

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 July 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/0096/17/OL

Parish(es): Linton

Proposal: Outline planning permission for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system and vehicular access from Back Road. All matters reserved apart from means of access.

Site address: Agricultural Land North east of Back Road

Applicant(s): Gladman Developments Ltd.

Recommendation: Refusal

Key material considerations: Housing Land Supply
Principle of Development
Density
Housing Mix
Affordable Housing
Character and Appearance of the Area
Landscape Character
Design Considerations
Heritage Assets
Biodiversity
Ecology
Highway Safety and Sustainable Travel
Flood Risk
Neighbour Amenity
Developer Contributions

Committee Site Visit: Yes

Departure Application: Yes, 25 January 2017

Presenting Officer: Karen Pell-Coggins, Senior Planning Officer

Application brought to Committee because: The application is of local interest.

Date by which decision due: 13 April 2017

Executive Summary

1. The proposal, as amended, seeks permission for a residential development outside the Linton village framework and in the countryside. The development would not

normally be considered acceptable in principle in this location as a result of (i) its size and (ii) its out of village framework location. However, the Council acknowledges at present it cannot currently demonstrate a five-year housing land supply.

2. Given that the Council cannot demonstrate currently a five year housing land supply, its “housing supply policies” remain out of date (albeit “housing supply policies” do not now include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court in the *Hopkins Homes* appeal, para. 14 of the NPPF is engaged and planning permission for housing development should be granted, *inter alia*, “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of [the] Framework taken as a whole ...”.
3. A balancing exercise needs therefore to be carried out. As part of that balance, in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefit which a proposal brings in terms of delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including, where engaged, ST/5, DP/1(a) and DP/7, which seek to direct development to the most sustainable locations – is so great in the context of a particular application as to “significantly and demonstrably outweigh” the benefit of the proposal in terms of deliver of new homes, that planning permission should be refused. This approach reflects the decision of the Supreme Court.
4. The benefits from the development are set out below: -
 - i) The provision of up to 95 dwellings towards housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - ii) The provision of 38 affordable dwellings towards the identified need across the district.
 - iii) The provision of a significant amount of public open space including children’s playspace within the development.
 - iv) Developer contributions towards education, health, sport, open space and community facilities in the village.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
5. These benefits must be weighed against the following adverse impacts of the development: -
 - i) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Scale of development and the objectives of policy ST/5
 - iii) Visual and landscape character impact upon the setting of the village.
 - iv) Potential impact of traffic generation upon the functioning and capacity of the public highway, impact of the access upon highway safety and inadequate pedestrian connectivity to village.
 - v) Potential impact upon features of important archaeological interest.
 - vi) Potential impact upon the Furze Hills Protected Roadside Verge County Wildlife Site and Hildersham Protected Verges.
6. In this case, the adverse impacts of this development in terms of the impacts upon highway safety, features of important archaeological interests and a Site of Biodiversity Importance are considered to significantly and demonstrably outweigh the benefits of the provision of a significant housing scheme, when assessed against the policies in the NPPF taken as a whole. On balance, planning permission should therefore be refused.

Planning History

7. *Site*
None relevant.
8. *Other Sites in Linton*
S/1963/15/OL - Residential Development for up to 55 Dwellings at Bartlow Road - Committee approval September 2016 (Awaiting Section 106)
S/2553/16/OL - Residential Development for up to 50 Dwellings at Horseheath Road – Refused (Appeal Hearing 27 June 2017)
S/1969/15/OL - Residential Development for up to 50 Dwellings at Horseheath Road – Refused (Appeal Hearing 27 June 2017)

Environmental Impact Assessment

9. The application does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 but it would exceed the criteria in section 10b of Schedule 2 of the regulations given that the site area exceeds 5 hectares. However, the development is not considered to result in significant environmental impacts individually or cumulatively with other developments in the village that require the submission of an Environmental Impact Assessment.

National Guidance

10. National Planning Policy Framework 2012
National Planning Practice Guidance

Development Plan Policies

11. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres
12. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/4 Landscape Character Areas
CH/2 Archaeological Sites
CH/4 Development within the curtilage or Setting of a Listed Building
CH/5 Conservation Areas
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/7 Sites of Biodiversity or Geological Importance
NE/11 Flood Risk
NE/12 Water Conservation
NE/17 Protecting High Quality Agricultural Land
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards

TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

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

Development Affecting Conservation Areas SPD - Adopted January 2009
Listed Buildings SPD - Adopted July 2009
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

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

S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/7 Development Frameworks
S/9 Minor Rural Centres
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/5 Sites of Biodiversity or Geological Importance
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

Consultation

15. **Linton Parish Council** – Strongly recommends refusal of the proposal (as amended) on the grounds of unsustainable development. Please see Appendix 1 for full comments. The key concerns are as follows: -
on the following grounds:
- i) Outside village framework on edge of village.
 - ii) Distance to centre of village and facilities.
 - iii) Scale of development.
 - iv) Housing numbers undeliverable.
 - v) Lack of public consultation.
 - vi) Visual impact from long views and the rural setting of Linton in the open landscape.
 - vii) Visual impact from adjacent public right of way.
 - viii) Protection of existing landscape features.
 - ix) Loss of land for soakaway and surface water flooding.
 - x) Housing needs in the village are for smaller properties and bungalows.

- xi) No employment potential for village.
- xii) Self contained development.
- xiii) Infrastructure is at capacity- schools, medical services, community buildings, sewage etc.
- xiv) Highway safety – safety and capacity of the A1307 road and hazardous junctions and Back Road is a minor road and narrows to a single carriageway in places.
- xv) Traffic impact upon special Conservation Area
- xvi) Traffic damage to Protected Roadside Verges along Back Road.
- xvii) No paved footway to north of Back Road.
- xviii) Parking and congestion in village.
- ixx) Bus service stops and frequency.
- xx) Cumulative impact of all proposed developments

16. **Landscape Design Officer** – Recommends refusal as it would be difficult to develop this site without significant harm to the open Chalkland landscape character, the approach to the village from the north west and the setting of Linton generally. In visual terms, there would be harm experienced by receptors in a number of locations both close to the site and in the wider landscape.
17. The landscape of the site and its immediate area is a good example of the Cambridgeshire Chalklands landscape character – open rolling agricultural land divided by hedges and featuring distinctive hilltop woodlands.
18. The site lies on the north side of the River Granta valley above Linton on the south facing slope of Rivey Hill, and forms both a key entrance and a landscape backdrop to Linton and the Granta Valley. It is formed of part of a pair of agricultural fields, divided by a mature native hedgerow that runs north-south.
19. The northern and north east boundaries of the site are largely open and the site footprint is indistinguishable from the upper parts of the fields that climb towards Pain Pasture and its associated woodlands. The south west frontage facing Back Lane is also largely open, but with the field boundary noticeably higher than the road itself. The south east boundary is partly open; the lower part adjoins a telephone exchange compound, while the upper part is formed by the Icknield Way long distance footpath, which is open to the site.
20. The two fields rise fairly steeply from west to east, from approximately 44m AOD at the roadside to approximately 65mAOD at the southern edge of Pains Pasture. The long north east boundary of the site footprint falls about half way up this slope, following the 55m AOD contour.
21. The site, the adjacent agricultural land and the backdrop of Pains Pasture and associated woodland areas on the higher ground are essentially a single unit, both in landscape and visual terms, and should be considered as such when assessing potential Landscape and Visual effects.
22. Development of the site would completely alter the landscape character of the site and its adjacent landscape. The proposed development is outside the existing Development Framework and would extend the village beyond the existing limit of development to the north. It would introduce inappropriate forms into a sensitive landscape, including the linear SUDs features along the frontage, which would appear perched above the road.
23. Approaching Linton from the north west along Hildersham Road there are expansive views across the site, east along the side of the valley and north east to Rivey Hill and

its woodlands. The open road frontage to the site emphasizes the importance the rolling, rising landform to the character of this area.

24. Extending development north of Balsham Road or Back Lane – as at Tower View and Chalklands - will remove this rural foreground and close views to the hill tops and along the side of the valley. Although on the lower slopes of Rivey Hill, the site and adjacent landscape rise by over 20 metres between Back Lane to the Pains Pasture woodland. Within the site gradients are steep compared with Tower View or Chalklands. This will result in the stacking of rows of development above each other, compounding landscape and visual impacts.
25. The importance of the site and adjacent landscape as a setting for Linton is evident in longer views from the north and south, where the wooded valley lies below the rising landscape of open fields and woodland. The proposed development will appear in views from the south above the valley woodlands, and visually will fill the open land between the valley and woodland to the north of the site.
26. Views from the east will include those from the Icknield Way footpath. Currently there are expansive views over Linton and the Granta Valley to the south and west, which will be partially or completely blocked by development.
27. The applicants suggest that as the proposed development would be located on the lower slopes of Rivey Hill, it will be consistent with the extent of existing northern development and that existing and proposed planting and areas of open space would mitigate harmful landscape and visual effects and would integrate the development successfully into the landscape.
28. In my view the proposed mitigation will do little to reduce the Landscape and Visual harm. Existing developments north of Back Lane at Tower View and Chalklands demonstrate closed views, loss of landscape character and a poor relationship between the built form and the landscape. The proposed development would result in even greater adverse landscape and visual effects, given the steepness of the site, the gateway location and the function of the landscape as a setting and backdrop to Linton.
29. As proposed, development would appear stacked on the south facing slope. The height of the dwellings (approximately 8.0m) running on the 55m contour on the north east boundary will visually remove the open landscape and sense of space between the river valley and the wooded hill tops , both in close and longer views.
30. The proposed mitigation of planting of perimeter woodland blocks to the scheme could eventually filter and soften views to development at lower levels. However this form of planting will remain at odds with the local landscape character, and will further erode the sense of openness. Retaining limited areas of open farmland to the north and east of the development as suggested will do little to retain the landscape character on the approach to the village. The SUDs features along the Back Lane frontage will appear equally out of place in the landscape.
31. The applicants conclude that development can be accommodated without giving rise to material townscape/landscape or visual effects. However, the applicant's methodology and standards of assessment are inconsistent and no conclusions have been reached as to the significance of landscape or visual effects.
32. The assessment has separated the site from its immediate landscape surroundings and has not adequately considered the site and its landscape in its local context, to

the setting of Linton or to its relative quality within the wider Cambridgeshire Chalkland landscape.

33. Confining development to the lower slopes of Rivey Hill and the proposed landscape mitigation will not integrate the development into the landscape as suggested, and unacceptable levels of landscape and visual harm will remain.
34. In landscape and visual terms the proposed - or any similar - development is unacceptable at this site and location.
35. **Trees and Landscapes Officer** – Has no objections.
36. **Ecology Officer** – Objects to the application (as amended) on the grounds that whilst the presence of the Furze Hill Protected Roadside Verge (also a County Wildlife Site) has been acknowledged and mitigation presented to address the potential impact due to the construction of a new footpath, there are concerns in relation to the delivery of the mitigation as the land does not form part of the site area.
37. 95 additional dwellings in this location would result in further traffic movements along Back Road and this is already starting to be damaged by the current level of vehicle movements. This would result in further harm unless some sensitive road improvements such as passing places are proposed.
38. Further comments that the development should secure significant biodiversity and landscape enhancement that is not currently proposed such as woodland planting on the land to the north of the site.
39. There is a trackway connection to the nearby Pains Pasture Wood that then links to Rivey Wood. The woods may become subject to a greater level of human disturbance if a new population is established near y and the assessment should consider the potential for unmitigated indirect effects upon the nearby woodlands. Whilst the interpretation board is welcomed, it would be difficult to enforce no public access to the woodland.
40. It is pleasing to see the occurrence of rare plants along the Back Road have been taken as a habitat creation objective for the site.
41. The open basins proposed for SUDS are welcomed as they would attract wildlife but further details are required to ensure that they will be used for these purposes.
42. **Historic Buildings Officer** – Has no objections and comments that there are number of grade II listed buildings relatively close but not immediately adjacent to the site.
43. Little Linton Farm is the closest to the site. Historically, the site, farmhouse and barns were all under the same ownership but since much of the intervening/adjacent land has been developed for housing, this relationship no longer remains legible. Distant views of the development may be possible from the upper floors of the listed buildings. Distant views would also be possible from the college and former hospital but neither has had historic associations with the land and all views would be beyond existing housing.
44. Linton Conservation Area is well separated from the site by existing housing and vegetation.
45. Overall the level of harm from the proposal on the significance of heritage assets

would be negligible.

46. **Urban Design Officer** – Has no objections and comments that Linton has expanded significantly since its medieval linear core and the existing character of the northern part of the village is largely 20th century suburban development and village edges are no longer formed by development that is one plot deep. The slope of the site would make the development more prominent than that to the south but it would not cause substantial harm to the character of the built form. The density is 30 dwellings per hectare and this should preferably be reduced at the edge of the village without substantially increasing the density in the rest of the site.
47. **Environmental Health Officer** – Has no objections in principle subject to conditions in relation to the hours of construction work and deliveries, the hours of operation of power machinery, details of noise and vibration mitigation if piling foundations are proposed, measures for the spread of dust during construction, a construction programme, an artificial lighting scheme and details of air source heat pumps if proposed as a renewable energy technology within the development. Requests a further noise assessment at the detailed design stage to identify the amount of noise attenuation needed for habitable rooms.
48. **Contaminated Land Officer** – Comments that the site is currently agricultural land and the submitted report recommends an intrusive investigation to rule out or assess any risk from pesticides and herbicides. Recommends a detailed scheme for the investigation and recording of contamination and remediation of the land.
49. **Drainage Officer** – Has no objections subject to conditions in relation to surface water drainage and foul drainage.
50. **Affordable Housing Officer** – Comments that all developments that increase the net number of dwellings on a site by 3 or more need to provide 40% affordable housing suitable to address local housing needs.
51. The tenure mix for affordable housing in South Cambridgeshire District is 70% affordable rented and 30% intermediate housing. The fastest growing demand is for one and two bed properties.
52. As at May 2016 there were a total of 1689 applicants registered on the housing register for South Cambridgeshire. There are 85 people in need in Cottenham with a local connection.
53. This proposed scheme is for up to 95 dwellings, therefore 38 would need to be affordable.
54. 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.
55. As a starting point for discussions on the requirement for a local connection criteria on 5 year land supply sites, the first 8 affordable homes 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. If there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at

adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to re-let.

56. In all cases the internal floor areas for the affordable housing should be required to meet the Nationally Described Space Standardsⁱ to ensure they meet the space standards required by a Registered Provider. Across the district there is a requirement for 5% of all affordable housing to be lifetime homes.
57. **Section 106 Officer** – Requires contributions in relation to formal sports space, formal children's playspace, indoor community space, waste receptacles and monitoring. Formal and informal children's play space and informal open space would be provided on site.
58. **Local Highways Authority** – Recommends refusal on the grounds of highway safety as there is insufficient information on the proposed access to determine if the development would have a detrimental effect upon the operation of the public highway. Requires the submission of an engineering drawing showing more detail on the undulation of the existing site.
59. The proposed pedestrian link (alleyway point) does not provide suitable pedestrian connectivity to and from the site as its width of 1.5 metres would not allow accessibility for all users. Requires an extension of the footway along Back Road past Crabtree Croft for a distance of 20 metres towards Linton and provide dropped kerbs as the junction provides good visibility for a pedestrian crossing.
60. Back Lane has a carriageway of variable width and is used by commercial and agricultural vehicles. If the carriageway is less than 5 metres in width for substantial lengths, the intensification of motor vehicle use that the site would generate would represent a detriment to highway safety. Requires the submission of a drawing showing the width of the carriageway from the development to Hildersham Road junction with the A1307.
61. The proposed inter vehicle visibility splays are not acceptable given that the 85% speeds as measured show that vehicles travel in excess of the signed speed limit at 40.7 mph in an easterly direction and 38.7 in a westerly direction. Splays of 2.4 metres x 90 metres are required.
62. **Cambridgeshire County Council Transport Assessment Team** – Objects to the application as insufficient detail has been submitted to make a sound assessment. Further information is required relation to the distribution and assignment of traffic and junction modelling. Mitigation is to be agreed once these details are submitted and accepted.
63. **Cambridgeshire County Council Historic Environment Team** – Objects to the application. Comments that the site lies in an area of high archaeological potential situated adjacent to the Icknield Way, an ancient trackway that runs from Norfolk to Wiltshire. Opposite the site is Linton medieval moat and manor and its associated moats and fishponds. Archaeological investigations in the vicinity revealed evidence of Saxon and medieval occupation. Little Linton deserted settlement remains are to the south west. Other investigations in the area have revealed Iron Age, Neolithic, Bronze Age and Roman occupation.
64. Recommends that the site is subject to an archaeological evaluation undertaken by

the developer prior to the granting of planning permission to allow for the fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains. An informed judgement can then be made as to whether are planning consent will need to include provisions for recording and the preservation of important remains in situ.

65. Further comments (as amended) that there is aerial evidence of a barrow cemetery within the vicinity of the application area with one or two barrows at the north eastern side of the application area. The date of such cemeteries is usually Bronze Age though barrow construction persisted in the Roman and Saxon period also. Not all date sources have been checked. Should components of a barrow cemetery be present, the condition, nature and date of the burials needs to be established so that an informed decision can be made as to their preservation. To do this, a physical field evaluation is required.
66. **Cambridgeshire County Council Flood and Water Team** – Has no objections in principle to the proposed development. Comments that the applicant has demonstrated that surface water can be dealt with on site by using infiltration basins which have adequate volume to hold the 1% Annual Exceedance Probability plus an allowance for climate change. There is potential for the use of permeable paving on the site and this is supported as it controls the rate of surface water leaving the site and provides water quality treatment.
67. Further comments that due to the existing topography in the area the houses adjacent to Back Road and down the Woodlands have experienced surface water flooding. Overland flows from the greenfield site can be a contributing factor to this flooding in extreme rainfall events and there are concerns within the community. The applicant should look at overland flow paths in extreme rainfall events and landscaping options to ensure that overland flows are retained on site. Recommends the use of as many surface water features as possible to help retain the water throughout the site rather than at the end of the drainage scheme. Recommends a surface water drainage scheme and maintenance of the surface water system conditions.
68. **Environment Agency** – Has no objections in principle but comments that infiltration drainage will only be acceptable if the land is uncontaminated. Recommends conditions in relation to a remediation strategy to address any contaminated land. Also requests informatives with regards to surface water drainage, foul water drainage and pollution prevention.
69. **Anglian Water** – Has no objections. Comments that the foul drainage is in the catchment of Linton Water Recycling Centre that will have available capacity and the sewerage system at present has capacity for these flows. The proposed methods of surface water disposal do not relate to Anglia Water operated assets.
70. **Cambridgeshire County Council Growth Team** – Comments that there is insufficient early year's provision and primary school provision in the village to accommodate the development and contributions are therefore sought to mitigate the impact. The contributions required are £263,775 towards early years and £597,890 towards primary education. A scheme for expansion of the existing infants and junior schools through a full form of entry at the sites is has been put forward or a full form of entry for primary school provision elsewhere in Linton as both of the above sites are constrained in the land available for development. There is adequate secondary school provision at Linton Village College.
71. The Linton library is currently full and the development would require a contribution of

£10,025 towards a scheme to increase the capacity of the existing library. This would be achieved through the reorganisation of the layout including the remodelling of the existing library counter to enable extra shelving and appropriate resources.

72. The development lies within the catchment of the Thriplow Household Recycling Centre catchment area. There is insufficient capacity to accommodate the development. However, an extension is planned that has already pooled five developer contributions. No further contributions are therefore considered necessary.
73. **NHS England** – Comments are awaited.
74. **Cambridgeshire Fire and Rescue Service** – Requires adequate provision for fire hydrants through a condition of any consent.
75. **Cambridgeshire County Council Rights of Way Team** – Comments that bridleway no. 21 runs along the eastern boundary of the site and public footpath no. 1 runs to the south west of the site. Welcomes the proposal to create new routes linking into the existing public rights of way network. However, additional information is required in relation to the legal designation of the route.
76. **Cambridge Ramblers** – Objects to the proposal on the grounds that the development would be on the north west edge of Linton on the hillside next to Linton bridleway 21 (part of the Icknield Way) leading up to Rivey Hull via Rivey Wood. This walk is very pleasant, mainly open, climb. The development will close in on the bridleway and block views to the north west towards Hildersham as the bridleway is ascended. It will have a significant adverse impact upon the views from Back Road and the bridleway. It will affect the ambience and views not only from the bridleway itself but views across from the other side of the valley around Hadstock. There are very few hills in the district and this one is particularly valued by walkers.
77. **Campaign for the Protection of Rural England** – Objects to the application on the grounds of the local plan process should not be overridden even though there is not a 5 year housing land supply, housing needs forecasts should be met by existing sites, weight should be given to the merging Local Plan allocations, outside village framework, loss of agricultural land, scale of development and impact upon the character of the village.

Representations

78. Approximately 80 letters of objection have been received from local residents that have the following concerns: -
 - i) Outside village framework.
 - ii) Scale of development.
 - iii) Highway safety in terms of traffic generation, narrow roads, dangerous junctions on to A1307, speed of traffic, visibility, lack of footpaths, safe cycle route and construction traffic.
 - iv) Lack of infrastructure- schools, doctors, dentist, shops, bus services, sewerage.
 - v) Distance to village centre.
 - vi) Parking and congestion in village.
 - vii) Bus frequency and capacity.
 - viii) Flood risk and surface water drainage.
 - ix) Visual impact on landscape setting of village.
 - x) Loss of village character and historical nature of village ruined.
 - xi) Impact upon protected verges, ancient woodland and wildlife.

- xii) Loss of countryside and green space.
- xiii) Loss of agricultural land.
- xiv) Impact upon conservation area, listed buildings and archaeology.
- xv) Impact upon public right of way.
- xvi) Lack of low cost housing.
- xvii) Self-contained development.
- xviii) Limited employment in village attracts commuters.
- xix) Loss of privacy and views.
- xx) Noise, dust and light pollution.
- xxi) Lack of facilities for older children and adults.
- xxii) Cumulative impact.
- xxiii) Better brownfield sites.
- xxiv) Inaccurate data in reports and lack of data.
- xxv) Classification of application.

79. Two letters of support have been received from local residents that have the following comments: -

- i) Provision of housing for expanding population.
- ii) Low cost housing.
- iii) Supports village amenities.
- iv) Schools not full for catchment.

Site and Surroundings

80. The site is located outside the Linton village framework and in the countryside. It is situated to the north of the village and forms part of two arable fields that measure approximately 6.16 hectares in area. The topography of the site is rising land south to north. A mature hedge runs north to south through the centre of the site. A sporadic hedge with trees runs along part of the southern boundary. A public right of way runs along the eastern boundary of the site. A County Wildlife Site (Protected Roadside Verges) is situated to the west of the site. The site is situated within flood zone 1 (low risk). Open agricultural land lies to the north with woodland beyond. Open agricultural land also lies to the west. Residential developments are situated to the east and south.

Proposal

- 81. The proposal as amended seeks outline planning permission for a residential development of up to 95 residential dwellings. Access forms part of the application with all other matters reserved for later approval.
- 82. There would be one main access point to the site from Back Road between the junction with Symonds Lane and Crabtree Croft. The development would include 40% affordable housing (38 dwellings), public open space and children's playspace, surface water flood mitigation and attenuation and structural planting and landscaping.

Planning Assessment

- 83. The key issues to consider in the determination of this application relate to housing land supply, the principle of the development in the countryside, housing density, housing mix, affordable housing, developer contributions 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.

Principle of Development

84. The site is located outside the Linton village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of 95 dwellings would not be appropriate in this location and therefore not under normal circumstances considered to be acceptable in principle.
85. Linton is identified as a Minor Rural Centre under Policy ST/5 of the LDF and Policy S/8 of the emerging Local Plan where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are supported in policy terms. The erection of a residential development of up to 95 dwellings would exceed the scale of development appropriate in this location and therefore not under normal circumstances considered to be acceptable in principle.

Housing Land Supply

86. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
87. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 year supply based on the methodology used by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest assessment of housing delivery (in the housing trajectory March 2017)). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
88. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies, on the basis of the legal interpretation of "policies for the supply of housing which applied at the time of the Waterbeach decision, were are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages).
89. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely and held that the term was so not to be restricted to 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies in the Council's development plan which have the potential to restrict or affect housing supply were to be considered out of date in respect of the NPPF. The decision of the Court of Appeal tended to confirm the approach taken by the Inspector who determined the Waterbeach appeal. As such, as a result of the decision of the Court of Appeal, policies including policy ST/5 of the Core Strategy and policies DP1(a) and DP7 of the Development Control Policies DPD fell to be considered as "relevant

policies for the supply of housing” for the purposes of NPPF para.49 and therefore “out of date”.

90. However, the decision of the Court of Appeal has since been overturned by the Supreme Court, in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF. The term “relevant policies for the supply of housing” has been held by the Supreme Court to be limited to “housing supply policies” rather than more being interpreted more broadly so as to include any policies which “affect” the supply of housing, as was held in substance by the Court of Appeal.
91. The effect of the Supreme Court’s judgement is that policies ST/5, DP/1(a) and DP/7 are no longer to be considered as “relevant policies for the supply of housing”. They are therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the Framework at para. 7. It is considered that policies ST/5, DP/1(a) and DP/7, and their objective, individually and collectively, of securing locational sustainability, accord with and further the social and environmental dimensions of sustainable development, and accord therefore with the Framework.
92. However, given that the Council cannot demonstrate currently a five year housing land supply, its “housing supply policies” remain out of date (albeit “housing supply policies” do not now include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court, para. 14 of the NPPF is engaged and planning permission for housing development should be granted, inter alia, “unless and adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of [the] Framework taken as a whole ...”.
93. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply and the benefit, in terms of housing delivery of a proposed residential-let development supply cannot simply be put to one side. The NPPF places very considerable weight on the need to boost significantly the supply of housing, including affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/5, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence, currently, of a five year housing land supply.
94. A balancing exercise needs therefore to be carried out. As part of that balance, in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefit which a proposal brings in terms of delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including, where engaged, ST/5, DP/1(a) and DP/7, which seek to direct development to the most sustainable locations – is so great in the context of a particular application as to “significantly and demonstrably outweigh” the benefit of the proposal in terms of deliver of new homes, that planning permission should be refused. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.

Sustainable Development

95. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental.

Economic Aspects

96. The provision of up to 95 new dwellings will give rise to significant employment during the construction phase of the development and would have the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy in the short term.

Social Aspects

Provision of Housing

97. The development would provide a significant benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 95 dwellings. This would include 38 affordable dwellings.

Housing Delivery

98. The development would provide a benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 50 dwellings. However, no development programme has been submitted with the application to demonstrate that the development can be delivered within 5 years.

Scale of Development, Cumulative Impact and Services

99. This proposal for up to 95 dwellings and along with the proposals under planning application references S/1963/15/OL for 55 dwellings that has committee approval and S/1969/15/OL for 50 dwellings that is due to be heard at appeal shortly, may result in a total of 200 new dwellings within the village of Linton if all schemes were approved. Given the current lack of a 5 year housing land supply, it therefore needs to be determined whether the scale of the development is acceptable for this location in terms of the size of the village and the sustainability of the location.
100. The Services and Facilities Study 2013 states that in mid-2012 Linton had an estimated population of 4,530 and a dwelling stock of 1,870. It is one of the larger villages in the District. An additional 200 dwellings would increase the number of dwellings by 11%. This figure is substantial but is not considered to be out of scale and character with the size of the village and its services and facilities.
101. Whilst it is acknowledged that the most preferable location for development is first on the edge of the city of Cambridge and secondly in Rural Centres, it is considered that Linton is a reasonably sustainable location to accommodate increased housing development.
102. The village is ranked jointly No. 6 in the Village Classification Report 2012 in terms of access to transport, secondary education, village services and facilities and employment. It only falls below the Rural Centres which have slighter better accessibility to public transport.
103. The Services and Facilities Study 2013 identifies a wide range of services and facilities in the village that include a secondary school, junior school, infant school,

health centre, dentist, post office, 4 food stores plus a small supermarket, other services such as hairdressers, florists etc., 3 public houses, a village hall and 3 other community centres, a recreation ground and a bus route to Cambridge and Haverhill with a service every 30 minutes during the day Mondays to Saturdays and hourly on Sundays.

104. The majority of the services and facilities are located on the High Street. The site is situated on the edge of the village at a distance of approximately 800 metres from the shops and 800 metres from the nearest bus stop (10 minutes walk). It is a slightly longer walk to the infant's school and junior school but a shorter walk to the recreation ground and secondary school. These distances are considered reasonable and not unacceptable in terms of accessibility by walking and cycling. Given the above assessment, the future occupiers of the development would not be wholly dependent upon the private car to meet their day-to-day needs and wider demands could be served by public transport.

Housing Density

105. The site measures 3.18 hectares in area (net). The erection of up to 95 dwellings would equate to a maximum density of 30 dwellings per hectare. Whilst this density would be below the requirement of at least 40 dwellings per hectare for sustainable villages such as Linton under Policy HG1 of the LDF, it is considered appropriate in this case given the sensitive nature of the site on the edge of the village and the need for a significant landscape buffer along the northern and western boundaries to the open countryside.

Affordable Housing

106. 38 of the 95 dwellings (40%) would be affordable to meet local needs as set out in Policy HG/3 of the LDF. No details of the affordable mix have been provided. Given that the application is currently at outline stage only, it is considered that the exact mix could be agreed at the reserved matters stage in agreement with the Council's Affordable Housing Officer. The tenure mix sought would be 70% affordable rented and 30% shared ownership/intermediate which is in accordance with the Council's policy. Given that the proposal is considered a 5 year supply site, the first 8 dwellings would be available to those that have a local connection with the remainder being split 50% to those with a local connection and 50% to those district wide.

Market Housing Mix

107. The development would provide a range of dwelling types and sizes that range from one and two bedroom homes to larger family homes to comply with Policy HG/2 of the LDF or Policy H/8 of the emerging Local Plan. No details of the market mix have been provided. Given that the application is currently at outline stage only, it is considered that the exact mix of the market dwellings could be agreed at the reserved matters stage. The need for smaller properties in the village as identified by the Parish Council would then be considered. A condition would be attached to any consent to ensure that the mix is policy compliant.

Developer Contributions

108. 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.

109. 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.
110. The Planning Inspectorate Procedural Guide (5 August 2016) says that the following evidence is likely to be needed to enable the Inspector to assess whether any financial contribution provided through a planning obligation (or the local planning authority's requirement for one) meets the tests:
- i) the relevant development plan policy or policies, and the relevant sections of any supplementary planning document or supplementary planning guidance;
 - ii) quantified evidence of the additional demands on facilities or infrastructure which are likely to arise from the proposed development;
 - iii) details of existing facilities or infrastructure, and up-to-date, quantified evidence of the extent to which they are able or unable to meet those additional demands;
 - iv) the methodology for calculating any financial contribution necessary to improve existing facilities or infrastructure, or provide new facilities or infrastructure, to meet the additional demands;
 - v) details of the facilities or infrastructure on which any financial contribution will be spent.

Open Space

111. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 4.19 hectares of sports space. Linton has one recreation ground with a senior football pitch and a cricket pitch with the cricket square next to the football goal area and a bowl green. The pavilion is in very good condition with home and away changing, a bar area and kitchen. There is a need for an additional football pitch to meet local need and improved drainage at the existing facility. The cricket club also require an additional pitch to meet the demand for additional junior teams. The 2013 study did not take account of the facilities at Linton Village College, which although at the current time are available for public hire, are not guaranteed through a community access agreement.
112. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
113. Linton Parish Council highlights the lack of infrastructure in the village to cope with the development and comments that it ideally requires additional land to provide the facilities required for the village but states that this is not possible at present as no landowner would be prepared to sell for agricultural rates, while the Council does not have a 5 year housing land supply. It has therefore put forward projects for formal sports activities on land under public ownership. These include outdoor gym equipment and replacement of bowls area with a multi-use games area and tennis courts at Linton Village College. The contribution required would be tariff based contribution of approximately £107,000.
114. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 3.41 hectares of children's play space. A Local Equipped Area of Play would be provided within the development. This will meet the needs of 2 to 8 year olds.
115. Linton Parish Council has requested a contribution of £25,000 to help fund a number of play facilities focussed at meeting the needs of older children arising from the

development including new play equipment and/or trim trail and/or climbing wall and/or BMX skate park.

- 116. No off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
- 117. The Recreation and Open Space Study 2013 identified that Linton had a surplus of 0.27 hectares of informal open space. The development would provide a substantial amount of informal public open space within the development.
- 118. No off-site contributions are therefore required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF. However, contributions are required for maintenance of the space if adopted by the Parish Council.

Community Facilities

- 119. The Community Facilities Audit 2009 states that Linton is served by Linton Village Hall, which is run by a charity and can accommodate 170 persons seated and 200 standing. It holds an entertainment licence but no alcohol license, public dances, disabled access and toilets. There is only a basic kitchen but no food preparation area. Linton Village Hall is not considered to satisfy the Council's indoor facilities standard in terms of quantity of space and quality of space.
- 120. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.
- 121. Linton Parish Council again highlights the lack of infrastructure in the village to cope with the development. It has therefore put forward a project for improvements to the Village Hall to include renovation/modernisation of the kitchen, refurbishment of the WC's and a redesign of the front façade and entrance foyer. Alternatively, the funds could go towards a new multi-purpose community centre with a focus aimed at young people and which will be available for hire by scouts, guides, brownies and other users. This would also need to be funded by other sources but at present these have not been identified. The contribution required would be tariff based contribution of approximately £48,000.
- 122. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.

Waste Receptacles

- 123. The RECAP Waste Management Design Guide requires household waste receptacles to be provided for the development. Off-site contributions are required towards the provision to comply with Policy DP/4 of the LDF. The contribution would be £73.50 per dwelling and £150 per flat.

Monitoring

- 124. To ensure the provision and usage of on-site infrastructure, a monitoring fee of £1,300 is required.

Education

- 125. The development is expected to generate a net increase of 29 early year's children, of

which 15 are entitled to free provision. The Linton Infants School will be full if existing developments in the area are approved. Therefore, a contribution of £263,775 towards early years provision is required.

126. The development is expected to generate a net increase of 34 primary aged children. The Linton Infant's School and Linton Junior School will both be full if existing developments in the area are approved. Therefore, a contribution of £597,890 towards primary provision is required.
127. The project put forward to address the need is a new Form Entry expansion of the Infant and Junior Schools in the village. However, there are currently constraints on both sites and if this is not possible following a detailed consultation with a number of parties, an alternative would be a new Form Entry expansion in primary education provision elsewhere in Linton. The cost of the project is £4,150,000 that would provide 210 places and 26 early years places.
128. Planning Officers are aware of a number of appeal decisions where Planning Inspectors have taken the view that, although the development gave rise to some form of mitigation being needed, the request to pay financial contributions does not meet the CIL tests on the basis that the infrastructure provider has failed to explain how the money would be spent.
129. At an appeal for 199 dwellings and care home in Melbourn, where the Council has refused the application partly on the lack of healthcare facilities, the Planning Inspector concluded that "...NHS England is currently reviewing other options to use the contribution to increase capacity in the area. In line with its 5 year forward view of changes in the delivery of primary healthcare, this includes the possible amalgamation of practices and co-locating of services. A Health Impact Assessment, focussed on the care home, would need to be provided at reserved matters stage; that may also point to a different conclusion. Thus whether the funding would be used to increase capacity by improving the Orchard Surgery or by other means is currently somewhat vague. This is potentially problematical in terms of the CIL Regulations. However, I accept that having the flexibility to attribute funding to a better scheme that may not yet have been identified can help to provide the most benefit to the local community with the least amount of funding. In order to provide assurance that the contribution would be used for the benefit of the residents of the development, NHS England undertakes to provide full details of the specific project to be funded by the contribution before drawing it down. As a last resort, the Agreement provides that, if the contribution is not spent for its intended purpose within 10 years, it has to be repaid. In these circumstances I consider that the healthcare contribution essentially complies with the tests of CIL Regulation 122".
130. Here Cambridgeshire County Council have said that they will use all reasonable endeavours to provide primary school capacity at the existing school sites, however, they also recognise that the feasibility study may highlight that this is not achievable. The County Council has also explained in their consultation response (as set out above) that there are a number of parties whose Authority would be needed in order to secure the works. In such circumstances, i.e. where the existing schools could not be expanded, the County Council has said that they would look to provide primary school capacity elsewhere in the village. No land has been identified for this purpose and it is not known whether the County Council has control over any land that would be suitable for this purpose. That said a local authority does have powers to compulsory purchase land where the objective is to achieve one of more of the following; (a) the promotion or improvement of the economic well-being of their area; (b) the promotion or improvement of the social well-being of their area; (c) the

promotion or improvement of the environmental well-being of their area.

131. Planning Officers have met with representatives from both schools in order to better understand how additional and suitable accommodation could be facilitated across the sites. Linton Infants School has a number of constraints relating to topography and its location within the conservation area. However it would appear that there are a number of different (albeit challenging) ways in which the needs of primary aged children could be met in the village. The current and informal view held by the schools is that a solution could be found to expand both sites such that they would (eventually) accommodate the equivalent of a 1 Form Entry school, i.e. an extra classroom per year group across both locations. Any developer monies would likely need be invested into the Infant School first, on the basis that research shows families moving into a new development do so either with young children or with the intention of having children. The immediate impact would therefore be on year groups Reception to Year 2.
132. It is far from ideal that a solution has not been identified to explain how mitigation will be addressed, however, there are many issues that need addressing. It is clear that there are similarities between the issue of primary education in Linton and the issue of health provision in Melbourn. As a result Planning Officers take the view that, on balance, and due to the exceptional circumstances, the request made by Cambridgeshire County Council does satisfy the CIL Regulations and the Planning Practice Guidance and should be secured if planning permission was granted.
133. The development is expected to generate a net increase of 24 secondary school places. The catchment school is Linton Village College. There is sufficient capacity in the area to accommodate the places being generated by this development. Therefore no contribution for secondary education is required.

Libraries and Life Long Learning

134. The proposed increase in population from this development (95 dwellings x 2.5 average household size = 238 new residents) will put pressure on the library and lifelong learning service in the village. Linton library is currently at capacity. A contribution of £10,024.56 is required to address the increase in demand that would go towards the modification of the library to create more library space and provide more shelving and resources.

Strategic Waste

135. This development falls within the Thriplow Household Recycling Centre catchment area for which there is currently insufficient capacity. The development would not require a contribution towards the project to expand capacity as 5 schemes have already been pooled towards this project.

Health

136. There is an existing medical centre in Linton on Coles Road. Comments from NHS England are awaited as to whether there is a need for contributions towards health facilities in the village. Members will be updated at the Committee meeting.

Summary

137. Appendix 2 provides details of the developer contributions required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF

and paragraph 204 of the NPPF.

138. It is considered that all of the requested contributions to date meet the CIL tests and would be secured via a Section 106 agreement. Confirmation from the applicant to the contributions is awaited and members will be updated at the Committee meeting

Environmental Aspects

Character and Appearance of the Area

139. The site is located outside the Linton village framework and in the countryside. It comprises rising topography that provides an important setting to the village that lies within the valley of the River Granta.
140. The Landscape Design Officer has objected to the proposal. The proposed development would result in encroachment into this open landscape setting of the village within the open agricultural land that rises between the valley and woodland. This would lead to stacks of housing on rising land that would result in a visually intrusive and dominant mass of built form that would detract from the rural character and appearance of the area in short distance views from Back Road and the adjacent public right of way and long distance views from the A1307 and the road to Hildersham.
141. The site is located within the East Anglian Chalk National Landscape Character Area. The main characteristics of this area are the narrow continuation of the chalk ridge that runs south-west–north-east across southern England, visually simple and uninterrupted landscape of smooth, rolling chalkland hills with large regular fields enclosed by low hawthorn hedges, with few trees, straight roads and expansive views to the north, is an open landscape but trees on hill tops are visually distinct and characteristic. The smooth, rolling chalkland hills are dissected by the two gentle valleys of the rivers Granta and Rhee. The chalklands are traversed by several ancient trackways, including the major ancient trackway, the Icknield Way that is lined by archaeological features that include Neolithic long barrows and bronze-age tumuli.
142. The development would result in the loss of a proportion of the rolling chalkland hills that are distinctive to the landscape setting of the village and make an important contribution to the landscape character setting of the village.
143. Mitigation is proposed in the form of sensitive siting of the dwellings on the lower slopes of the site and planting of new woodland along the northern and western boundaries along with trees and hedgerows within the site. However, these measures would do little to reduce the landscape harm and visual effects.
144. The proposal is therefore contrary to Policies DP/3 and NE/4 of the Local Development Framework that seek to protect the character and appearance of the countryside and landscape character.

Design Considerations

145. The application is currently at outline stage only, with means of access included as part of the application. All other matters in terms of the layout of the site, scale, external appearance and landscaping are reserved for later approval.
146. The indicative layout plan shows a single linear spine road that runs centrally through

the site following its shape with small clusters of development of the main route.

The average density of the development across the site would be 30 dwellings per hectare. However, higher density development would be located closer to Back Road with lower density development on the northern, eastern and western parts of the site.

147. The development would be split into character areas. The spine road would be defined by a more formal linear arrangement of buildings to create a strong frontage with buildings set back in places to add interest. The shared private driveways/ lanes would have a more informal arrangement with different building orientations.
148. The dwellings are intended to have a maximum height of two storeys. The form, design and materials of the dwellings would reflect the traditional local vernacular.
149. 2.98 hectares of public open space would be provided on the site. This would consist of a large strategic landscape buffer along the northern and eastern boundaries and a central green corridor. A Local Equipped Area of Play together with smaller areas of informal open space would also be provided within the development.
150. The key principles set out above in relation to the design of the development are supported to ensure that the development would preserve the character and appearance of the area in accordance with Policy DP/2 of the Local Development Framework.

Biodiversity

151. The site contains a mature hedge that runs north to south through the site and a sporadic hedge and trees that form part of the southern boundary of the site. There is woodland to the north of the site.
152. The proposal would not result in the loss of any important trees and landscaping that contribute to the visual amenity of the area. The majority of the existing mature hedge and landscaping on the site would be retained (apart from access points) and protected within the development as it would form part of a new green corridor. This would be a condition of any consent.
153. A significant amount of new planting would be introduced on the site that would comprise a native hedgerows and woodland planting along the northern and western boundaries and groups of trees within the public open spaces on the site. This would be subject to a condition of any consent.
154. The proposal would therefore comply with Policy NE/6 of the Local Development Framework that seeks to maintain and enhance biodiversity.

Ecology

155. A Phase 1 habitat survey was submitted with the application that identified arable land, hedgerows, trees, grassland field margins and verges as the main habitats on the site. The site is considered of low ecological importance.
156. The hedgerows and trees provide foraging opportunities for bats commuting to the adjacent Pains Pasture woodland. The age and lack of key features of the trees on the site provided negligible suitability for bat roosts. Whilst there was evidence of bats using the hedge along the southern boundary, no bat roosts were found.

157. The hedgerows provide foraging opportunities for badgers commuting to the adjacent Pains Pasture woodland. Whilst there was evidence of this species close to the site, no evidence was found on the site itself.
158. The hedgerows, trees, grassland and arable land provide foraging, shelter and nesting habitats for birds. A number of bird species were recorded on the site but none of these were considered of significant ecological importance.
159. No evidence of reptiles, amphibians or other mammals was recorded on the site.
160. Mitigation is proposed in the form of retention and protection of the majority of the existing hedgerows and trees on the site and the creation of significant number of new habitats within the open space on the site including hedgerows, trees and woodland and ponds. Other measures such as the removal of vegetation outside the bird breeding season and restricted lighting is recommended together with enhancement such as bird and bat boxes. These measures would be subject to conditions of any consent.
161. The Furze Hill Road Side Verge County Wildlife Site is situated adjacent to the north west boundary of the site. The main interest feature of this area is a nationally scarce vascular plant species, lesser calamint.
162. The Hildersham Protected Roadside Verge is situated adjacent to the north west boundary of the site. The main interest feature of this area is calcareous grassland.
163. The proposal shows a new footway from the south western part of the site that links to the public right of way to the south of the site. The footway is proposed to be set back from the verges but it would cross the verge in one place. There is uncertainty over how this will be delivered as it is not known whether this land is owned by the applicants. The crossing of the verge would have an adverse impact upon these areas of interest.
164. Mitigation in the form of compensatory habitat creation is proposed to address this harm by the widening and management of verges along Back Road on site and the creation of calcareous grassland on the open space within the site. However, this would be isolated from the verges and their interest features and no precise details are given as to the extent of mitigation.
165. The development would result in an increase in traffic generation along Back Road. Given the narrow width of the road, traffic has already resulted in damage to the verges. The proposal would cause further harm unless some sensitive road improvements are suggested.
167. Pains Pasture is woodland that lies to the north of the site and Rivey Wood is ancient woodland that lies within 0.25 km of the site.
168. Whilst it is acknowledged that there are no footpaths or public access to these woodlands, the proximity of the development and ease of access to these areas may result in a greater use for human recreation notwithstanding the provision of an information board adjacent to the woodland and some small woodland areas within the site.
169. The Furze Hill Site of Special Scientific Interest lies within 0.5km of the site. The interest features of this area are calcareous grassland. The proposal is not considered to adversely affect this area.

Given the potential impact of the development upon the Furze Hill Protected Roadside Verge County Wildlife Site. The proposal is therefore considered to be contrary to Policy NE/7 of the Local Development framework that states planning permission will not be given for proposals that may have an unacceptable adverse impact, either directly or indirectly, on a Site of Biodiversity Importance.

Heritage Assets

170. The nearest listed buildings (grade II) to the site are at Little Linton to the south west of the site. The site is situated outside the conservation area.
171. 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.
172. Given the distance from the conservation area and listed buildings and their immediate surroundings that comprise modern residential development, the proposal is not considered to damage the setting of these designated heritage assets.
173. The traffic generation from the development is considered to have a neutral impact upon the conservation area and listed building in the historic core of the village given the existing level of traffic that uses this route.
174. The proposal would therefore comply with Policies CH/4 and CH/5 of the Local Development Framework that seek to preserve or enhance the character and appearance of heritage assets.
175. The site is nonetheless situated in an area of high archaeological potential with a significant number of important undesignated archaeological features adjacent to and within close proximity. No archaeological evaluation has been carried out on the site to date that demonstrates the proposal would not result in the loss of important archaeological remains that need to be preserved in-situ. The County Council's Historic Environment Team has stated this is required to ensure that the presence/absence, nature, extent, quality and archaeological remains in the area are considered in full to determine the impact of the development upon the significance of the assets.
176. In the absence of this, the proposal is therefore contrary to Policy CH/2 of the Local Development Framework that states archaeological sites will be protected in accordance with national policy (paragraph 135 of the NPPF).

Highway Safety and Sustainable Travel

177. Back Road leads out from the centre of the village of Linton, past the crossroads to Hildersham and Balsham and to the junction of the A1307 at Little Abington. It is a fairly straight but narrow road with a speed limit of 30 miles per hour close to the site. The road, however, narrows and bends between Linton and the crossroads at Hildersham and has a speed limit of 60 miles per hour along this section.
178. Back Road has variable widths and is used by both commercial and agricultural vehicles. The majority of traffic would be likely to use this road to travel to the A1307 and beyond to Cambridge.

179. The proposal would result in a maximum of 71 departures and 22 arrivals by vehicles in the am peak and 62 arrivals and 30 departures by vehicles in the pm peak. 80% of traffic is likely to use Back Road towards the A1307 at Hildersham that would result in 57 vehicles in the am peak and 50 vehicles in the pm peak. Existing flows are 159 westbound in the am peak and 339 eastbound in the pm peak that would increase to 216 in the am peak and 388 in the pm peak.
180. Further information is required on the distribution of traffic from the site. Given that the High Street is narrow and congested and may not be used, further details of the Hildersham Road junction with the A1307 and modelling of the High Street, Hildersham junction with the A1307 is needed to determine that the development would be acceptable and inform any mitigation measures required to ensure that the proposal would not be detrimental to highway safety.
181. No information has been submitted to demonstrate that the carriageway is of a satisfactory width to accommodate the proposed intensification in use as a result of this development.
182. The design of the proposed access point from the development on to Back Road is not considered to meet Local Highways Authority standards. Whilst the new access would have a width of 5.5 metres that would allow two-way vehicular traffic and would have a 3 metre wide footway/cycleway to its eastern side, no details have been provided of the land levels of the access to demonstrate that it would not have a detrimental effect upon the operation of the public highway.
183. The provision of inter vehicle visibility splays that measure 2.4 metres from the centre point of the new access road along the edge of the carriageway x 67.2 metres along the edge of the carriageway eastbound and 62.3 westbound would not be appropriate. Information has been submitted with the application that demonstrates 85% of vehicles using this section of the road significantly exceed the speed limit. Therefore, greater inter vehicle visibility splays of 2.4 metres along the centre point of the access from the edge of the carriageway x 90 metres along the edge of the carriageway are required to ensure that the proposal would not cause a hazard that would be detrimental to highway safety.
184. Notwithstanding the above, the proposal would not provide suitable pedestrian connectivity to the village as the shortest route from Back Road to Symonds Lane via Crabtree Croft has an alleyway with a width of 1.5 metres that would not allow accessibility for all users.
185. The proposal would therefore be contrary to Policy DP/3 of the Local Development Framework that seeks appropriate access from the highway network that does not compromise safety.

Flood Risk

186. The site is situated within Flood Zone 1 (low risk). The nearest watercourse is the River Granta. The site lies outside the floodplain for this watercourse and is therefore at low risk of fluvial flooding.
187. The topography on the site consists of land that falls fairly significantly north to south. The land to the south has experienced surface water flooding from overland flows from the existing greenfield site in the past in extreme rainfall events.

188. The proposed surface water drainage strategy for the site is the use of infiltration based SUDS. A number of drainage basins are proposed along the southern boundary at the lowest point of the site. The storage capacity of these basins incorporates flows from 1 % Annual Exceedance Probability plus an allowance for climate change to limit run-off to greenfield rates. There is also potential for the use of permeable paving. This is considered acceptable subject to a condition to agree the detailed design and monitoring as part of a legal agreement.
189. However, it is suggested that as many surface water features as possible are proposed to retain water throughout the site rather than at the end of the system to provide alternative overland flows in extreme events that would reduce the risk to the land to the south.
190. The proposal would therefore comply with Policy NE/11 of the Local Development Framework that states applications will be judged against national policy (paragraph 103 of the NPPF).

Neighbour Amenity

191. While the existing residents along Back Road would experience an increase in noise and disturbance from vehicular and pedestrian traffic as a result of the proposal, this impact is likely to be negligible to low, and not give rise to material harm given the existing level of traffic in the area and level of use of the proposed emergency access.
192. Although it is noted that there would be a change in the use of the land from an open field to residential dwellings, the development is not considered to result in a significant level of noise and disturbance that would adversely affect the amenities of neighbours. A condition would be attached to any consent in relation to the hours of use of power operated machinery during construction and construction related deliveries to minimise the noise impact upon neighbours.
193. The impact of the development itself on neighbours in terms of mass, light and overlooking will be considered at the reserved matters stage and would need to comply with Policy DP/3 of the LDF. It is noted that there are residential properties to the south and the land falls southwards.
194. The proposal is not considered to result in a significant increase in air pollution.

Other Matters

195. The development is not considered to result in a risk of contamination, providing a condition is attached to any consent to control any contamination identified during the development.
196. There is available capacity to cope with wastewater treatment and a condition would be attached to any consent to ensure an appropriate method of foul water drainage.
197. The site is located on grade 1 (excellent) agricultural land. The development would result in the permanent loss of this agricultural land contrary to policy NE/17 and paragraph 112 of the NPPF. However, this policy does not apply where land is allocated for development in the LDF or sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural use of the land. In this case, this is considered satisfactory given the absence of up-to-date policies for the supply of housing in the district. Therefore, limited weight can be attached to this policy.

198. The cumulative impacts of the other proposed developments in the village have been considered in relation to all material planning considerations.
199. The applicants have carried out consultation with the local community through a press advert and leaflet drop to 550 properties seeking views on the proposal that included a website for further information. A letter was written to the Parish Council that offered a meeting. This level of consultation is considered satisfactory.

Planning Balance

200. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
201. This report sets out a number of benefits that would result from the development. These are set out below: -
- i) The provision of up to 95 dwellings towards housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - ii) The provision of 38 affordable dwellings towards the identified need across the district.
 - iii) The provision of a significant amount of public open space including children's playspace within the development.
 - iv) Developer contributions towards education, health, sport, open space and community facilities in the village.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
202. Significant weight can be attached to the provision of 95 dwellings including 40% affordable housing to meet the lack of housing supply in the district in accordance with the guidance in the NPPF.
203. Significant weight can also be attached to the provision of open space and children's playspace within the development and contributions towards education, health, sport, open space and community facilities.
204. Moderate weight can be attached to the provision of employment during construction and the impact upon local services from the development.
205. This report sets out a number of adverse impacts that would result from the development. These are set out below: -
- i) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Scale of development and the objectives of policy ST/5
 - iii) Visual and landscape character impact upon the setting of the village.
 - iv) Potential impact of traffic generation upon the functioning and capacity of the public highway, impact of the access upon highway safety and inadequate pedestrian connectivity to village.
 - v) Potential impact upon features of important archaeological interest.
 - vi) Potential impact upon the Furze Hills Protected Roadside Verge County Wildlife Site and Hildersham Protected Verges.
206. Limited weight can be attached to the location and scale of the development given the

absence of a five year housing land supply and the need to balance this conflict against the significant need for housing identified in the NPPF.

207. Moderate weight can be attached to the visual and landscape harm given that the site does not form part of a special landscape designation above the local level and the lower slopes of the land already comprise residential development such as Chalklands.
208. However, it is considered that significant weight can be attached to the potential impacts of the development upon highway safety, It has not been demonstrated that the proposal would have a safe and suitable access. The Transport Assessment has also not included information that is required to determine the impact of the development upon the capacity and functioning of the public highway. There is also inadequate pedestrian connectivity to the village. These are substantial concerns that would conflict with paragraph 32 of the NPPF and can be given significant weight.
209. The proposal also has the potential to have an adverse impact upon features of important archaeological interest as a proper evaluation of the site has not been carried out to date. This is another significant concern that would conflict with paragraph 13 of the NPPF and can therefore be given considerable weight.
210. It has not been demonstrated that the proposal would not harm a County Wildlife Site through traffic generation or the new footpath. This is a further major concern that would conflict with paragraph 118 of the NPPF and can be given substantial weight.

Conclusion

211. In summary, the adverse impacts of this development in terms of the impacts upon highway safety, features of important archaeological interests and a Site of Biodiversity Importance are considered to significantly and demonstrably outweigh the benefits of the provision of a significant housing scheme, when assessed against the policies in the NPPF taken as a whole. On balance, planning permission should therefore be refused.

Recommendation

212. It is recommended that the Planning Committee refuses the application for the following reasons: -
- i) The proposed development would result in encroachment into this open landscape setting of the village on land that rises between the valley and woodland. This would lead to a visually intrusive and dominant mass of built form that would detract from the rural character and appearance of the area in short distance views from Back Road and the adjacent public right of way and long distance views from the A1307 and the road to Hildersham. The proposal is therefore contrary to Policies DP/3 and NE/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that seeks to protect the character and appearance of the countryside and retain or enhance the local character and distinctiveness of landscape character areas.
 - ii) Insufficient information has been submitted to demonstrate that traffic generation from the development would not be detrimental to the capacity and functioning of the public highway. In addition, the proposed access is considered to be substandard in terms of its visibility and potentially levels and would result in a hazard that would be detrimental to highway safety and there would be inadequate pedestrian connectivity to the village. The proposal is therefore contrary to 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.

iii) Insufficient information has been submitted in relation to the impact of the proposal upon features of archaeological interest to demonstrate that the proposal could be accommodated on the site without harm to heritage assets. The proposal cannot be supported until the results of a trench-based field evaluation have been carried out prior to approval being granted. The proposal is therefore contrary to Policy CH/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states archaeological sites will be protected in accordance with national policy and paragraph 135 of the National Planning Policy Framework 2012 that states the effect of the proposal upon the significance of a non-designated heritage asset should be taken into account when determining an application having regard to the scale of any harm or loss and the significance of the heritage asset.

iv) Insufficient information has been submitted in relation to the impact and mitigation of the new footway and traffic from the proposal upon the Furze Hills Protected Roadside Verge County Wildlife Site and Hildersham Protected Verges. The proposal is therefore contrary to Policy NE/7 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states planning permission will not be given for proposals that may have an unacceptable adverse impact, either directly or indirectly, on a Site of Biodiversity Importance.

v) The adverse impacts identified above are considered to significantly and demonstrably outweigh the benefits of providing additional housing (including affordable housing) to meet the Council's housing land supply, when assessed against the policies in the NPPF taken as a whole.

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/0096/17/OL, S/1963/15/OL, S/1969/15/OL and S/2553/16/OL.

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