQ/1 of the adopted Local Plan 2018.)

m) 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.

The development shall be carried out in accordance with the approved details.

(Reason - In the interest of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

n) Development shall not commence until a detailed surface water scheme for the site based upon sustainable drainage principles and maintenance scheme for the lifetime of the development 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 is completed.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/8 and CC/9 of the adopted Local Plan 2018.)

o) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage and maintenance scheme for the lifetime of the development 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 CC/7 of the adopted Local Plan 2018.)

p) No development above slab level shall commence until a renewable energy statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

(Reason - To ensure an energy efficient and sustainable development in accordance with Policy CC/3 of the adopted Local Plan 2018.)

q) No development above slab level shall commence until a water conservation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

(Reason - To ensure a water efficient and sustainable development in accordance with Policy CC/4 of the adopted Local Plan 2018.)

r) No construction site machinery or plant shall be operated, no noisy works shall be carried out 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 SC/10 of the Local Plan 2018.)

s) Prior to commencement of development (other than the demolition of the existing buildings) an Operational Noise Minimisation Management Plan / Scheme shall be submitted in writing to the Local Planning Authority for approval. This shall include details of site wide measures to be undertaken and implemented to minimise and mitigate noise activities / operations as far as is reasonably practicable. The approved plan / scheme shall be retained thereafter unless otherwise approved in writing by the Local Planning Authority and shall be reviewed and revised as necessary at the reasonable request of the Local Planning Authority following the receipt of any justified noise complaints.

(Reason - To minimise noise and disturbance to neighbours in accordance with Policy SC/10 of the Local Plan 2018.)

t) No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- i) Contractors' access arrangements for vehicles, plant and personnel;
- ii) Contractors' site storage area(s) and compound(s);
- iii) Parking for contractors' vehicles and contractors' personnel vehicles;
- iv) Method statement for the control of debris, mud and dust arising from the development during the construction period.

(Reason - To minimise noise and disturbance to neighbours in accordance with Policy SC/10 of the Local Plan 2018.)

u) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the Local Planning 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 minimise noise and disturbance to neighbours in accordance with Policy SC/10 of the Local Plan 2018.)

v) In the event of an air source heat pump being proposed, prior to the commencement of development, a noise impact assessment and insulation scheme detailing the technical details and sound power/noise output of the air source heat pump and any mitigation measures 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 minimise noise and disturbance to neighbours in accordance with Policy SC/10 of the Local Plan 2018.)

w) The development, shall not be occupied until covered and secure 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 TI/3 of the adopted Local Plan 2018.)

x) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (England) (or any order revoking and re-enacting that Order with or without modification), no development within Classes A and B of Part 1 of Schedule 2 of the Order shall take place on all plots and Class B of Part 2 of Schedule 2 of the Order shall take place on the site on to Cherry Hinton Road expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of highway safety and to safeguard the privacy of neighbours in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

y) Notwithstanding the approved plans, 5% of the dwellings, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

(Reason - To ensure the units are accessible and adaptable in accordance with Policy H/9 of the adopted South Cambridgeshire Local Plan 2018).

z) Prior to the first occupation of the development, infrastructure to enable the delivery of broadband services to industry standards should be provided for each of the dwellings.

(Reason – To support the implementation of the South Cambridgeshire Economic Development Strategy in accordance with Policy TI/10 of the adopted South Cambridgeshire Local Plan 2018.)

Section 106 agreement

a) Affordable Housing

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.

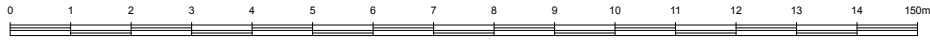
- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File References: S/2454/18/FL

Report Author:

Karen Pell-Coggins
Telephone Number:

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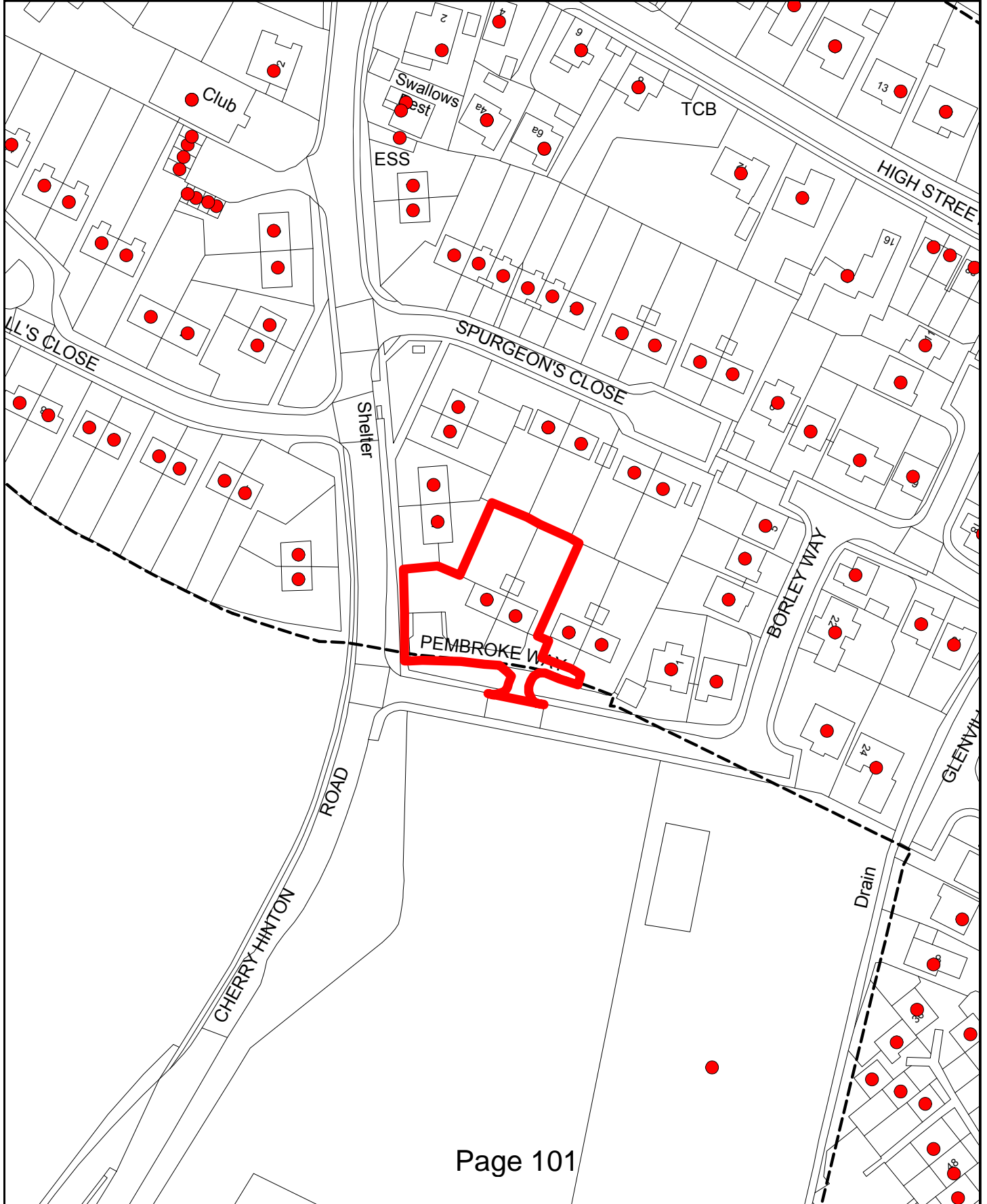
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Date of plot: 23/11/2018



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Agenda Item 10

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 12 December 2018
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2281/18/RM

Parish(es): Cottenham

Proposal: Approval of reserved matters for access, appearance, landscaping, layout and scale following outline planning permission S/1606/16/OL for the erection of up to 121 dwellings, formation of a new vehicular and pedestrian access onto Oakington Road and associated infrastructure and works

Site address: Land Off Oakington Road

Applicant(s): Persimmon Homes (East Midlands) Ltd.

Recommendation: Approval

Key material considerations: Affordable Housing
Market Housing Mix
Impact on Landscape and Local Character
Ecology, Trees and Hedging
Highway Safety
Flood Risk
Archaeology
Neighbour Amenities
Heritage Assets

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Karen Pell-Coggins, Senior Planning Officer

Application brought to Committee because: The officer recommendation of approval conflicts with the recommendation of Cottenham Parish Council

Date by which decision due: 14 December 2018 (Extension of Time agreed)

Planning History

1. **Site**

S/0907/18/RM - Reserved Matters application for 126 dwellings and associated works following Outline planning permission S/1606/16/OL for the erection of up to 126 dwellings, formation of a new vehicular & pedestrian access onto Oakington Road and associated infrastructure and works - Withdrawn

S/1606/16/OL - Outline planning permission for the erection of up to 126 dwellings, formation of a new vehicular & pedestrian access onto Oakington Road and associated infrastructure and works (All matters reserved apart from access) - Approved

2. **Adjacent Sites**

Oakington Road

S/3615/17/RM - Application for approval of reserved matters for access, appearance, landscaping, layout and scale following outline planning permission S/1952/15/OL for the demolition of existing barn and construction of up to 50 dwellings - Approved

S/1952/15/OL - Outline application for the demolition of existing barn and construction of up to 50 dwellings with all matters reserved except for access at Land at Oakington Road - Approved

S/4548/17/OL - Outline planning permission for the erection of up to 23 residential units, including affordable housing provision, public open space and associated access, infrastructure and landscaping with all matters reserved except for access – Refused

Rampton Road

S/2413/17/OL - Outline application for the erection of up to 200 residential dwellings (including up to 40% affordable housing) and up to 70 apartments with care (C2), demolition of no.117 Rampton Road, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access points from Rampton Road and associated ancillary works. All matters reserved with the exception of the main site accesses - Approved

S/1411/16/OL - Outline application for the erection of up to 200 residential dwellings (including up to 40% affordable housing) and up to 70 apartments with care (C2), demolition of No. 117 Rampton Road, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access points from Rampton Road and associated ancillary works. All matters reserved with the exception of the main site accesses - Approved (Decision quashed)

S/1818/15/OL - Outline application for the erection of up to 225 residential dwellings (including up to 40% affordable housing) and up to 70 apartments with care (C2), demolition of No. 117 Rampton Road, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access points from Rampton Road and associated ancillary works. All matters reserved with the exception of the main site accesses - Refused (Appeal Submitted)

S/2876/16/OL - Outline Planning Application for residential development comprising 154 dwellings including matters of access with all other matters reserved at Land North East of Rampton Road - Appeal Allowed

Environmental Impact Assessment

3. The outline application for the site was screened and an Environmental Impact

assessment was not required.

National Guidance

4. National Planning Policy Framework 2018
National Planning Practice Guidance

Development Plan Policies

5. **South Cambridgeshire Local Plan 2018**
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/7 Development Frameworks
S/8 Rural Centres
HQ/1 Design Principles
H/8 Housing Density
H/9 Housing Mix
H/10 Affordable Housing
H/12 Residential Space Standards
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/14 Heritage Assets
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/9 Managing Flood Risk
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
6. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
Cottenham Village Design Statement - Adopted November 2007

Consultation

9. **Cottenham Parish Council** – Minded to recommend refusal, as amended, and has the following comments: -
 - i) Concerns regarding transparency of the drainage information – the new raw data provided for the water table etc. is unintelligible to most people.
 - ii) Inconsistencies between the drainage maps and the site layout so we question the validity of the information and the contours of the site aren't included.
 - iii) There is still a query regarding the legal rights of potential residents to use the proposed pedestrian/emergency access onto Rampton Road – we've never had a definitive answer over ownership.

If approved we would like the design and validation of the SUDS to be conditioned. Should recommendation be made we'd like the application taken to Committee.

10. Originally had the following comments: -

- i) Infiltration – inconsistent information on water course with the D&A statement. Ponds in south east of the site are very separate from the main development and due to the topography the water would need to go sideways and uphill.
- ii) Bulk of the estate appears to be roads that County Highways won't adopt or maintain. Persimmon have a poor history in Cottenham of getting roads adopted. Very little information provided regarding how the permeable surfaces will be maintained to ensure they work adequately in perpetuity.
- iii) Concerns re the unsatisfactory management of the play area.
- iv) No proof provided that the pedestrian access road onto Rampton Road belongs to the site and no info provided regarding maintenance and adoption of said access.
- iv) Concerns re. size of some of the houses, which are smaller than national guidelines. Noted that if build 1 bedroom houses they don't have to provide open space.
- v) Onsite open space is too small – have included SUDs in the calculation.
- vi) Too much frontage parking and not enough parking spaces in general (average number of cars per house in Cottenham is 3). Given the snaking nature of the 'main' road, with inadequate parking this could become a safety issue.
- vii) Trees: noted that screening has gone from the SW edge and more trees should be planted in the gardens.
- viii) Good mix of houses but a few too many occurrences of same types together. Lots of the affordable housing is bunched at one end of the development and needs to be further pepper potted around the site.
- ix) In general there appears to be a lot of general reliance on Building Control to ensure that everything is up to scratch and we doubt, given the sophisticated scheme like this, it will be enforced adequately – there are already several issues on the neighbouring Bellway site.
- x) Concerns re badger provision.

11. **Landscape Design Officer** – Comments are awaited and will be reported in the written update or verbally at the meeting.

12. **Trees and Landscapes Officer** – Has no objections, as amended. Comments that the arboricultural implications assessment and method statement has been submitted and the tree protection plan is sufficient for the proposal. However, has concerns in relation to the range of tree planting and advises that a diversity of tree planting is required with trees of greater interest and landmark trees. Recommends a condition in relation to landscaping to be attached to any consent.

13. **Urban Design Officer** – Has the following comments, as amended: -

Layout

There has been some improvement to the layout with a reduction in the number of parking spaces in front of properties. It is however disappointing that there are still a significant number of dwellings with parking in front which impacts on the amount of enclosure to the street. Pulling some of the adjacent buildings forward to screen blocks of parking to provide a stronger built edge would be helpful such as Plots 87-89,99 and 106.

Planting strips 9 (2m wide) are proposed between car bays to screen perpendicular parking bays. It is considered that the planting could be vulnerable to damage by pedestrians accessing their vehicles. It is therefore recommended that the parking bays are grouped in twos with larger planting bays between that would allow for more substantial planting (specimen trees and hedging).

Improvements should also be made to the relationship of the perpendicular parking bays to the front of the property(s). Cars will be parked only 1m away from the front door and windows. Where possible the houses should be set back with buffer planting between the car and house path. There may be such an opportunity by removing the footway adjacent to the hedge (from Plot 69 to the turning head) on the north boundary which does not serve any units. This would allow the carriageway to move closer to the boundary and give more space in front of units 100-105 to create this landscape buffer between cars and buildings.

Boundary Hedging

The plan indicates a hedging along part of the south east boundary to the Bellway site and south east of Plots 93, Blocks 94-98 and 117-121 and Plot 116. No details seem to be provided on any plan of the hedgerows. Details of these hedgerows/ boundary planting should be provided along with information on the management of the hedgerows. The hedge along the Bellway boundary should also continue along the full length of this boundary i.e. behind Plots 52 -55 to join with the hedging to the rear of properties on The Rowells /Worland Way. It is also suggested that this hedge links with the hedgerow to the side of Plot 93 to create a wildlife corridor. A condition on the application will need to be applied that requires further details on the hedges, together with planting plans and maintenance proposals to be submitted and agreed by the LPA prior to the construction of the dwellings together with a requirement that the hedge is contiguous from the substation /Plot 19 to Worland Way.

Connections

A condition or unilateral undertaking must be required on the development to provide an adoptable footway/ cycleway link from the turning head serving plots 56, 70-73 to the north boundary of the site. Details and position to be agreed with the Local Planning Authority. This will facilitate access to the play area from the adjoining site which has outline consent

Elevations

There have been some improvements in the elevations of some house types. I still have concerns with the design of the integral garage house types as the garage doors are too dominant a feature in the front elevation.

The elevations indicate rafter feet i.e. open eaves, and some gable ends have clipped verges / wet verges. The developer should provide details on the treatment of the verge and eaves at a scale of not less than 1:20(condition). These details to be submitted to and by the LPA prior to the construction of the dwellings

Details of all windows, doors, reveals, brick features, cills bays and porches at a scale of not less than 1:20 should also be submitted to and approved by the LPA prior to the construction of the dwellings

Materials

Bricks – Cannot find any information on the Anstone and Langold bricks. Stock Bricks similar to the traditional range found in this area of Cambridgeshire will be expected
Tiles – The mini Stonewold has a thick leading edge and has the dimensions of a tile.
Grey roofs are traditionally in slate and a reconstituted slate to replicate the

appearance of traditional roofs would be more appropriate
Brown pantiles are also not typical of roofs in the region and the brown is very dull.
Indeed, pantiles should be used sparingly as most properties in Cottenham are roofed
in plain tiles or slates. Where pantiles are proposed roofs should be simple as
changes in plane can appear unsatisfactory, so it is best to avoid dormers and hips.

Samples and details of all materials must be submitted and approved by the LPA prior
to the construction of the dwellings

14. **Ecology Officer** – Has no objections, as amended. Comments that the previous
submission of this reserved matters application had overlooked integral ecological
features which were part of the discharge of condition 15 (ecological enhancement)
and condition 12 (badger mitigation). The new submission has addressed those
issues.

A designated badger corridor runs from the southeast to the north west boundary. At
approximate 150 m into the site the corridor crosses an access road. An indication
has now been made of the approximate location of a suitable badger tunnel, which will
protect badgers from RTA incidents (see drawing no: ORC-PL-002 Planning Layout).

In response to concerns raised regarding the actual buffer distances between the
badger sets and development. The applicant has submitted the results of a further
badger survey and mitigation strategy (MKA Ecology, May 2018). The results of the
survey have shown that temporary closures of setts will be necessary to avoid
disturbance of badgers during the construction phase. This will require a licence from
Natural England to be issued. Provision of suitable foraging habitat within the land
adjacent to setts 1 and 2 has also been included. Satisfied that attention has been
paid the buffer zones around the active and part active setts and badger mitigation
can be further scrutinised through the discharge of condition 12 (badger mitigation)
should it be necessary.

A small wetland area has been indicated on the planning layout. It does not appear to
be connected to the SUDs network and is a stand alone wetland that will be designed
to hold water (clay lining for example). Details of this design can be scrutinised
through discharge of condition 15; satisfied that provision has been made within the
layout for it.

The ecological enhancements submitted in relation to condition 15 should provide
evidence of biodiversity enhancement and a net gain in biodiversity.

15. **Historic Buildings Officer** – Has no objections. Comments that the highway affects
the setting of the Moretons Almshouses (grade II listed) are approved and do not form
part of this application. The development would have a slight impact upon views
towards Tower Mill (grade II listed) but there would be negligible impact upon the
significance of the heritage asset and there will be no impact upon the conservation
area.
16. **Environmental Health Officer** – Comments are awaited and will be reported in the
written update or verbally at the meeting.
17. **Contaminated Land Officer** – Comments in relation to contamination were made on
the outline application and a condition placed on the decision notice. No further
conditions are required.
18. **Drainage Officer** – Has no objections as amended subject to a condition in relation to

the maintenance and management of the surface water drainage scheme.

19. **Affordable Housing Officer** – Has no objections as amended. Comments as follows:

Adopted Policy H/10 states that all developments of 11 dwellings or more will provide 40% affordable housing suitable to address local housing needs. This amended scheme is for 121 dwellings, therefore 48 would need to be affordable. The amended Housing Statement supporting this application demonstrates the delivery of 48 Affordable homes.

The tenure mix for affordable housing in South Cambridgeshire District is 70% Rented and 30% Intermediate housing. The applicants proposed mix below is broadly consistent with the previously advised mix and is acceptable.

Bedroom requirements	Plot type	Tenure mix		Total affordable
		Rent	Intermediate	
1bed	Aster Mew	10	0	10
2bed	P71 (LTH)	20	6	26
3bed	P81 (LTH)	2	4	6
4bed	1162	1	5	6
	Total	33	15	48

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. However with 5 Year Land Supply sites such as this, there is also a requirement to address local housing need. As a starting point for discussions on the requirement for a local connection criteria on 5 year land supply sites:

- i) The first 8 affordable homes on each 5 year 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.
- ii) 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.

The locally arising housing needs (December 2017) for Cottenham is set out in the table below. The advised Affordable Housing Mix reflects the differences between local and district wide need, especially with regard to the requirement for fewer 1 bed and more 2 bed properties. Compared to 2016 the locally arising housing need has increased by an additional 28 households.

Bedroom Requirements for applicants aged under 60				Bedroom Requirements for applicants aged 60+			Total
1 Bed	2 Bed	3 Bed	4+Bed	1 Bed	2 Bed	3 Bed	
29	31	11	1	25	1	0	98

Adopted Policy H/9 (3) states '5% of homes in a development should be built to the accessible and adaptable dwellings M4(2) standard rounding down to the nearest whole property. This provision shall be split evenly between the affordable and market homes in a development rounding to the nearest whole number.' This would equate to 6 dwellings on the proposed development in total, with two of these (40% of the total) being affordable housing.

The applicants proposal exceeds the above requirement delivering 32 of the 48 affordable dwellings (26 no. plot types P71 – 2 beds and 6 no. plot type P81 – 3beds) to 'Lifetime Homes' standards.

Adopted Policy H/12: Residential Space Standards requires that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document (NDSS). The applicant has revised the unit sizes in this application for the unit types P71, P81 and 1162. These unit types now all meet NDSS for the affordable housing within the application with the exception of the Aster Mews type as shown below:

type	M2	floors	bedspaces	NDSS m2
Aster Mews	48	2	2	58
P71 (LTH)	79	2	4	79
P81 (LTH)	93	2	5	93
1162	113	3	6	112

Although the Aster Mews 1 bed properties should, as 2 storey dwellings, have a minimum gross internal floor area of 58m² to comply with the Nationally Described Space Standards as shown on the layout drawing (ASM-VH-PD-01) the internal floor area is sufficient for a 1 bed 2 person property, as evidenced by the variant type shown on the first floor in drawing ASF-VH-PD-01. Furthermore the applicant has provided evidence from a Registered Provider (Cross Keys) confirming the acceptability of this unit type for their affordable housing tenants. The Affordable Homes service is therefore satisfied that the unit types sizes and layouts are all acceptable as an affordable housing scheme.

The amended mix and layout has been improved, with smaller clusters spread throughout the development that are consistent with the guidance within the Affordable Housing SPD.

20. **Local Highway Authority** – Requests that drawing number ORC-MCCP -001 Rev A is not approved as the Local Highway Authority will not seek to adopt the development. Requires conditions in relation to the submission of details of the proposed arrangements for future management and maintenance of the proposed

streets within the development, the access is constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway (the use of permeable paving does not give 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), the proposed access is constructed using a bound material to prevent debris spreading onto the adopted public highway and the submission of a traffic management plan during construction. Also requests an informative with regards to works to the public highway.

21. **Cambridgeshire County Council Historic Environment Team** – Has no comments on the layout of the development and no further fieldwork requirements as the archaeological programme for the site was secured by condition 16 of application S/1606/16/OL.
22. **Cambridgeshire County Council Flood and Water Team** – Has no objections. Comments that since the objection dated 16 July 2018, updated information has been received. The design of the infiltration basins has been amended. The base of basin 2 has been raised by 300mm to ensure that the separation between the base and the recorded ground water level is at least 1 metre. The separation for basin 1 is also at least 1 metre. Drawing number PER107/200E/P and the calculations have been updated to reflect the changes. Requires a condition in relation to the long term maintenance and management arrangements for the surface water drainage system.
23. **Environment Agency** – Has no further comments beyond those considered as part of the outline application.
24. **Anglian Water** – Has no objections. Comments that it has reviewed the foul drainage strategy and flood risk documentation and the impacts upon the foul sewerage network are acceptable. Has also reviewed the surface water drainage information and considers that the impacts upon the public surface water sewerage network are acceptable.
25. **Old West Internal Drainage Board** – Has no comments as there will be no connections to the Board's system from the site.
26. **Huntingdonshire Sustainability Team** – Comments, as amended, that the water conservation information submitted is satisfactory in accordance with condition 26 of the outline consent but requires further information for renewable energy in accordance with condition 27 of the outline consent.
27. **Crime Prevention Design Officer** – Comments that the layout is acceptable in terms of crime prevention and community safety as it would high levels of natural surveillance from most of the homes facing each other and overlooking the open spaces and play area. Vehicle and pedestrian routes are mainly aligned together and well overlooked. Permeability has been limited to essential areas/ access routes only. Vehicle parking is mainly within the curtilage to the front/sides of properties with some natural surveillance. The houses appear to have protected rear gardens which reduces the risk and vulnerability to crime. Homes appear to have defensible space to the front. Has some concerns in relation to the amount of footpaths to the rear of terraced dwellings and requests gates and would like to see the external lighting plan and landscaping maintenance plan when available.
28. **Cottenham Village Design Group** – Comments are awaited and will be reported in the written update or verbally at the meeting.

Representations

29. Five letters of representation have been received that raise the following concerns: -
- i) Flood risk and adequate surface water drainage.
 - ii) Concentration of one and two bed properties and high density development in NW area of village heart leading to social discord.
 - iii) Design and layout out of keeping with the character of the village.
 - iii) Lack of parking spaces in village heart and on-street parking making access difficult for emergency vehicles.
 - iv) Management company must manage the site in relation to the drainage systems.
 - v) Unsustainable site in terms of distance to facilities.
 - vi) Increase in traffic and pollution.
 - vii) Road construction.
 - viii) Respect for wildlife.
 - ix) Gaps between the planters on the emergency access are too small to be safely navigated by any person using a mobility scooter, tricycle or pulling a trailer.
 - x) The tree screens at the edge would not allow views through to open countryside and inwards to some houses.
 - xi) Construction vehicles blocking access.
 - xii) Houses below the minimum space standards so insufficient internal and external space.

Site and Surroundings

30. The site is located outside the Cottenham village framework and in the countryside. It is situated to the west of the village and comprises a number of arable and pastoral fields that measure approximately 4.6 hectares in area. A row of Poplar trees run along part of the southern boundary and a row of Leylandii trees run along the northern boundary of the site. Sporadic landscaping forms part of the southern boundary and western boundary. A hedge runs east to west across the site and along part of the northern boundary. Residential development is situated along Rampton Road to the north and Oakington Road to the east of the site. Open agricultural land lies to the south and west. The site lies within flood zone 1 (low risk).

Proposal

31. The proposal as amended seeks reserved matters consent to include access, layout, scale, appearance and landscaping for a residential development of 121 dwellings.
32. There would be one main access point to the site from Oakington Road with an emergency access to Rampton Road. The site would comprise an area of public open space and children's playspace centrally, surface water flood mitigation and attenuation at the entrance to the site and structural planting and landscaping along the site boundaries.
33. The affordable housing mix proposed is 10 x one bed units, 26 x two bed units, 6 x three bed units and 6 x four bed units. The market housing mix proposed 23 x two bed units (32%), 26 x three bed units (36%) and 24 x four bed units (32%).
34. The development would be split into three character areas – the cottage edge to the south adjacent to the open countryside, cottage green around the public open space and village heart to the north adjacent to existing residential development. The scale of the dwellings would be two to two and a half storeys in height. The designs would have simple linear forms and traditional pitched roofs. Features would include canopies on main doors, arched brick lintels and stone cills. The materials of

construction would be a mix of buff bricks and red bricks and grey and brown roof tiles.

35. All three and four bedroom dwellings would have two parking spaces. The two and one bed dwellings would have at least one parking space.

Planning Assessment

36. The principle of residential development of up to 126 dwellings was established on this site under planning consent S/1606/16/OL. The key issues to consider in the determination of this application relate to density, affordable housing, housing mix and the impacts of the development upon the character and appearance of the area, heritage assets, flood risk, highway safety, neighbour amenity, biodiversity, trees and landscaping.

Housing Density

37. The overall site measures approximately 4.6 hectares in area. The net developable site area measures 3.9 hectares. The erection of up to 121 dwellings would equate to a maximum density of 31 dwellings per hectare across the whole of the site. This density would comply with the requirement of an average of 30 dwellings per hectare for villages set out under adopted policy.
38. The proposal would therefore comply with Policy H/8 of the Local Plan.

Affordable Housing

39. 48 of the 121 dwellings would be affordable to meet the local needs. The proposed mix of units that comprise 10 x one bed units, 26 x two bed units, 6 x three bed units and 6 x four bed units is considered acceptable. The tenure mix of 33 rented units (69%) and 15 intermediate units (31%) would meet the requirements and is satisfactory.
40. The revised layout has resulted in less affordable dwellings concentrated in the north west corner of the site and more dispersed throughout the site. The layout is now agreed.
41. The size of the units would now accord with the required space standards of 58 square metres for one bedroom two person properties, 79 square metres for two bedroom four person properties, 93 square metres for three bedroom five person properties and 112 square metres for four bedroom six person properties apart from one unit that is slightly below the requirement for a one bedroom two person unit by 10 square metres. However, this unit is considered sufficient in size to accommodate two people. Given that the Registered Provider has confirmed that it would take on this unit, the internal space size within the unit is not considered to warrant refusal of the application. The advice set out in the residential space standards section later in the report should also be taken into consideration.
42. 38 of the affordable homes would be built to Lifetime Homes standards that would exceed the requirement.
43. The proposal would therefore comply with Policy H/10 of the Local Plan.

Market Housing Mix

44. The market housing mix proposed is 23 x two bed units (32%), 26 x three bed units (36%) and 24 x four bed units (32%). This would meet the aims of the adopted policy that requires development to provide a range of accommodation to ensure a balanced community and the emerging policy that requires at a wide choice, type and mix of housing to be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of at least 30% 1 or 2 bedroom homes; at least 30% 3 bedroom homes; and at least 30% 4 or more bedroom homes; with a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
45. The proposal would therefore comply with Policy H/9 of the Local Plan.

Character and Appearance of the Area

46. Cottenham is a fen edge village that has a strong linear form along the High Street. The village is set on a shallow ridge and surrounded by flat open land. There is a line of Poplar trees that provide a distinctive feature at the entrance to the village from Oakington.
47. There are two historic patterns in the village that comprises the High Street and the Lanes. The High Street is very long and runs north to south from All Saints Church to The Green. Its main features are large houses within long plots with access and outbuildings to the side. This gives the area has an open low density and more formal character. The Lanes form the central area of the village and include Corbett Street, Margett Street and Telegraph Street. Its main features are smaller houses set within shorter plots close to the street. This gives the area a high density, enclosed and informal character. There is generally ribbon development along the roads that lead out of the village.
48. Cottenham has a settlement character that follows the street and roads are generally rectilinear in form. The buildings comprise mainly large farmhouses or villas with decorative details and small dwellings often in terraces with simple details and a limited palette of materials.
49. More modern developments have replaced orchard land within the village and agricultural land on the edge of the village.
50. The site has a small frontage to Oakington Road and mainly comprises backland development to the rear of Oakington Road, Rampton Road and more modern in depth cul-de-sacs such as The Rowells and Orchard Close.
51. The primary road and secondary roads through out the site are rectilinear in form and there are small groups of dwellings located off the main accessed by shared private driveways. This layout is considered appropriate and would reflect the historic layout of the village.
52. The dwellings would be set back from the road behind small front gardens or frontage parking. The siting of dwellings closer to the road is not considered to be in keeping with the character and appearance of the immediate area given the low density and that this is particularly characteristic of modern developments on the edge of the village such as The Rowells immediately adjacent to the site.
53. Whilst the concerns of the Urban Design Officer in relation to frontage parking is acknowledged, it should be noted that approximately 50% of the dwellings have

frontage parking and the scheme incorporates a Range of different parking. Taking into account the dwellings with frontage parking, 25% would be on the main primary road and 25% would be on secondary roads or serving groups of dwellings with shared private driveways. The frontage parking would also be softened by planting. Although this landscaping would be in 2 metre wide strips, they would be planted with small trees that would break up the mass of parking. Planting to the front of dwellings is not considered necessary as a path would separate the parking spaces from the front door and windows.

54. The proposal has been significantly improved since the original application that was withdrawn and is not now considered to result in a car dominated development that would warrant refusal of the application on design grounds.
55. The development would comprise two storey and two and half storey dwellings. The two and half storey dwellings are sited at key vistas within the development to provide focal points in order to aid legibility.
56. The development would have three distinct character areas- Cottage Edge, Cottage Green and Village Heart.
57. The Cottage Edge area would comprise the larger dwellings in a low density layout at the edge of the site adjacent to open countryside. These dwellings would reflect the villas in the main village or have a traditional design with a gable projection. Features would include arched lintels, stone cills, open eaves and casement windows with glazing bars.
58. The Cottage Green Area would comprise medium sized dwellings closer to green infrastructure within the site. The dwellings would front on to the open space and would comprise features such as chimneys, render, string course and
59. The Village Heart Character would comprise smaller dwellings in a higher density layout closer to existing developments in the village. The dwellings would have simpler designs with features such as stone cills and headers.
60. The Design Code Section in the Design and Access Statement does not have the formal status of a design code because it has not been through a testing process and wider consultation. However, the document together with the level of detail in the reserved matters application provides sufficient confidence to officers in relation to design principles and quality to be delivered .
61. A range of 16 different house types are proposed throughout the development. The character areas and the features of the dwellings within these areas are considered acceptable and would be in keeping with the character and appearance of the village. It is not considered reasonable to attach a condition to any consent in relation to the submission of detailed drawings for windows, doors, reveals, cills, bays, porches, eaves and verges as these details are shown on the elevation drawings and the site is not within the conservation area.
62. Although the concerns of the Urban Design Officer in relation to the use of integral garages is noted, the majority of these would be in the lower density area at the edge of the development off the primary road that would restrict frontage parking. In addition, some of the garages would be set back behind a gable projection. The designs are considered satisfactory.
63. The dwellings would be constructed from buff bricks, red bricks and render for the

walls and grey and brown tiles for the roofs. These materials are considered to be in keeping with the character and appearance of the area as they are evident on surrounding developments along Oakington Road.

64. A condition would be attached to any consent to agree details of the materials through the submission of a sample panel of brickwork.
65. The site would have an emergency vehicular access, footway and cycleway that would link to Rampton Road close to junction with Lambs Lane that leads to the centre of the village. There are also a number of opportunities to connect to the adjacent development. This would ensure that the development would link to other nearby developments and be permeable to ensure that the site would not be isolated. A condition would be attached to any consent to ensure that this is secured.
66. A central open space would be provided within the development that would include a Local Equipped Area of Play. This would be overlooked by a number of dwellings and create a safe environments for residents to relax.
67. The proposal would therefore comply with Policy HQ/1 of the Local Plan.

Trees/Landscaping

68. The proposal would not result in the loss of any trees and landscaping that make a significant contribution to the visual amenity of the area. The Poplar trees on the south western boundary that provide an important feature at the edge of the village and the Leylandii trees at the entrance to the site would be retained and protected along with the apple and plum trees along the north eastern boundary and apple and plum trees that run across the site. The trees at the western corner of the site and within the gardens of existing dwellings would also be protected.
69. The landscaping along the south western boundary would be extended to the edge of the site. This would have a width of 12 metres and provide a substantial landscape buffer on the edge of the site adjacent to the open landscape.
70. New landscape planting would also be provided along the north west boundaries and within the site. No landscaping is now proposed along the south eastern boundary of the site. However, this is considered acceptable given that these boundaries are adjacent to housing rather than the open countryside and would better integrate the development into the existing village.
71. The current landscaping details are not considered to provide a wide diversity of tree planting within the site in order to provide a mixed habitat. However, a condition would be attached to any consent to agree the final landscaping details would be a condition of any consent along with an updated tree survey and protection strategy.
72. A boundary treatment condition was attached to the outline planning consent.
73. The proposal therefore has the potential to comply with Policy NH/4 of the Local Plan.

Biodiversity

74. The biodiversity survey submitted with the application states that the site comprises mainly an agricultural landscape. Habitats include dilapidated buildings, grassland, tree lines, hedgerows, scrub and dry ditches. Overall, the site is considered to be of low to moderate ecological value with potential for foraging and commuting bats,

widespread reptiles, common and ground-nesting birds and hedgehogs. A large (likely main). Badger setts were also found within a wide hedgerow towards the centre of the site.

75. An updated badger survey has been submitted with the application. Three badger setts are present on the site. Sett 1 is a main sett to the north adjacent to the open space, sett 2 is an annex sett slightly further south adjacent to the open space and sett 3 is an outlier sett on the south eastern boundary. A badger corridor would be provided through the centre of the site along the hedgerow and a tunnel under the road. The development would provide a buffer of 20 metres around setts 1 and 2 and a buffer of 7 metres around sett 3. This would provide suitable foraging habitat around the setts and is considered acceptable. Badger mitigation would be considered under condition 12 of the consent.
76. A wetland area has been provided adjacent to the dwelling at the entrance to the site. This would hold water and create a feature that would enhance biodiversity. Further details for this area would be secured through condition 15 of the outline consent.
77. Further features of ecological enhancement will be secured under condition 15 of the outline consent to ensure a net gain to biodiversity.
78. Given the above, the proposal would not result in the loss of any important habitats for protected species.
79. The proposal therefore would accord with Policy NH/4 of the Local Plan.

Heritage Assets

80. The nearest listed buildings (grade II) to the site are the Water Tower on Lambs Lane and the Almshouses at the junction of Rampton Road and Oakington Road.
81. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
82. The impact of the highway works required as a result of the development upon the setting of the Moreton Almshouses was considered as part of the outline consent.
83. The development is not considered to damage the setting or significance Tower Mill given the proximity of existing residential development. It would also preserve the character and appearance of the conservation area.
84. A condition was attached to the outline consent to secure a programme of investigation for the southern field to ensure that any archaeological remains are protected that would continue to apply.
85. The proposal would therefore accord with Policy NH/14 of the Local Plan.

Highway Safety

86. Oakington Road is a busy fairly straight through road with a speed limit of 60 miles per hour. Rampton Road is a busy, fairly straight through road with a speed limit of 30 miles per hour.

87. The development would significantly increase traffic along Oakington Road and in the surrounding area. The proposal is not however considered to adversely affect the capacity and functioning of the public highway subject to mitigation measures. This was agreed as part of the outline planning consent.
88. The application proposes to introduce the main access on to Oakington Road. The design of this junction is acceptable and accords with Local Highway Authority standards.
89. An emergency vehicular access and pedestrian and cycle access would also be introduced between No. 83 and 85 Rampton Road. The design of this junction is also agreed.
90. Potential pedestrian and cycle links are shown to the north west to link to the adjacent development subject of planning application S/2413/17/OL. This would ensure permeability throughout the development.
91. Two parking spaces would be provided on site for each three and four bed dwelling (148 spaces). At least one parking space would be provided for each one and two bed dwelling (47 spaces). This would result in a total of 195 spaces that would result in 1.6 spaces per dwelling that would be slightly above the Council's standards that require an average of 1.5 spaces per dwelling.
92. A condition was attached to the outline consent to secure the submission of a Traffic Management Plan during construction. This would ensure that vehicles park on the site and would not obstruct the public highway or private accesses. Conditions would be attached to this consent in relation to the materials for the access, levels and the road construction, maintenance and management.
93. The proposal would therefore accord with Policy HQ/1 of the Local Plan.

Flood Risk

94. The site is situated within Flood Zone 1 (low risk) as identified by the Environment Agency.
95. There are no watercourses within or on the boundaries of the site but the site may be at risk of surface water flooding from pluvial sources. These sources of flooding can however be mitigated to a low and acceptable level through the provision of a surface water drainage strategy for the site.
96. Surface water would be discharged through infiltration which is sustainable drainage solution and agreed. The design would incorporate two basins and soakaways. Permeable paving would also be used. The features of the system would be designed to accommodate the 100 year allowance plus 40% climate change. The depths of the basins were originally an issue with regards to the level of groundwater but the bases have now been raised to ensure that they would be at least 1 metre above ground water levels. The scheme is now considered acceptable and supported by the County Flood and Water Team.
97. A condition has been requested in relation to the maintenance and management of the surface water drainage system. Whilst Schedule 2, Part 2 of Section 106 agreement in relation to the outline application reference S/1606/16/OL required the

scheme to be maintained in accordance with good estate management, it did not include the specific features required such as run off subcatchments, SUDs components, control structures, flow routes outfalls and access. A condition would therefore be attached to any consent to agree these details.

98. The general arrangement drainage plan is considered to reflect the latest layout plan
99. The proposal would therefore comply with Policies CC/8 and CC/9 of the Local Plan.

Neighbour Amenity

100. The impact upon the amenities of neighbours in terms of noise and disturbance through the use of the access and as a result of the development was considered at outline stage and determined acceptable.
101. The new development would have back to back distances of at least 25 metres from the new dwellings on the Bellway site to the south east. It would also have and rear elevation to side elevation distances of at least 15 metres. These relationships are considered acceptable.
102. The new development would have rear elevation to side elevation distances of at least 20 metres from the existing dwellings in The Rowells.
103. The new development would have back to back distances of at least 23 metres from the existing dwellings in Worland Way although these windows are at an angle. It would also have and rear elevation to side elevation distances of at least 15 metres. These relationships are considered acceptable.
104. The new development would have back to back distances of at least 25 metres from the new dwellings from the existing dwellings on Rampton Road to the north east. These relationships are considered acceptable.
105. The development is also not considered to adversely affect the amenities of adjoining neighbours through being unduly overbearing in mass, through a significant loss of light or through a severe loss of privacy.
106. The proposal would therefore accord with Policy HQ/1 of the Local Plan.

Residential Space Standards

107. Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document. The standard requires that:
 - a. The dwelling provides at least the gross internal floor area and built-in storage area set out in Figure 8;
 - b. A dwelling with two or more bedspaces has at least one double (or twin) bedroom;
 - c. In order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide;
 - d. In order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²;
 - e. One double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide;
 - f. Any area with a headroom of less than 1.5m is not counted within the gross internal area unless used solely for storage (if the area under the stairs is to be used for

- storage, assume a general floor area of 1m² within the gross internal area);
- g. Any other area that is used solely for storage and has a head room of 900-1,500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all;
- h. A built-in wardrobe counts towards the gross internal area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement;
- i. The minimum floor to ceiling height is 2.3m for at least 75% of the gross internal area.

Figure 8: Minimum gross internal floor areas and storage (m²)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built in storage
1b	1p	39 (37)			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Notes:

1. Built-in storage areas are included within the overall gross internal areas and include an allowance of 0.5m² for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.
2. Gross internal areas for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bedspaces. Gross internal areas for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the gross internal area provided that all aspects of the space standard have been met.
3. Where a 1 bedroom 1 person flat has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.
4. Furnished layouts are not required to demonstrate compliance.
5. Further details on how to apply the standard can be found in the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.

108. The majority of dwellings within the development would not meet the residential space standards as they would not meet the gross floor area figures for the sizes of units and/or the gross floor areas for the sizes of the bedrooms within the dwellings. For example, the two bedroom Hanbury house type would measure 70.6 metres but one bedroom only would measure over 7.5 square metres. This would result in it being a

one bedroom dwelling rather than a two bedroom dwelling. The three and four bedroom dwellings are similar. This would significantly alter the mix of the scheme so that it would not comply with policy.

109. Following adoption of the Local Plan the applicant was requested to submit revised plans to ensure that the dwellings complied with the space standards set out in the policy. However, the applicant refused to amend the scheme to address the space standards on the basis that they have two separate Counsel opinions which state that because this is a reserved matters application and that the original outline permission documentation does not contain any references or conditions with respect to space standards. The Counsel advice states that in order for the Council to apply the adopted space standards, these would have to be legally considered as reserved matters issues.

110. Further details of the applicants legal advice is provided below:-

“The National Space Standards fall outside the scope of ‘reserved matters’ as defined in the Town and Country Planning (Development Management Procedure) (England) 2015 (DMPO) and the DCLG’s Planning Practice Guidance (PPG) so cannot be imposed as conditions attached to reserved matters approvals.

Reserved matters are defined in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) 2015:

Reserved matters in relation to an outline planning permission, or an application for such permission, means any of the following matters in respect of which details have not been given in the application-

- a) access
- b) appearance
- c) landscaping
- d) layout, and
- e) scale.

Each of those terms are defined in Article 2:

“access” - the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

“appearance” - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

“landscaping”, in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes— (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

“scale” except in the term ‘identified scale’, means the height, width and length of each building proposed within the development in relation to its surroundings;

That is an exhaustive list. Conditions in outline permissions dealing with other issues, e.g. density, are not “reserved matters”.

On the interaction between planning conditions and reserved matters, the PPG on the “use of planning conditions states that:

“Can conditions be attached to reserved matters applications relating to outline planning permissions?”

Conditions relating to anything other than matters to be reserved can only be imposed when outline planning permission is granted. The only conditions which can be imposed when the reserved matters are approved are conditions which relate directly to those reserved matters.”

The reserved matters stage cannot be used to bring in matters completely outside the scope of the original permission. The grant of outline permission constitutes a commitment by the planning authority to the principle of development, and disentitles them to refuse approval to reserved matters on grounds going to the principle of the development.

In our view, the scope of reserved matters which can be required under the DMPO does not include internal floor space arrangements. In particular:

- i) reserved matters can include a scheme’s “layout” but the definition of that term in the DMPO makes clear that it covers only external layout i.e. “the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other. “
- ii) Similarly, the reference to “scale” in the DMPO covers only the “height, width and length of each building proposed”. It does not cover the internal arrangements of floorspace within those buildings.

If internal floorspace arrangements do not form part of reserved matters under the DMPO, then the Local Planning Authority cannot attach conditions requiring compliance with the National Space Standards on to reserved matters approvals because such a condition would not “directly relate to those reserved matters”.

111. The Council has secured its own recent legal advice in relation to both the applicant’s legal opinions. This states the following: -

“The starting point is the nature of the outline planning permission. Where, as in respect of the outline planning permission for development of land at Oakington Road, Cottenham, all matters of details are reserved for subsequent approval, it might be considered surprising that a local planning authority is, in effect, required to control the size of new residential units in the form of a condition securing compliance with the Technical Housing Standards at outline stage.

The “scale” of development approved in outline, as well as “layout” are reserved matters and were expressly reserved for subsequent approval as part of the Oakington Road outline planning permission. Prima facie, it may be thought that the application of the Technical Housing Standards, which concerns essentially the

internal size of new dwellinghouses, would form part of the assessment of “scale”.

However, the terms “scale” and “layout” are defined restrictively within the Town and Country Planning (Development Management Procedure) Order 2015.

By Article 2(1) of the 2015 Order and “unless the context otherwise requires”:

- a. “scale” is defined as “the height, width, length of each building proposed within the development in relation to its surrounding”; and
- b. “layout” is defined as “the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development”.

In my view, given the restricted nature of the definition of the term “layout”, it is not possible for a failure to comply with the Technical Housing Standards to amount properly to a basis for a refusal to grant reserved matters approval for the “layout” of new development, whether in the context of the Oakington Road outline planning permission or generally.

The term “scale” too is restrictively defined within the DMPO 2015 and, prima facie, is directed to the external manifestations of height, width and length of new development. As such, it will be difficult successfully to construe the term “scale” such that compliance with the Technical Housing Standards would amount to a proper basis to decline to approve details of scale submitted pursuant to an outline planning permission.

For a contrary submission to succeed, it will need to be contended that, given that the height, width and length of a building are a direct response to the internal uses proposed within that building, where those internal uses, in the form of new dwellinghouses, do not meet the Technical Housing Standards and policy H/12 of the Local Plan, the height, width and length of the proposed buildings, and hence their “scale”, is not acceptable. Although not devoid of merit, I consider that the prospect of such a submission succeeding is very limited. I note in particular that the decision of an Inspector concerning development in Mendip District dated 2 June 2016 and referred to by Persimmon, does not support such a submission

As such, I consider, on balance, that, as a matter of principle, given the definition of the term “scale” as given in the DMPO 2015 that, were the Council to contend that approval of details of scale may be refused on the basis of a failure to comply with the Technical Housing Standards and policy H12 of the Local Plan, that it would fail. It is plain that Persimmon are firmly of the view that the Council cannot and should not refuse to approve details of scale submitted in respect of the Oakington Road development by reference to the Technical Housing Standards. Were the Council to refuse to approve details of scale on such a basis an appeal would be likely and, in my view, such an appeal by Persimmon has good prospects of success.

The advice which I have set out above concerning the scope of the term “scale” would apply to all outline planning permissions which have been granted by the Council without an express condition which requires compliance with the Technical Housing Standards and policy H/12 of the Local Plan.

However, and importantly, it may well be possible in an individual case that, by virtue of another condition attached to an outline planning permission, there is scope to contend that there is a requirement that compliance with the Technical Housing Standard must be secured at reserved matters stage. By way of example, if the Design and Access Statement or other supporting document submitted with an

application for outline planning permission and approved expressly as part of that planning permission referred to and required details of internal configuration to be submitted for approval as part of a reserved matters submission, then there would be scope to contend that the context was such that “scale” as a reserved matter included internal configuration. There is no such condition attached to the outline planning permission for the Oakington Road development. Whether or not there is a condition attached to any other relevant outline planning permission would need to be considered on a case by case basis

Plainly, and going forward, the Council can and should include an express condition on any outline planning permission which requires all dwellings to come forward in conformity with the Technical Housing Standards and with the requirements of policy H/12 of the Local Plan.

In conclusion therefore, I consider that the submission made by Persimmon as to the scope of reserved matters is likely to prevail and that, on the basis of the definition of the terms “layout” and “scale” within the DMPO 2015, compliance with the Technical Housing Standards and policy H12 of the Local Plan cannot lawfully be secured by the Council through the approval of reserved matters, absent an express condition attached to the outline planning permission which secures that outcome. Were the Council to refuse to approve the reserved matters submitted pursuant to the Oakington Road outline planning permission on such a basis, I consider it likely that any appeal which arose therefrom would be allowed. However, that outcome may not be the case in respect of other outline planning permissions granted by the Council, depending on the conditions attached to such an outline permission.”

112. Given the legal advice given above, a recommendation of refusal of the application on the grounds of the dwellings in this scheme not complying with the residential space standards set out in Policy H/12 of the Local Plan is not justified. However, it should be noted that this may not be the case in all reserved matters application given the level of detail provided at the outline stage and therefore each case should be determined upon its own merits.

Conclusion

113. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

114. Approval subject to the 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 carried out in accordance with the following approved plans: Drawing numbers ORC-LP-002, ORC-PP-002, ORC-PL-002 Revision A, ORC-CA-002 Revision A, KEN-CE-PD-01-OP, KEN-CE-PD-01-AS, ROS-CE-PD-01-OP, ROS-CE-PD-01-AS, COR-CE-PD-01-OP, COR-CE-PD-01-AS, CLC-CE-PD-01-OP, CLC-CE-PD-01-OP, CHE-CE-PD-01-OP, CHE-CE-PD-01-AS, WIN-CE-PD-01-OP, WIN-CE-PD-01-AS, CHC-CG-PD-01-OP, CHC-CG-PD-01-AS, CHC-CG-PD-02-OP, CHC-CG-PD-02-AS, CLC-CG-PD-01-OP, CLC-CG-PD-02, CLC-CG-PD-02-AS, CLC-CG-PD-03-OP, CLC-CG-PD-03-AS, HTF-CG-PD-01-OP, HTF-CG-PD-01-AS, LEI-CG-PD-01-OP, LEI-CG-PD-01-AS, HAN-CG-PD-01-OP, HAN-CG-PD-01-AS, 1220-CG-PD-01-OP, 1220-CG-PD-01-AS, 1220-CG-PD-02-OP,

P71-CG-PD-01-AS, P81-CG-PD-01-OP, P81-CG-PD-01-AS, RUF-CG-PD-01-OP, RUF-CG-PD-01-AS, CLC-VH-PD-03-OP, LYC-VH-PD-03-AS, ASM-VH-PD-01, ASF-VH-PD-01, ALN-VH-PD-01-OP, ALN-VH-PD-01-AS, HFC-VH-PD-01-OP, HFC-VH-PD-01-AS, HFC-VH-PD-03-AS, HTF-VH-PD-01-OP, HTF-VH-PD-01-AS, HAN-VH-PD-01-OP, HAN-VH-PD-01-AS, LEI-VH-PD-01-OP, P71-VH-PD-01-OP, P71-VH-PD-01-AS, P81-VH-PD-01-OP, P81-VH-PD-01-AS, G651-PD-01, G651s-PD-01 and G653-PD-01.

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

b) No development above foundation level shall take place until a sample board brickwork for the dwellings within the development have been submitted to and approved in writing by the Local Planning Authority. The 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 HQ/1 of the adopted Local Plan 2018.)

c) No development above foundation level 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 Policy NH/4 of the adopted Local Plan 2018.)

d) All hard and soft landscape works shall be carried out in accordance with the approved details. The works along the north western and south western boundaries shall be carried out prior to the commencement of construction of the dwellings. The remainder of the landscape 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 Policy NH/4 of the adopted Local Plan 2018.)

e) No development above foundation level shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

(Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in the interests of highway safety to comply with Policy HQ/1 of the adopted Local Plan 2018.)

f) The 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 (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).

(Reason - In the interests of highway safety to comply with Policy HQ/1 of the adopted Local Plan 2018.)

g) 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 to comply with Policy HQ/1 of the adopted Local Plan 2018.)

h) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A of Part 1 of Schedule 2 of the Order shall take place on plots 78-81, 93 and 116 unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason – To safeguard the amenities neighbours in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

Background Papers:

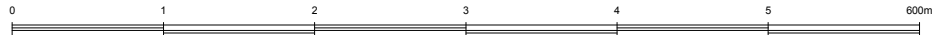
The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File References: S/ S/1606/16/OL, S/2413/17/OL, S/1411/16/OL, S/1818/15/OL, S/3615/18/RM, S/1952/15/OL, S/2876/16/OL & S/4548/17/OL.

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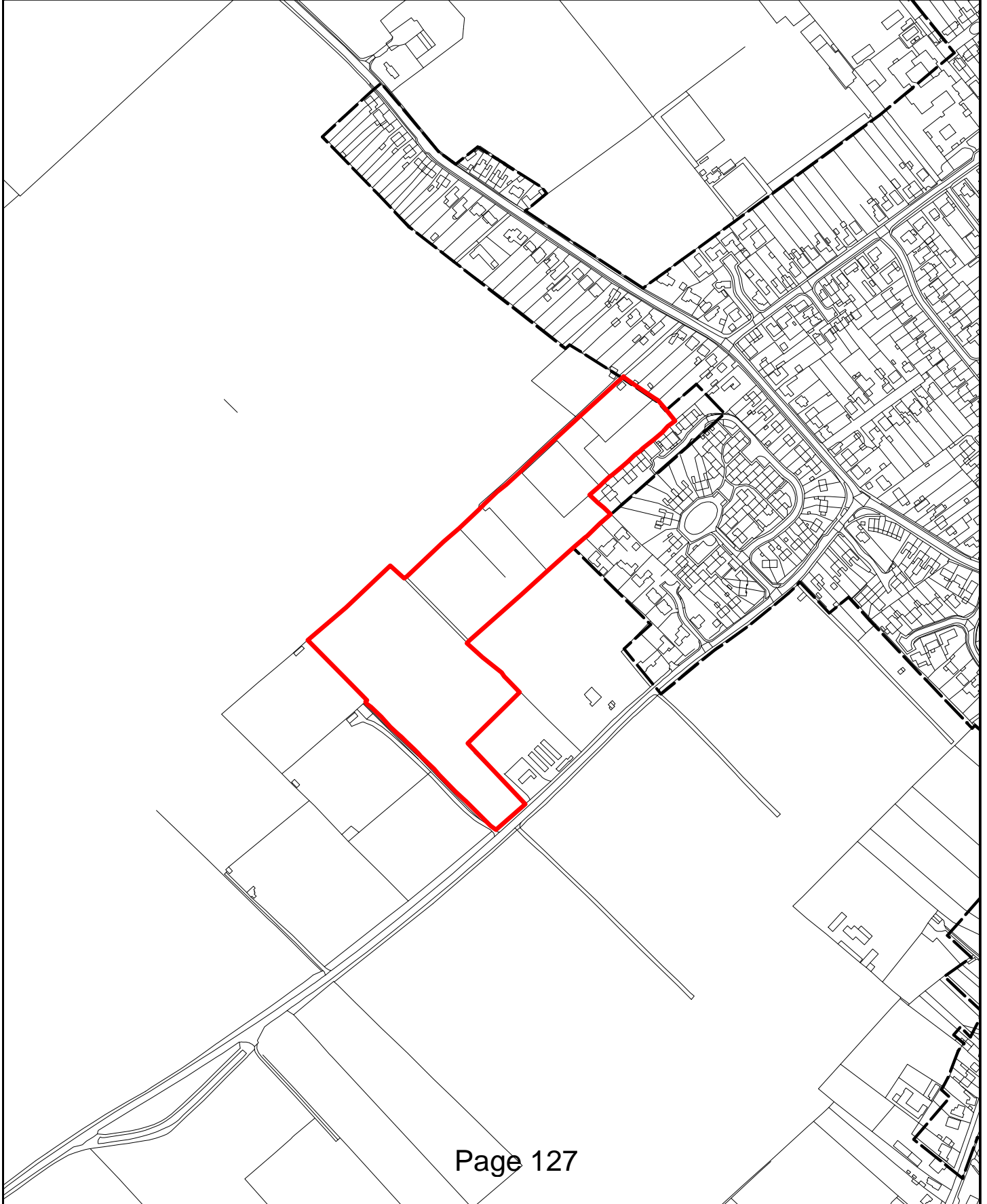
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Date of plot: 21/09/2018



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Agenda Item 11



REPORT TO: Planning Committee

12 December 2018

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases as at 28th November 2018. Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently at the end of October 82 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) **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. Cambridge Magistrates Court are now currently processing the application for Summons. All cases have now been heard and where breaches were identified Cambridge Magistrates levied fines totalling £72,566.57p – A further inspection and survey of the site has now been carried out on the 26th June 2018 which revealed that 12 plots are currently in breach of planning control. Further prosecutions will now be considered /carried out in addition to two further breaches of Condition Notices issued and one prosecution in the High Court for breaching the current site Injunction. A further application to the High Court for an Injunction is to be made at the earliest opportunity. Work in progress

(b) **Whaddon – 9A Bridge Street**

Without planning permission the erection of a six metre high pole for CCTV equipment. Enforcement Notice SCD-ENF-094/17/A was issued with a compliance date of 25th November 2017 to remove the pole and CCTV equipment. The notice has not been complied with and a file was submitted to the Councils Legal office to issue a Summons. The date of the summons was set for 10am 15th March 2018 however the accused did not attend and the Court issued a Warrant for his arrest. Case continues - No further information at this time – Legal office have liaised with the Court and have been informed that the Arrest Warrant is live and waiting to be executed by Police.

(c) **Gothic House 220 High Street Cottenham**

The property which is a grade 2 Listed building is unoccupied and in a serious state of disrepair which not only affects the fabric of the building but is also considered an immediate danger to the Public. A s215 Amenity Notice was issued in order to address the immediate concerns with a compliance date of 19 May 2018. Which due to circumstances was extended to 19th June 2018. An inspection carried out on the 21 June 2018 revealed that no works had commenced and the situation remained outstanding. A prosecution file was raised and a date to attend Cambridge Magistrates Court was set for the 9th August 2018. The owners of the property appeared before the Court and admitted the charge and were fined £907.00p with costs totalling £150.00p and Victim surcharge of £90.00p The grand total being £1147.00p. Work has now commenced to comply with the s215 Notice – Monitoring continues

(d) **73 High Street West Wrattling**

Following reports that the amenity of the above property including the main building which was a Public House known as the Lamb Inn and had been closed for many years a s215 Notice was issued to address the unacceptable amenity issue. The compliance period given was to complete the works by no later than 19th June 2018 however the building caught fire during the early

hours of Friday 8 June 2018 before works had commenced and the building was destroyed leaving only the outer walls standing. The site has been fenced off to prevent access to unauthorised persons. The owners have submitted an application to demolish the building due to its condition and safety to the Public. Separate planning application to be submitted to develop the whole site Situation continues to be monitored.

(e) **Car Wash – 11 Ermine Way, Arrington**

A multi-agency review is currently underway following reports that the operators of the above valeting operation are discharging carwash effluent and septic tank effluent which is affecting neighbouring properties.

Initial investigation has been carried out by the County Council who have discovered a pipe that appeared to connect a septic chamber to the highway drain. They have also identified works to the highway drain that will need to be carried out. Officers from the Environment agency are also investigating along with planning enforcement and Environmental health teams. . On behalf of the Environment Agency ADC have carried out a full CCTV survey at Arrington car wash. Their assessment confirmed that the waste runs into a septic tank cess pool which is completely integral and there are no signs of any leaking into the highways drainage system. The Environment Agency have confirmed in the absence of any further reports the case is now closed. The County Council has confirmed that they are seeking funding for improvements to the Highways surface water drainage in that area and hope to carry the work in early 2019.

(f) **147 St. Neots Road, Hardwick**

A fire which took place several years ago and severely damaged the building on the site and although heavily screened by high hedging has remained unrepaired and a general eyesore to the neighbouring properties and the general Public passing the site. The owner of the land who has stated that he will demolish the building however the Neighbouring business unit has not given its authority for the National Grid to disconnect the live main gas supply which it shares with number 147 St Neots Road. Given the time that has elapsed and opportunity for the parties concerned to resolve the Gas termination to no 147 the Council is reviewing its powers under s79 in order that arrangements can be made with the relevant statutory undertakers for the disconnection of the gas supply, electricity and water as applicable, and the building demolished. The gas governor was due to be disconnected by the end of September 2018 however the company carrying out the work was again refused access and turned away. Local Parish informed of current impasse. Work continues to resolve access issues.

(g) **19 Bandon Road Girton**

Not built in accordance with approved drawings relating to visibility splays Breach of Condition Notice issued 22 February 2018 with 28 day compliance period. Despite compliance discussions with the builder works still not carried out. Prosecution file has been raised, waiting issue of summons.

(h) **31 High Street Rampton**

Unauthorised works to a listed building and pre-commencement conditions not discharged prior to commencement of works on site. Prosecution file has been raised, waiting issue of summons.

(i) **Land Adjacent Broadway, Haverhill Road, Castle Camps**

Not built in accordance with approved plans – materials not approved Breach of Condition notice issued 8 June 2018. Three month compliance period. Site inspection carried out after the compliance date revealed that the notice had not been complied with. A prosecution file has now been raised for the failure to comply with Breach of Condition Notice.

(j) **Land at Black Pit Drove Willingham**

Following the occupation of land at Black Pit Drove without the appropriate planning consent the occupiers and owners of the land were issued with a planning enforcement notice reference SCD-ENF-0443/18. The notice which was not appealed required them to cease using any part of the land for the siting of residential caravans, motor vehicles and residential paraphernalia and sheds. The notice required the removal of the caravans, motor vehicles and residential paraphernalia and sheds by November 12th 2018

The occupiers and owners failed to comply with the notice and have been placed on notice that the matter will be referred to the High Court and an Injunction sought The notice deadline is the 30th November 2018.

(k) **14 Church End Rampton – Grade2 Listed Building**

The above property is a thatched cottage that has fallen into disrepair in particular the thatch and woodwork. The owners have failed to engage with the Council and as a result an Amenity Notice s215 was served on the owners 11th October 2018 to carry out urgent repairs to the building. The compliance date was 6 months in order to allow specialist contractors to carry out the work. The owners have decided to challenge the Council which is their right and their appeal will be heard at Cambridge Magistrates Court in January 2019

Investigation summary

- 6 Enforcement Investigations for October 2018 reflect a 17.9% increase when compared to the same period in 2017. Seventy Nine (79) cases in total for the October period versus sixty seven (67) cases in 2017

The number of cases investigated year to date October 2018 totals 572 which when compared to the same period in 2017 (494 cases) represents a 15.8% increase.

A review of the 92 cases closed in October 2018 revealed that 41 cases were found not to be in breach of planning control or were permitted development, 15 complied, 9 cases were not expedient to enforce. The remaining 27 cases were as a result of express consent already granted, consent on appeal and express consent granted – Time Limited, awaiting further instruction and retrospective planning applications submitted..

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:

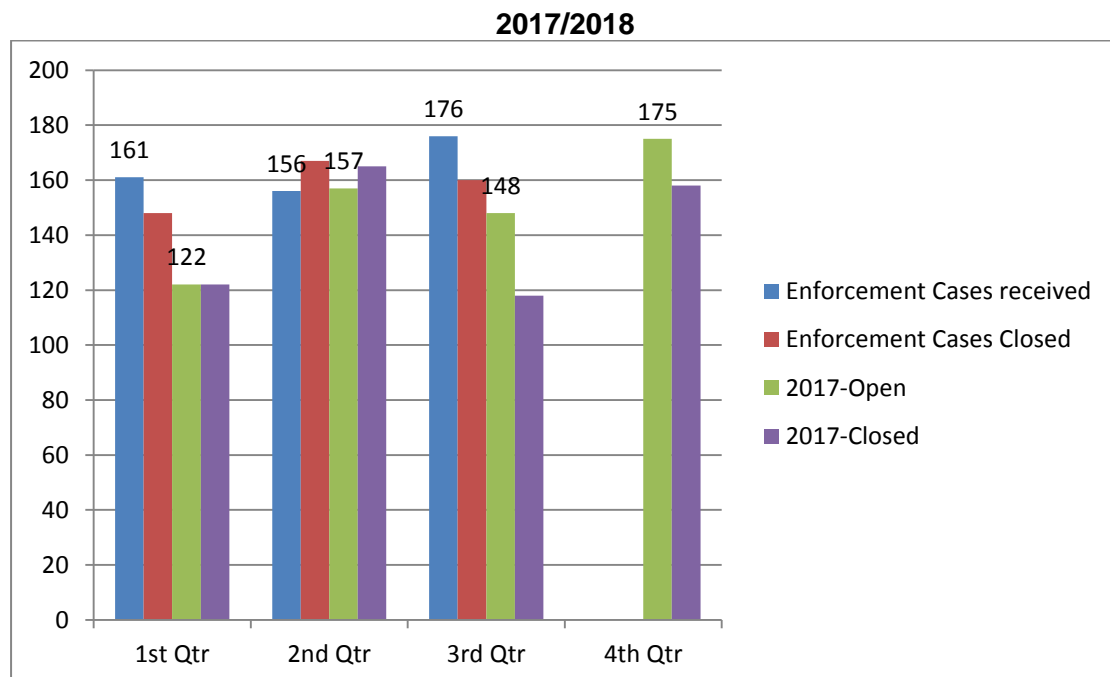
- **Appendices 1 and 2**

Report Author: Charles Swain Principal Planning Enforcement Officer
Telephone: (01954) 713206

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Enforcement Cases Received and Closed

Month – 2018	Received	Closed
October 2018	79	92
November 2018	-	-
December 2018	-	-
1 st Qtr. 2018	161	148
2 nd Qtr. 2018	156	167
3 rd Qtr. 2018	176	160
4 th Qtr. 2018	-	-
1 st Qtr. 2017	122	122
2 nd Qtr. 2017	157	165
3 rd Qtr. 2017	148	118
4 th Qtr. 2017	175	158
2018 - YTD	572	567
2017 - YTD	602	563
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
	October 2018	2018
Enforcement	0	8
Stop Notice	0	0
Temporary Stop Notice	0	4
Breach of Condition	2	20
S215 – Amenity Notice	1	3
Planning Contravention Notice	0	4
Injunctions	0	1
High Hedge Remedial Notice	0	0

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
SCD-ENF-0466-18 Failure to comply with condition 10 S/1291/15/FL Planting	Horseheath	The Stables Haverhill Road	Breach of Condition Notice
SCD-ENF-0519-18 Failure to comply with conditions 14 Delivery hours & 21 Traffic Management Plan S/2461/16/FL	Waterbeach	Land North of Bannold Road	Breach of Condition Notice
SCD-ENF-0379-15 Amenity and repairs to a Grade2 Listed building	Rampton	14 Church End	S215 Amenity Notice

3. Case Information

Fifty one of the 79 cases opened during October were closed within the same period which represents a 64.5% closure rate.

A breakdown of the cases investigated during October 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.
Two (2) cases were investigated.

Medium Priority -Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)
Seventy five (75) 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)
Two (2) cases were investigated.

The enquiries received by enforcement during the October period are broken down by case category as follows.

Adverts	x 02
Amenity	x 02
Breach of Condition	x 36
Breach of Planning Control	x 04
Built in Accordance	x 03
Change of Use	x 10
Conservation	x 01
High Hedge	x 01
Condition	x 00
Listed Building	x 01
Other	x 07
Unauthorised Development	x 10
Unauthorised Demolition	x 00
Permitted Development	x 02
Monitoring	x 00
<u>Total Cases reported</u>	<u>79</u>

Agenda Item 12



REPORT TO: Planning Committee

12 December 2018

LEAD OFFICER: Joint Director for Planning and Economic Development

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 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 3 - Local Inquiry and Informal Hearing dates scheduled

There is no Appendix 2 because no new Appeals have been received since the last report.

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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/4153/17/FL	19 West End, Whittlesford	Demolition of 19 West End and erection of two new dwellings including new associated garaging, landscaped gardens and access	Delegated Refusal	06/11/2018	Withdrawn
S/0133/18/FL	East House, Gog Magog Hills Estate, Babraham Road, Stapleford	Installation of 4no. Conservation Roof Windows and Internal Access Ladder	Delegated Refusal	12/11/2018	Allowed
S/0134/18/LB	East House, Gog Magog Hills Estate, Babraham Road, Stapleford	Installation of 4no. Conservation Roof Windows and Internal Access Ladder	Delegated Refusal	12/11/2018	Allowed
S/0068/18/FL	The Old Vicarage, Butchers Hill, Ickleton	The erection of a new dwelling, formation of a new access from Butchers Hill to serve The Old Vicarage together within the construction of a garage for use by The Old Vicarage and associated landscaping	Delegated Refusal	12/11/2018	Dismissed

Appendix 1

S/1494/18/FL	Land adjacent to 8A, Little Heath, Gamlingay, Sandy, Cambridgeshire, SG19 3LL	Erection of detached bungalow	Delegated Refusal	14/11/2018	Dismissed
S/3428/17/OL	12-14 Station Road, Steeple Morden	Construction of up to 12 dwellings with all matters reserved except access	Delegated Refusal	19/11/2018	Dismissed
S/4339/17/OL	1 Potton Road, The Heath, Gamlingay, Sandy, SG19 2JH	Outline Planning Permission for Erection of a Detached Two Storey Dwelling, Garage and Associated Works with all Matters Reserved	Delegated Refusal	21/11/2018	Dismissed
S/1992/18/FL	Land south of Villa Road (Plot 2), Histon	Redesign of approved planning application S/0241/16/FL for the erection of 1 no 3 bed dwelling	Non-Determined	22/11/2018	Withdrawn
S/0606/18/FL	Long Acre, Robins Lane, Elsworth	Proposed Erection of 3 Bedroom Dwelling with Detached Double Garage including Demolition and Removal of Agricultural Shed	Delegated Refusal	23/11/2018	Dismissed
S/3932/17/FL	Freisland Farm, Hale Road, Swavesey	Erection of two New Dwellings, Garages and	Delegated Refusal	26/11/2018	Dismissed

Appendix 1

		Access			
S/2844/15/LD	2 Primes Corner, Histon	Lawful Development Certificate (Existing) for the use of land for horticulture (including breeding, rearing and display of plants) on the basis that the use of land falls within the definition of agriculture for which planning permission is not required.	Delegated Refusal	23/11/2018	Allowed
S/0884/18/FL	14 Woodlands Road, Great Shelford	Construction of Garden Pavilion	Delegated Refusal	28/11/2018	Dismissed
S/0361/18/FL	Pastures, St Peter's Street, Caxton	Proposed Single Storey Extension linking Existing Kitchen and Garage	Delegated Refusal	28/11/2018	Allowed
S/1262/18/FL	2 Lake View, The Lakes, Twentypence Road, Cottenham	Single and Two Storey Front Extension, Internal Alterations and Changes to Rear Doors and Windows	Delegated Refusal	28/11/2018	Allowed
S/2241/17/OL	Land adj Home Farm Cottage, Little Heath, Gamlingay	Outline Planning Application with all Matters Reserved for the Erection of Two Detached Bungalows	Delegated Refusal	28/11/2018	Allowed
S/1259/18/OL	20A East Drive, Caldecote	Outline Planning Permission for	Delegated Refusal	03/12/3018	Dismissed

Appendix 1

		Erection of Four Detached Dwellings			
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Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/2844/14/FL	Sawston Joinery Ltd	Langford Arch, London Road Pampisford	Planning Decision	27/11/2018 Confirmed
S/4099/17/OL	Mrs Emma Fletcher	Land to the east of the A1301, south of the A505 near Hinxton and west of the A1301, north of the A505 near Whittlesford (Agri-Tech)	Planning Decision	TBC

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/3873/17/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	TBC
S/2141/17/OL	Mr Peter Williams, Countryside Properties Plc	Land to the west of Cambridge Road, Melbourn	Planning Decision	TBC
ENF/0283/17A	Mr Michael Hendry	Land to the North and West of 2 Primes Corner	Enforcement	TBC
S/1059/17/FL	Burling Brothers Limited	Land adjacent to 79 Willingham Road, Over	Planning Decision	TBC

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