

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

9 August 2017

**AUTHOR/S:** Planning and New Communities Director

---

<b>Application Number:</b>	S/0670/17/OL
<b>Parish:</b>	Fulbourn
<b>Proposal:</b>	Outline Planning Permission for the redevelopment of the Ida Darwin Hospital site with up to 203 dwellings including affordable housing and land for community building with access and associated works, open space and landscaping, following the demolition of existing buildings on site.
<b>Site address:</b>	Ida Darwin and Fulbourn Hospital, Fulbourn Old Drift, Fulbourn
<b>Applicant(s):</b>	Cambridge and Peterborough NHS Foundation Trust
<b>Recommendation:</b>	Delegated Powers to Approve subject to prior completion of a S106 and safeguarding conditions
<b>Key material considerations:</b>	Allocated Green Belt site, Green Belt Policy, Highway impacts
<b>Committee Site Visit:</b>	No
<b>Departure Application:</b>	Yes - Advertised as a departure
<b>Presenting Officer:</b>	Dan Smith
<b>Application brought to Committee because:</b>	Departure from policy
<b>Date by which decision due:</b>	31 August 2017

### Executive Summary

1. The application seeks outline planning permission for 203 houses with access including affordable housing, open space including 'green wedge' and land for a community building. The site is currently occupied by buildings providing NHS mental health facilities and is allocated for redevelopment in the adopted Local Development Framework. The impact of the site on the Green Belt, visual amenity, transport and highway safety and provision for health services and education are considered acceptable and issues relating to ecology, archaeology, drainage, contamination and sustainability considerations can be

addressed via condition. Affordable housing at a rate of 40% of the dwellings would be secured via a section 106 legal agreement, as would contributions towards healthcare improvements, on-site children's play space, local primary and secondary education provision, libraries services and household waste bins. A comprehensive package of on-site and off-site transport measures and improvements would be secured either by condition or section 106 obligations as would the provision of the 'green wedge' at the west of the site and contributions to cover the cost of the maintenance of that area and other open space on site. A Development Brief for the site was endorsed by Committee in June 2014, however an application for the redevelopment of the site for housing was refused on the single ground that the provision of community facilities within the development were inadequate. The present application is considered to broadly comply with the endorsed Development Brief. The present application proposes the transfer of land to the Parish Council for the provision of a community building and pre-school as well contributions towards the cost of providing that building. This would also be secured via the section 106 agreement which is currently being prepared. These measures are considered sufficient to overcome the previous reason for refusal and, as the application is considered acceptable in all other regards, the Committee is requested to grant delegated powers to approve the application once a section 106 agreement securing the above has been completed.

### **Relevant Planning History**

2. S/1066/13/OL – Development Brief for the Ida Darwin and Fulbourn Hospital sites – Planning Committee endorsed the Development Brief as a material consideration for all subsequent planning applications; however, Outline Planning Permission for up to 180 dwellings including affordable housing, a 70 unit Extra Care facility with access and associated works, open space and landscaping, following the demolition of existing buildings on site – Refused by Planning Committee on grounds of lack of appropriate provision of community facilities.

### **Planning Policy**

3. ***National Planning Policy Framework***  
***National Planning Policy Guidance***

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

ST/1 – Green Belt

ST/2 – Housing Provision

ST/3 – Re-Using Previously Development Land and Buildings

#### ***Local Development Framework Development Control Policies DPD (July 2007)***

DP/1 – Sustainable Development

DP/2 – Design of New Development

DP/3 – Development Criteria

DP/4 – Infrastructure and New Developments

DP/5 – Cumulative Developments

GB/1 – Development in the Green Belt

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

GB/4 – Major Developed Sites in the Green Belt

HG/1 – Housing Density

HG/2 – Housing Mix

HG/3 – Affordable Housing

SF/10 – Outdoor Playspace, informal Open Space and New Developments

SF/11 – Open Space Standards

NE/1 – Energy Efficiency

NE/3 – Renewable Energy  
NE/6 – Biodiversity  
NE/8 – Groundwater  
NE/9 – Water and Drainage Infrastructure  
NE/10 – Foul Drainage - Alternative Drainage Systems  
NE/11 – Flood Risk  
NE/12 – Water Conservation  
NE/14 – Lighting Proposals  
NE/15 – Noise Pollution  
NE/16 - Emissions  
CH/1 – Historic Landscapes  
CH/2 – Archaeological Sites  
CH/5 – Conservation Areas  
TR/1 – Planning for More Sustainable Travel  
TR/2 – Car and Cycle Parking Standards  
TR/3 – Mitigating Travel Impacts  
TR/4 – Non-motorised Modes

**Site Specific Policies SPD (January 2010)**

SP/9 – Fulbourn and Ida Darwin Hospitals

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

S/4 – Cambridge Green Belt  
NH/8 – Mitigating the Impact of Development in and adjoining the Green Belt  
NH/9 – Redevelopment of Previously Developed Sites and Infilling in the Green Belt  
NH/14 – Heritage Assets  
H/8 – Housing Mix  
E/7 – Fulbourn and Ida Darwin Hospitals  
CC/4 – Sustainable Design and Construction

**Consultations**

4. **Fulbourn Parish Council** - recommends that the application is approved subject to the resolution of the following matters and others arising through discussions, which it requests to be a part of:
- s106 community facility provision and landscaping and maintenance of the green wedge;
  - proposals for the water tower;
  - layout, openness and density;
  - design, appearance and materials;
  - parking, cycle storage and cycleways;
  - flood management and drainage;
  - 40% affordable housing;
  - permitted development rights;
  - traffic.

The above matters are considered to be adequately addressed by the application and through discussions which have since been undertaken, including with the Parish Council.

5. **Cambridge City Council** – has no objections to the application and is supportive of the principle of redeveloping the Ida Darwin site for housing, noting it is consistent with the Development Plan for South Cambridgeshire.

6. **Local Highways Authority** – has confirmed it has no objection to the application, following the submission of amendments to the Transport Assessment and further technical notes. It notes that the accident data and junction capacity assessments are acceptable and that the additional vehicle trips generated by the proposed development would not have a significant impact on the highway network and a negligible change in total flows through the local junctions. Its support is on subject to a programme of footway improvements in the locality, the provision of a shared footway/cycleway along Hinton Road, upgrades to local bus stops and passenger information systems, the provision of a travel plan and travel information packs for new residents. It also requests conditions relating to construction, surfacing and drainage of the access and the provision of a Construction Traffic Management Plan and states that the applicant should seek to engage with the LHA with regard to the connectivity within the site at reserved matters stage to ensure that pedestrian access is given priority according to its hierarchy of users.
7. **Network Rail** – does not object to the proposed development, noting the proximity of Teversham level crossing and need for safety awareness and education of developers and future occupants. It states that the applicant/developer must ensure that the development does not encroach onto Network Rail land, affect the safety, operation or integrity of the company's railway and its infrastructure, undermine its support zone, damage the company's infrastructure, place additional load on cuttings, adversely affect any railway land or structure, over-sail or encroach upon the air-space of any Network Rail land or cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.
8. **County Archaeologist** – notes that the site is located within an area of high archaeological potential and adjacent to designated settlement sites. Does not object to the proposed development subject to a condition requiring the submission and undertaking of a programme of archaeological investigations on site.
9. **NHS Estates Advisor** – has no objection, however states that the development would give rise to need for additional primary healthcare provision, which would need to be mitigated by a contribution towards the provision of additional capacity in the amount of £76,797. This additional capacity would be provided at the Cherry Hinton Medical Centre.
10. **Environment Agency** – does not object to the proposed development stating that the information submitted with the application gives it confidence that the risk posed to controlled waters can be suitably managed, although it expresses doubts about the suitability for infiltration drainage due to potential contamination. It requests conditions relating to the submission of a remediation strategy and verification report, other ground contamination, the control of infiltration drainage and piling and the provision of pollution control.
11. **Lead Local Flood Authority** – has no objection to the proposed development and notes that the application demonstrates that surface water can be dealt with using infiltration across the site via soakaways, bioretention, and other sustainable drainage features. It recommends conditions relating to the submission of a strategic surface water drainage strategy, detailed surface water drainage strategies and arrangements for their maintenance.
12. **Anglian Water** – states it has no assets owned or subject to adoption agreement within the site. It notes that Teversham Water Recycling Centre has capacity for wastewater flows and that the foul sewerage network presently has available capacity for the development.

13. **District Council Sustainable Drainage Engineer** – states that the application has demonstrated that a suitable surface water drainage strategy can be delivered on site, but that future reserved matters applications would need to provide further detail to ensure the proposals are deliverable. Notes there are concerns about seasonally high groundwater and therefore states that ground water levels should be monitored to ensure that infiltration drainage is viable. Requests conditions relating to the submission of schemes for surface water and foul water drainage.
14. **District Council Environmental Health Officer** – does not object to the proposed development in terms of noise and vibration, lighting or health impact. Requests conditions relating to construction hours, piled foundations, dust control, constructions schedule, site practices, noise protection for properties close to railway, a lighting scheme and waste and recycling provision.
15. **District Council Scientific Officer (Contaminated Land)** – notes the presence of several potential sources of contamination in soils both on and off site from adjacent landfills and agrees with the conclusions of the submitted Contamination Assessment that an intrusive site investigation and remediation strategy are required as well as an asbestos survey for buildings to be demolished. On that basis, they are content for approval to be granted.
16. **District Council Ecology Officer** – notes that the application is supported by a suite of ecological surveys and that no ecological constraint has been identified which cannot be addressed via condition. Does not object to the proposed development subject to conditions regarding further details of open spaces/habitats, ecological management plan, further bat surveys, ecological enhancement including bat box and swift roost provision, lighting scheme and a reptile management plan.
17. **District Council Urban Design Officer** – suggested minor amendments be made to the parameter plans to show a reduced density on the Southern and Western edges of the housing land and the reduction in the height restriction for the lower density area from 9 metres to 8 metres to prevent dominant roof forms. Also expressed concern that the Land Use parameter plan was too restrictive and that this could prevent the evolution of a detailed design which would have appropriate character, drainage, trees, integration of parking and location of community facility. The parameter plans have since been amended to address these concerns. The Urban Design Officer also suggests a condition requiring the production and approval of a design code prior to the submission of the reserved matters applications.
18. **District Council Landscapes Officer** – accepts principle of development. Suggests detailed layout at Reserved Matters stage take influence from traditional village form including lower density at edges, provide frontages which have defined and varied characteristics, provide a simplified road layout with clear road hierarchy. Requests that the spoil mound be removed from site and existing tree stock examined. Suggests different options for green space should be considered at detailed design stage to ensure most appropriate landscaping. Notes that sustainable drainage elements will require careful design and should be designed as landscaped spaces which will contribute to recreation and biodiversity enhancement.
19. **District Council Trees Officer** – has no objection in principle, noting that arboricultural reports and tree protection plans will need updating for Reserved Matters applications and requesting conditions ensuring they are provided.

20. **District Sustainability Officer** – states that the proposed development does meet the requirement of policy NE/3 regarding renewable energy as it does not include an Energy Strategy. This matter is addressed below in the Sustainability section of the report.
21. **District Council Housing Development Officer** – generally supportive of the scheme and the provision of 40% affordable housing. Notes that the proposed mix of sizes of the affordable homes is not consistent with the Council's preferred mix. Also raises question as to whether the affordable homes could be designated as NHS keyworker accommodation.
22. **County Education and Libraries Team** – has no objection to the proposed development in respect of its impact on educational provision, subject to the adequate provision for secondary, primary and early years education. It proposes that the secondary school provision be made at Bottisham Village College, at which the County Council has an identified extension project planned and requests contributions of £23,333 per secondary school pupil arising from the development. It proposes that the primary school provision be made at Fulbourn Primary School and has a programme of extension which would result in a contribution of £14,731 per primary school pupil generated by the development. In terms of pre-school provision, the County Council originally proposed that contributions of £14,731 per pre-school pupil generated by the development be put towards the pre-school extension at Fulbourn Primary School, however the additional provision of 15 places provided by that expansion would not fully address the likely demand created by the development of approximately 31 places, particularly as other potential development within Fulbourn at Teversham Road, would also take up places at the extended pre-school. The County Council, District Council, Parish Council and applicant have therefore undertaken discussions regarding the provision of early years facilities on the Ida Darwin site to be located as part of the community building which would be at the centre of the scheme. The County Council estimates that the cost of providing that provision on site would be approximately £500,000.
23. The provision of library facilities in Fulbourn is made via two mobile library stops and there is insufficient capacity within the current provision to meet the needs of the proposed development. A contribution of £4.08 per head should therefore be sought to provide additional resources and equipment to meet the additional demand.
24. The team also states that there is insufficient capacity at the Milton Household Recycling Centre to accommodate the development. It would usually require a contribution of £190 per dwelling to mitigate the additional demand, however it has already pooled five contributions towards the HRC and it cannot therefore request any further contributions towards that scheme. It also requests contributions towards s106 monitoring.
25. The provision of library facilities in Fulbourn is made via two mobile library stops and there is insufficient capacity within the current provision to meet the needs of the proposed development. A contribution of £4.08 per head should therefore be sought to provide additional resources and equipment to meet the additional demand.
26. **District Council Section 106 Officer** – notes that any planning obligations must be compliant with Community Infrastructure Levy (CIL) Regulations 2010 and the NPPF and details the limits on the use of obligations, including in respect of pooling of contributions and the use of tariff style contributions. States that planning obligations to mitigate the impact of the development are sought by SCDC as follows:
- A contribution towards indoor community space in the form of no less than 900m<sup>2</sup> of free serviced land and a financial contribution payable to Fulbourn PC of £450,000;

- Formal children's play space in the form of an onsite Local Equipped Area for Play (LEAP);
  - Informal children's play space in the form of onsite space provision;
  - Informal open space onsite in the form of the green wedge and other open space within the site;
  - On site open space maintenance contribution of £11.06 per m<sup>2</sup> for open space areas that are to be adopted by Fulbourn Parish Council and which fall outside of the green Wedge.
  - On site open space maintenance contribution for the green wedge (amount to be determined) which is to be adopted by Fulbourn Parish Council.
  - An agreed management plan (including approved management company) for all unadopted open space areas including all areas serving a drainage function.
  - Household waste receptacles of £73.50 per house and £150 per flat; and,
  - Section 106 monitoring fees of £3,000.
27. Given the previous refusal reason for the application being the lack of provision of a suitable community facility and, notwithstanding the need to improve existing sporting facilities in the village, the S106 officer identifies that the most pressing need for the development is to address the need for indoor meeting space. Therefore proposes that the required offsite sports contribution be directed towards a new community building to include elements of indoor sports and recreation space. In addition, given the need to create an open green wedge on the eastern part of the site, they note the acceptance of SCDC, the developer and the Parish Council that it would be inappropriate to provide a Neighbourhood Equipped Area for Play (NEAP) on that part of the site and that the offsite contribution which would therefore be required should also be directed towards the new community building which would include elements that are focussed towards the interests of young people.
28. **Fulbourn Primary School Governors** – have expressed concern regarding the distance of the site from the school leading to additional vehicle trips to the school and increasing traffic impacts on cyclists including staff, parents and children. Requests that pedestrian and cycle routes both within the site and linking to neighbouring areas are included and enhanced cycle storage is provided at each property. They also request investment in safe pedestrian and cycle routes from the site to the village and school and a safe cycle route past the site from the village into Cambridge.
29. **Cambridgeshire Fire and Rescue Service** – does not object to the proposed development subject to conditions regarding the provision of fire hydrants. It also states the need for access and facilities for the Fire Service to be provided in accordance with Building Regulations, noting its use of a non-standardised fire appliance.
30. **Police Architectural Liaison Officer** – notes that the development would be built to 'Secured by Design' principles and offers no further comment or objection.
31. **Fulbourn Forum** – objects to the proposed development on the following grounds:
- Effective assimilation of Fulbourn into the urban edge of Cambridge;
  - Greater impact on the Green Belt than the existing development;
  - Failure to demonstrate acceptable car and cycle parking and bin provision;
  - Conflict with the approved Development Brief.
32. **Cambridgeshire Past, Present and Future** – states its general support for the principle of developing brownfield sites over greenfield sites, but objects to the proposed development on the grounds that a determination would be premature as the issue of the compliance of draft Development Plan policy E/7 (which relates to the Fulbourn and Ida Darwin Hospitals) with the NPPF has not yet been taken by the Planning Inspector and

the adverse impact of taking a premature decision outweighs the benefits. It argues that the proposed development would have a greater impact on the Green Belt, contrary to paragraph 89 of the NPPF and that a 'compensatory enhancement' of the Green Wedge is not provided for in the NPPF. It argues that this matter should first be considered by the Planning Inspector hearing the Local Plan examination before the current application is determined. It also argues that the proposal is unacceptable in terms of its impact on the Green Belt due to assimilation into Cambridge and the inadequacy of the Green Wedge in retaining separation between Fulbourn and Cambridge. Cambridgeshire Past, Present and Future subsequently submitted a further representation arguing that the application is contrary to the approved Development Brief for the site in respect of the proposed floor area and building heights.

## **Representations**

33. Nine representations have been received in respect of the application, five of which supported the Fulbourn Forum objection (above). The other four objected to or raised concern regarding the proposed development in respect of some or all of the following matters:
- Density and impact on visual amenity;
  - Assimilation of Fulbourn into Cambridge;
  - Impact on Green Belt;
  - Highway safety and congestion;
  - Car parking, cycle parking and bin provision
  - Provision of public transport.
  - Provision of GP services;
  - Provision of school places;
  - Departure from approved Development Brief;
  - Anti-social behaviour;
  - Lack of recreational space and community facilities;

## **Planning Comments**

### ***The site***

34. The Ida Darwin Hospital site is located to the west of the village of Fulbourn outside the defined Development Framework of Fulbourn in the countryside and with the Cambridge Green Belt. The site is allocated for redevelopment through Policies GB/4 of the Development Control Policies Development Plan Document (DPD) and Policy SP/9 of the Site Specific Policies DPD.
35. The site is located directly to the west of the village of Fulbourn and between Fulbourn Old Drift to the South and the railway to the north. Capital Park lies further to the south-west with Fulbourn Hospital beyond. An Award Drain bisects the site from north to south broadly on the line of the existing access into the site. The site is a previously developed site and there are buildings across the extent of the site, which are dated and in a relatively poor state of repair. The current buildings are predominately single storey but there are some 2 storey buildings and some single storey buildings are taller than is typical of a single storey building. This is due to the medical use that currently occupies the site. The building heights currently on the site are between 4.8metres and 7.7metres. There is a water tower at the western end of the site and the land levels on site slope down from that point to the east.



### ***The proposal***

36. The application seeks outline planning permission for up to 203 dwellings with 40% of those being affordable, as well as land for community building provision, open space and landscaping with access and associated works. This would include the demolition of the existing buildings on site and all matters other than access would be reserved for future consideration. Plans have been submitted showing the parameters within which the reserved matters of layout, scale, appearance and landscaping would be developed. These parameter plans have been amended during the course of the application to address the views of the Council's Urban Design and Landscape Officers. The proposed development is similar to that previously considered by the Committee under reference S/1066/13/OL, which was refused on the single ground that there was a lack of appropriate provision of community facilities. The current application proposes a higher overall number of dwellings than the 2013 application (203 as opposed to 180), but does not include the Extra Care facility, the scale of which was previously of concern to members.

### ***Policy background***

37. The Fulbourn Hospital and Ida Darwin Hospital sites have been identified in the existing Local Development Framework as a Major Developed Site in the Green Belt in the Development Control Policies DPD and identified in a Site Specific Policy in the Site Specific Policies DPD. The Development Plan currently consists of the Core Strategy DPD (adopted January 2007), Development Control Policies DPD (adopted July 2007) and Site Specific Policies DPD (adopted January 2010).
38. The National Planning Policy Framework (March 2012) and the Proposed Submission Local Plan (July 2013) are material planning considerations in decision taking.
39. Policy GB/4 of the Development Control Policies DPD includes the Fulbourn and Ida Darwin Hospital site as a Major Developed Site in the Green Belt. Policy GB/4 states that redevelopment may be permitted subject to the following conditions:
- The existing floor area is not exceeded.
  - The existing footprint is not exceeded unless there are significant environmental improvements to the site.
  - The existing height of the built form is not exceeded.
- Policy SP/9 allows for residential development on the eastern part of the Ida Darwin site and a green wedge on the Western part and states that development must reflect the principles of policy GB/4. The Submitted Local Plan also includes a policy for the site, policy E/7.
40. The outline application has been advertised as a departure as it does not conform to policy GB/4 in respect of building heights and floor area. However, the following section explains the weight that should be given to these policies in the decision making process. As this is a departure application, if Committee grants delegated powers to approve the application as requested, the decision would be referred to the Secretary of who has the opportunity to call in the decision.

### ***Weight to be attached to policies***

41. The DPDs referred to in the above section were adopted prior to the publication of the National Planning Policy Framework. The NPPF states that planning law requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration. Para 211 of the NPPF states "For the purposes of decision-taking

the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of this framework.” The NPPF also sets out how to determine the amount of weight that should be attached to policies. Para 215 states “Due weight should be given to relevant policies in existing plans 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 they may be given)”.

42. With reference to the pertinent policies in this case it is important to assess the conformity of the policies with the policies in the NPPF. Firstly it is important to note that the term Major Developed Site in the Green Belt does not feature in the NPPF. However, the NPPF does allow for the redevelopment of previously developed sites in the Green Belt, providing it does not have a greater impact on the openness of the Green Belt or impact the reasons for including the land in the Green Belt. The identification of the site for redevelopment can therefore be afforded significant weight. The local policies go further than the NPPF; therefore only some weight can be afforded to the part 2(e) of the policy. Policy E/7 of the emerging Local Plan was subject to a number of objections. In accordance with the guidance in the NPPF little weight can be given to this policy until the decision of the Local Plan Examination Inspector on the policy are known.

#### ***Compliance with approved Development Brief***

43. The proposed development is considered to be broadly in compliance with the approved Development Brief, save for references to the Extra Care facility which does not form part of the proposed development and has been replaced by a 40% provision of affordable housing. The submitted parameter plans also show a modified phasing strategy, however the removal of all existing buildings to the east of the site would still occur in the first phase of development meaning the green wedge would be created early in the construction process.

#### ***Principle of Development***

44. The site has been allocated for development through policy SP/9 of the Site Specific Policies DPD which refers to principles established by Development Control Policies DPD policy GB/4, specifying that the eastern part of the site be for residential redevelopment and the creation of a green wedge on the Western part of the site. It also allows for the transfer of part of the built footprint to the Fulbourn Hospital site for new mental health facilities which is not included within the current application. Both policies refer to the existing built footprint of the site and policy GB/4 refers to limits on floor area and heights as well as avoiding any greater impact on the Green Belt. The redevelopment of the site is therefore considered to be acceptable in principle as the clear aspiration of adopted policy is for the residential redevelopment of the eastern part of the site and the creation of an open green wedge to the west. The impact of the lack of compliance of the scheme with particular details of those adopted policies is discussed in more detail in the relevant sections below.

#### ***Appropriateness of the Development within the Green Belt***

45. Significant weight is given to the Green Belt location of this site and Section 9 of the NPPF that relates to the Green Belt. Paragraph 87 states that inappropriate development is by definition harmful to the Green Belt, however paragraph 89 states that the construction of new buildings should not be considered inappropriate where it consists of the complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The impact of the proposed development on the purpose

of including the land within the Green Belt and on its openness have therefore been assessed.

### ***Purposes of the Green Belt***

46. Paragraph 80 of the NPPF states that Green Belt land serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. The proposed development has been assessed in respect of these five purposes and it is considered that the redevelopment of the eastern part of the site at a greater density and additional heights and the clearing of the western part and laying out of open green space would not impinge on any of those purposes. There would be no significant additional urban sprawl, encroachment on the countryside or impact on the special character of historic towns. The green wedge would ensure that Cambridge and Fulbourn would not merge into one another and the development would result in the reuse of an existing brownfield site. As such, the proposed development is considered to be compatible with the purposes of including the land within the Green Belt.

### ***Impact on the Openness of the Green Belt***

47. The proposed development would result in the clearing of the existing sprawling buildings from the entirety of the site and the provision of a denser form of development in the area allocated for residential dwellings and the provision of a completely open green space, the green wedge, on the western part of the site and retention of significant areas of green space across the remainder of the site. While parts of the site would have taller buildings on them than at present, a large parcel would be cleared of built development and other parts, including the frontage with the Old Drift and an area in the centre of the residential site would remain open. Taken as a whole, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt, than the existing development. The submitted Landscape and Visual Impact Appraisal concludes that the site and wider landscape has the capacity to accommodate the proposed development and the retention of the majority of the existing vegetation and the delivery of a comprehensive landscape scheme, without significant adverse effects on landscape features, landscape character or on public views. The impact of the development on the openness of the Green Belt is therefore considered to be acceptable and the development is considered to meet the test of paragraph 89 of the NPPF. As a result the proposed development is considered to be appropriate development within the Green Belt.

### ***Departure from Adopted Policy***

48. The proposed residential dwellings would be up to a maximum of either 9 metres or 9.5 metres in height depending on the location on site. This would be in excess of the existing buildings heights on site. The total floor area, although not the footprint, of the residential scheme would also likely exceed that of the existing buildings on site. As a result, the policy would not comply with clauses 2.e.(i) and (iii) of Local Development Framework policy GB/4 – Major Developed Sites in the Green Belt. As detailed above, the proposed development is therefore a departure from adopted policy and has been advertised as such.
49. The departure from the adopted policy is considered acceptable for the following reasons. Firstly policy GB/4 is more restrictive than the NPPF in respect of control of floor area and building heights. As detailed above, the NPPF refers to redevelopment of brownfield sites as being acceptable provided there would be no greater impact on the openness of the

Green Belt and the purpose of including land within it than the existing development. Policy GB/4 includes a provision relating to no greater impact on openness (clause iv), however it also restricts floor area and height. Annex 1 of the NPPF states that while local policies should not simply be considered out of date because they were adopted prior to its publication, the NPPF policies are material considerations which should be taken into account and due weight should be given to local policies according to their consistency with the NPPF policies. The restrictions on height and floor area are therefore given limited weight, given their lack of consistency with the NPPF Green Belt policies. It is also relevant to note that policy E/7 for the site in the emerging Local Plan no longer contains a specific reference to building heights.

50. Secondly, in assessing the Site Specific policy SP/9 which refers to GB/4, the examination inspector stated that the restriction on floor space was a limitation not included within national policy which was intended to limit the amount of new employment floor space in new developments. He noted that the special policy related to healthcare and residential development and did not need to include a floor space restriction. As such, he directed that the policy SP/9 should refer to the principles of policy GB/4 rather than include a requirement to accord with its detailed wording. In addition, his view was that given changes in levels across the site, there was opportunity for the careful placing of some 2 or 3 store buildings on the lower parts of the site.
51. Lastly, the same inspector took the view that the demolition of existing utilitarian buildings and the provision of the green wedge would provide the opportunity for further environmental improvement. It is considered that the outline scheme takes up that opportunity. Although the detailed design of replacement buildings is reserved for future consideration, the environmental improvements which would be realised by a suitable scheme are significant, even where additional height and floor areas compared to the existing buildings would result. On the basis of the above, the departure from adopted policy is considered to be justified and no harm to the Green Belt, which the policy seeks to protect, would result.

### **Extent of Development**

52. Further to the consideration of the Green Belt impact above, specific objections have been received in respect of proportion of the land allocated on the parameter plans to residential development and the open green wedge. The objections are based on perceived differences between the current extent of development and that considered necessary by the Inspector Examination in Public of the Site Specifics Policies Development Plan Document (DPD). A plan has been provided in objections to this application which shows a larger green wedge than is currently proposed and it has been suggested in the objections that this plan was considered at the Examination.
53. However, no definitive plan is referred to in the Inspector's report on the policy nor was one included within the DPD. The Inspectors report states "the conformity of any particular redevelopment scheme with policy GB/4 is a matter for judgement when a planning application is submitted. It goes on to state that "a development roughly along the lines of that discussed during the examination would achieve environmental improvements in the form of the creation of a wholly open green wedge on the western Ida Darwin area, between a housing scheme and Capital Park. This could allow some increase in the footprint of buildings on the two hospital sites. If the Inspector had felt it necessary to delineate the extent of the green wedge they would have been able to do this through a modification to the DPD. They did not. The adopted plan and the Proposed Submission Local Plan do not define the extent of the green wedge. This is a matter capable of being addressed through the development brief and the planning application process, taking account the policy requirements and the NPPF. Officers are of the view that the proposed

development area and green wedge proposed meet the aims and objectives of the policy in removing existing built development from the western part of the site and keeping it free from development.

54. The proposed line delineating built development from the green wedge is in the same position as was shown on the previous planning application for the site (S/1066/13/OL) which members previous judged to be acceptable and in accordance with the endorsed Development Brief.

### ***Design***

55. Given the outline nature of the application, the information submitted in respect of design is limited at this stage. However, the parameter plans as well as the indicative layouts are considered to demonstrate that a scheme of an acceptable design could be achieved for the quantum of housing for which permission is being sought. Given that the location of the site within the Green Belt and the need to have housing and open spaces which are of a high quality design and which enhance the Green Belt, whilst a full Design Code is not required for this site, it is considered necessary to apply a condition requiring the submission and approval of a Design Statement ahead of any Reserved Matters. This would set out the vision for the site, the character and building typologies and materials, street hierarchy, vehicle parking and the approach to the open spaces and play spaces which would then guide the detailed design of the reserved matters scheme. On that basis, the proposed development is considered acceptable in terms of its design at this outline stage.

### ***Impact on the visual amenity and the character of Fulbourn***

56. The site is already developed and is comprised of tired, utilitarian buildings of no significant architectural merit laid out across the majority of the site and offers no positive contribution to the visual amenity of the area. The principle of the site being redeveloped for housing is established in the Development Control Policies DPD and further supported through the Site Specific Policies DPD. This development would alter the character of this part of Fulbourn as the site would change from an employment use to a residential use with open space. It is considered that this change would harm the character of Fulbourn village as the village has a variety of housing types throughout the village and the site is bounded on its eastern edge by existing housing development.
57. The proposed housing has been designed so that it is densest and tallest in the area to the east where it is nearest to the existing housing on the edge of Fulbourn and of a lower density both where it fronts the Old Drift and in the middle of the site where it transitions into the green wedge to the West. This is considered to be an appropriate approach in terms of the visual impact of the site on the area and would achieve an appropriate balance of making the best use of land for housing whilst limiting any adverse impact on the visual amenity of the area which would result from a denser development of the eastern part of the site than at present. It is also considered that the removal of all buildings from the western part of the site and returning the area to open green space would significantly improve the character of Fulbourn by giving greater separation between Fulbourn and Cherry Hinton than at present. The proposed development would also retain substantial green areas throughout the development.

The proposed outline development shown on the submitted parameter plans is therefore considered to be acceptable in terms of its impact on the visual amenity of the area and the character of Fulbourn and, pending the consideration of detailed design matters which would come forward through Reserved Matters applications, the development is therefore considered acceptable in those terms.

## ***Open Space***

58. As detailed above, a significant amount of open space has been provided on site which will limit the impact of the site on the Green Belt and the character of Fulbourn and the surrounding countryside. The green wedge and other open space are defined by the land use parameter plan, however detailed landscaping proposals are reserved for future consideration and would come forward through the reserved matters applications. The landscaping as defined by the parameter plan is considered acceptable in principle and the acceptability of the detailed landscaping proposals would be considered at reserved matters stage.
59. The maintenance of the open space including the green wedge would be taken on by the Parish Council and the developer would make contributions to cover the cost of that maintenance for a period of 10 years. The starting point for the cost of maintenance of open space is the Open Space in New Developments SPD which, when accounting for inflation, requires a sum of £11.06 per m<sup>2</sup> of open space. However, given the large area of open space on the western portion of the site, much of which would be laid to meadow, it is appropriate to consider whether maintenance of the green wedge could be achieved more cost effectively than indicated by the SPD which has to account for smaller areas with more complicated maintenance arrangements.
60. Both the applicant and the Parish Council have therefore sought quotations for the green wedge maintenance and the Parish Council has received a quotation from its existing grounds maintenance contractor that the annual cost of maintenance would be £12,325 plus VAT. This is significantly lower than the £30,000 annual figure which would be derived from policy, but given the economies of scale resulting from the size of the green wedge it is considered reasonable that a saving could be realised. The applicant has provided details of maintenance costs for areas of open space within Cambourne which have been agreed by its Parish Council. These show a figure for grass cutting significantly lower than the quotation Fulbourn Parish Council has received and would result in an annual maintenance cost of £5,349 plus VAT. The exact maintenance costs are therefore still being negotiated by officers with the applicant and the Parish Council, however officers are confident that agreement will be reached to ensure that the final agreed contributions relate to the actual costs of maintenance. These costs would be indexed for inflation over the 10 year period and secured via a planning obligation contained within the section 106 agreement which is currently being prepared.
61. There are a large number of existing trees on site, particularly in the area proposed for green space at the centre of the site and the high quality specimens would be retained in that area with supplementary planting as part of the detailed landscaping scheme. The Council's Trees Officer has noted that arboricultural reports and tree protection plans would need to be updated for reserved matters applications and this requirement would form the basis of an appropriate condition. The proposed development is therefore considered acceptable in terms of its impact on the landscape and open space.

## ***Transport***

62. The Local Highways Authority is content that the proposed access and its use to serve the development would be acceptable in terms of highway safety. It has assessed the submitted information, including additional Transport Assessment and junction capacity assessments, which demonstrate that the additional vehicular trips towards Cambridge in the morning peak time would not have a significant impact on the highway network. In terms of overall traffic, the removal of the Ida Darwin hospital use from the site means there would be a negligible impact on total traffic flows through the local junctions. Improvements to the Hinton Road - Cambridge Road junction which would ensure no

overall harm to the highway network as a result of the proposed development. The proposed development is therefore considered to be acceptable in terms of its impact on the local highway network subject to the above junction improvements, which would be secured by condition and the improvements to wider accessibility detailed below.

63. The application included an assessment of pedestrian and cycling facilities in the locality and the extent to which the site would impact on and benefit those facilities. In terms of pedestrian accessibility, the assessment considered local walking facilities including the most direct route to Fulbourn village centre and its primary school. It identified several points on these routes, with the public highway where the footway was substandard and was therefore not conducive to use by pedestrians, particularly those with pushchairs. The applicant has proposed a series of improvements to the substandard points on the route to enhance the accessibility of the site and mitigate its impact on the village by encouraging more walking along the primary route to the village and school. These improvements are comprised of footway surface upgrading, additional crossing points for the main roads and side roads, tactile paving provision and the provision of enhanced signage and would be secured by condition. The assessment of cycling facilities identifies that the footway along Hinton Road is narrow and poorly defined. The application proposes the provision of a widened footway and cycleway which would link the site to the existing cycleway which runs along Cambridge Road and would be a significant benefit to the connectivity of both the site and the village to the wider footway and cycleway network. The applicant and LHA have also identified potential improvements to public transport facilities such as the passenger information systems and accessibility at bus stops in the vicinity. Contributions towards these improvements would be secured by condition and as part of the s106 agreement. The County Council have also requested a Travel Plan be secured for the site as well as Welcome Packs for the new occupants including information about sustainable travel, local services and a one-year contribution towards car clubs or bus passes. A condition for the submission of a Travel Plan would be applied to the permission which would have to include a range of measures, which might include those suggested by the LHA, to encourage sustainable travel and mitigate the impact of the site on the local highway network.
64. Car parking provision would be designed in detail at reserved matters stage. At this stage the applicant has identified the Council's current and draft car parking standards and has noted that parking provision would be determined based on detailed design and the extent to which spaces are on or off plot and allocated or unallocated, as this impacts on the efficiency of parking space use and therefore the overall number of spaces required. Based on the indicative layout, it is considered that the ability to provide adequate parking on site to serve 203 dwellings has been demonstrated and that is sufficient to give confidence at outline stage that parking provision would be adequate and that the development would have an acceptable impact on the local area in terms of minimising the likelihood of overspill parking outside of the site.
65. The applicant has confirmed that cycle parking would be provided at a level which would meet the Council's minimum standards and that provision of secure, covered cycle parking for every dwelling would be required by condition. On the basis of the above, the proposed development is considered to be acceptable in terms of its transport impacts.

### ***Affordable Housing***

66. The application proposes the provision of 40% of the new dwellings as affordable dwellings across both phases of development. The proposed mix of sizes of the affordable homes is not consistent with the Council's preferred mix, which is based on the identified need across the district as a whole at this point in time. However the proposed mix is indicative at this stage and would come forward in detail through the reserved matters

applications. The applicant has been made aware of the Council's current preferred mix, but as there is potential that need and therefore the preferred mix this would change between now and the submission of reserved matters applications, it is considered appropriate that this matter is revisited at reserved matters stage. The section 106 agreement currently being prepared will include obligations securing the provision of 40% of affordable housing in both phases, with a mix based on identified need at the time of the reserved matters applications and a provision to ensure the appropriate distribution of affordable dwellings throughout the phases.

### ***Market Housing Mix***

67. The existing adopted policy on market housing mix states that on developments of this size, a mix of units will be sought having regard to economic viability, the local context of the site and the need to secure a balanced community. The Council's draft Local Plan policy states that at least 30% of houses should be 1 or 2 bedroom homes, 30% should be 3 bedroom homes and 30% should be 4 or more bedroom homes. It allows a 10% flexibility allowance to each category to take account of local circumstances. Again, the mix of market dwellings would be determined at reserved matters stage, however the indicative mix shown in the application is for approximately 50% 1 or 2 bedroom homes, 27% 3 bedroom homes and 22% 4 or more bedroom homes. This results in the provision of a higher number of smaller dwellings overall, but in general, the mix is considered to be acceptable in terms of the adopted and emerging policy and achievable within the constraints of the site. The precise mix of market dwellings would be controlled via a condition requiring each Reserved Matters application to include a schedule of the mix of market dwellings and demonstrate how that proposed mix complies with the Council's adopted market mix policy.

### ***Community facilities***

The lack of adequate provision for on site community facilities was the sole reason for refusal of the 2013 application for residential development on the site. The applicant has included land for the provision of a community building on the submitted parameter plans and is committed to providing the land in a serviced condition to the Parish Council. The community land is located to the western part of the site overlooking the green wedge and located close to the local equipped area for play. The Council's s106 officer has demonstrated that a contribution of £450,000 would be required to mitigate the impact of the development in terms of satisfying the need to provide for indoor community space, sports space and the play space needs of older children. Given the constraints of the site in terms of the need for openness of the green wedge and the desire of the Parish Council to provide a community building on the site, as well as the and the clear steer given by the previous Planning Committee that a significant community facility was required on site, the required contributions for indoor community facilities and sports space and some of the contribution for formal play space would be combined into an overall contribution of £450,000 which would be assigned to the provision of a single community building on site. Given the pooling of contributions in respect of sports provision and older children's play space, in order to facilitate this level of contribution and satisfy the CIL tests, the building would be expected to be designed to be able to provide a space suitable for use for indoor sports (i.e exercise and dance classes) and elements that are focussed towards the interests of young people. A LEAP which would include no fewer than 9 pieces of equipment and no less than 500m<sup>2</sup> would also be provided by the developer.

68. The applicant has also committed to providing a serviced plot of at least 900m<sup>2</sup> at no cost to the community on which such a building would be built. This is considered to be of sufficient size and would also allow the provision of a larger building to include pre-school facilities as detailed below. The provision of serviced land and the capital amount for the



construction of the community building as well as the LEAP would be secured via a planning obligation which would be included within the section 106 agreement which is currently being prepared. On that basis the proposed development is considered to make an appropriate provision for community facilities which would mitigate the impact of the development on the locality and overcomes the previous reason for refusal for the application.

### ***Education and Libraries***

69. The residential development would create additional demand for pre-school, primary school and secondary school places and is therefore expected to address that additional demand through the provision of additional places at schools in the locality. The County Council has identified specific schemes to accommodate the additional primary and secondary school pupils, namely through projects to extend Fulbourn Primary school and Bottisham Village college respectively. The cost per place for those schools, based on a breakdown of the cost of the scheme by the number of places it would provide is £14,731.63 per primary school place and £23,333 per secondary school place. Contributions would be made by the developer at these levels based on the finalised housing numbers and mix and would be secured by planning obligations within the section 106 agreement which is currently being prepared. These contributions are considered sufficient to adequately mitigate the impact of the new housing on primary and secondary education provision in the local area.
70. Initially the County Council proposed that early years pre-school provision be dealt with in the same way as primary education, through contributions to the scheme of extension to Fulbourn Primary school which includes additional pre-school provision. However, the additional places provided by that scheme of extension (15 new spaces) would not be sufficient to provide for the likely demands of the development (approximately 30 places generated by the development) particularly as other potential development within Fulbourn at Teversham Road, would also take up places at the extended pre-school. The County Council, District Council, Parish Council and applicant have therefore undertaken discussions regarding the provision of early years facilities on the Ida Darwin site as part of the community building which would be at the centre of the scheme. The County Council estimates that the cost of providing the pre-school element of that building on site would be approximately £500,000, although this is an assumption based on only one scheme being built several years ago elsewhere in the County. The applicant's architect has provided indicative details of a building including community use and a pre-school element (with floor areas of 220m<sup>2</sup> and 160m<sup>2</sup> respectively) which they state could be delivered for a total of around £800,000, which is the combined contribution of £450,000 towards the community building and £350,000 towards the pre-school. The exact figure and the delivery and management arrangements for the building and commissioning of the service would be negotiated between the councils and the developer as part of the preparation of the s106 agreement in order to ensure the development meets the demands that the housing would place on pre-school. On that basis, the proposed development is considered to be acceptable in terms of its impact on pre-school provision in the locality.
71. The impact of the development on library facilities, namely the mobile library which serves Fulbourn, would be mitigated by the provision of additional resources through contributions of approximately £4 per person based on the finalised housing numbers and mix. This would be an obligation in the section 106 agreement currently being prepared and would adequately provide for the additional demands the development would place on library provision.

72. Although the County Council has requested a contribution towards section 106 monitoring, recent appeal decisions (including those in South Cambridgeshire) have stated that such a request does not satisfy the CIL tests where the obligations relates solely to financial contributions. A monitoring contribution may legitimately be secured in a small number of instances but only where onsite provision of infrastructure is being secured and which warrants long term or in perpetuity site visits (i.e. activity that goes beyond the day to day functions of the local planning authority). Under such circumstances it is not considered lawful to secure a monitoring contribution for Cambridgeshire County Council although it is considered necessary for the District Council to secure a monitoring contribution on the basis that District Council officers will be required to ensure the timely provision and management of affordable housing, open space areas to be transferred to the Parish Council, open space areas that will not be transferred to the Parish Council, the local equipped area for play and the community land.

### 73. **Health Facilities**

The proposed development would place an additional burden on existing General Practice health facilities in the vicinity which do not currently have capacity to absorb that additional demand. Of the three GP surgeries within an acceptable distance of the site (2 kilometres) the NHS estates advisor has identified the greatest deficiency at the Cherry Hinton Medical Centre. As the development would give rise to the need for improvements to capacity by way of extension, reconfiguration and/or refurbishment of the practice, contributions towards that improvement have been requested of the developer. Based on the total number of dwellings, a contribution of £76,797 towards those improvements has been requested by NHS England. The section 106 agreement currently being prepared would therefore include obligations requiring the provision of such a contribution towards those. On the basis that financial contributions can mitigate the additional demand which the development would place on existing health facilities, the proposed development is considered to be acceptable in those terms.

### **Ecology**

74. The site contains limited ecological features having been a well maintained hospital site. The illustrative layout shows the retention of a habitat area along the railway line and the creation of a significant area of open space at the western side of the site. A badger survey has been undertaken with negative results. There remains the potential that badgers may reside in the embankment just north of the site and the Council's Ecology Officer recommends that a 10 metre buffer, which could double up as reptile habitat, be retained along the northern edge of the site.
75. Bat surveys showed a summer day roost for a single bat within building 20 and further low levels of bat activity were recorded. As the removal of the building would result in the loss of a bat roost, further surveys would be required by condition ahead of its demolition to ensure no harm is caused to bats. There is also the potential to enhance the site for bats by the provision of bat boxes and habitat enhancements. In addition, the provision of enhancements for swifts would further work done nearby in Fulbourn and these enhancements would be required by condition.
76. Reptile surveys showed a low level of Common Lizard primarily on the northern part of the site. It is likely that this activity is related to a larger population on the railway land to the north. A reptile management plan would be required by condition to ensure that no reptiles are harmed during construction and that suitable habitat is retained and enhanced on site. On the basis of this assessment and the proposed conditions, the development is considered to be acceptable in terms of its impact on ecological interests on site.

## ***Archaeology***

77. The site lies in an area of high archaeological potential with an adjacent Roman settlement site to the North of the railway line designated as a scheduled ancient monument and Iron Age, Romano British and earlier remains elsewhere in the immediate vicinity. The County archaeologist does not object to the granting of planning permission for the proposed development, subject to a condition requiring the submission of a written scheme of archaeological investigation for approval and the carrying out of a programme of archaeological investigations on site, including the analysis publication and dissemination of the results of the investigation, prior to the commencement of development. On that basis, the proposed development is considered to have an acceptable impact on the archaeological interests of the site and immediate surrounds.

## ***Contamination and Drainage***

78. The application includes a Phase 1 Contamination Assessment which is informed by a desk based assessment and site walkover. It identifies previous uses including an infilled chalk pit, historic land fill tip and the train tracks to the North of the site as the main potential sources of existing contamination. It recommends further site investigation including sampling of made ground, natural surface soils and groundwater to confirm the present and extent of any contamination. The Council's Scientific Officer is content that this approach would allow the extent of the contamination to be determined and an appropriate remediation strategy to be devised and undertaken. Such investigation and remediation would be secured via condition as would an asbestos survey for the existing buildings which are to be demolished. The Environment Agency has stated that the submitted information gives confidence that any risks to controlled waters can be managed, provided conditions relating to suitable remediation of contamination and verification that remediation are applied. It has raised concerns in respect of the potential of infiltration drainage and other ground penetration to mobilise existing contamination into groundwater, however it is content for outline permission to be granted subject to conditions restricting infiltration drainage and other ground penetration in the absence of approval from the Local Planning Authority. Such approval would only be given were it demonstrated that the risks of pollution to groundwater were acceptable and this would be informed by site investigation, testing and, where appropriate, remediation of contamination.
79. The application site is within Flood Zone 1 which indicates it is at the lowest risk of flooding. The Council's Sustainable Drainage Engineer notes there are some concerns about seasonally high groundwater in the area which might impact on the viability of certain drainage measures, however he does not disagree with the Lead Local Flood Authority's conclusion that adequate surface water drainage can be achieved. The method of surface water drainage would therefore be informed by ground water level monitoring as well as the impact of any contamination identified via site investigations, however sustainable drainage systems would be used wherever possible. Conditions would be applied requiring the submission of a strategic (site wide) surface water drainage strategy, detailed surface water drainage strategies and arrangements for their maintenance. On that basis, the proposed development is considered to be acceptable in respect of the impact of the proposed quantum of development on surface water drainage.
80. In respect of foul water drainage, Anglian Water has confirmed that Teversham Water Recycling Centre has capacity to accommodate the wastewater flows from the site and that the foul sewerage network similarly has capacity for the development. On the basis of the above, the proposed development is considered acceptable in respect of the issues of contamination and drainage.

## ***Sustainability***

81. Council policy NE/3 requires that all residential developments of 10 dwellings or more include technology for renewable energy to provide at least 10% of their predicted energy requirements. The application did not contain a commitment to meet the requirements of the policy and the Council's Sustainability Officer requested that a full energy statement be provided prior to determination. However, the applicant has since committed to providing a scheme which complies with the requirements of the policy and it is considered that this commitment, backed by a condition which requires a scheme for renewable energy supplying 10% of the predicted requirements of the development to be submitted with any reserved matters application, is sufficient to make the development acceptable in terms of sustainability considerations.
82. The application proposes that the development would deliver a water efficiency of 125 litres per person per day, as required by Building Regulations, however as the area is located in an area of serious water stress, emerging Local Plan policy (CC/4) requires that all new developments restrict water usage to 105 litres per day. As a result, a condition would be applied requiring a Water Conservation statement be provided at reserved matters stage which details appropriate water conservation measures.

## ***Extended Time Limit for Implementation***

83. The application proposes that the development is split into two phases to allow the immediate redevelopment of the majority of the site, including the green wedge and community building in the first phase, with a small number of buildings retained for ongoing use by the NHS Trust until they are no longer required or the accommodation they provide is reprovided elsewhere. This approach means the majority of the site (Phase 1) would be available for development almost immediately with the balance of the site (Phase 2) coming forward later. The application states that the Phase 1 would be delivered within 5 years but seeks a 10 year permission for the whole of the site to ensure that Phase 2 can be delivered once accommodation currently on the site is no longer required. This is considered acceptable and a condition would therefore be applied giving a 5 year permission for the land within Phase 1, which will ensure a timely delivery of housing to contribute towards the Council's 5 year housing land supply, and a 10 year period for the balance of the site to allow the NHS Trust sufficient time to provide the existing mental health services elsewhere.

## ***Referral to Secretary of State for Communities and Local Government***

84. The application proposes greater heights than the existing development and a greater floor area which is not in accordance with policy GB/4. As a consequence, if the Development Control committee is minded to grant delegated powers to approve this application, in accordance with the requirements of the Town and Country Planning (Consultation) (England) Direction 2009, the application would be referred to the Secretary of State for Communities and Local Government.

## ***Argument of Prematurity***

85. The representation received from Cambridge Past Present and Future (CPPF) argues that the determination of the application prior to receiving the determination of the Local Plan examination Inspector's decision on the compliance of policy E7 with the NPPF would be premature. It states that the reference within the policy to 'compensatory enhancements' is not provided for within the NPPF exception to Green Belt restraint relating to acceptable redevelopment of a brownfield site. It expresses concern that the approval of the development on the site to which the draft policy relates would pre-judge the outcome of

the Local Plan inspection on the soundness of the draft policy in respect of its compliance with the NPPF.

86. The concern raised regarding prematurity has been carefully considered, however it is not considered that the positive determination of the present application would be premature. CPPF's primary concern in respect of prematurity appears to revolve around the phrase 'compensatory enhancements' within draft policy E7 and the extent to which it is compliant with the NPPF. The NPPF states that the partial or complete redevelopment of brownfield sites in the Green Belt is acceptable where it would not have a greater impact on openness or the purposes of the Green Belt. The existing site has development across its full extent and, as per the assessment in paragraphs 46 -48 above, it is considered that taken as a n existing brownfield site, the proposed redevelopment would not have a greater impact on openness, rather it would enhance the openness of the site. That this occurs as a result of denser development on the eastern part of the site and the opening up to green space of the western part is not contrary to the NPPF. 'Compensatory enhancements' is the phrase which has been used to express the judgement relating to the overall impact of the site on the Green Belt, however what is material in respect of the NPPF is that the brownfield land being redeveloped would not have a greater impact on openness as a result of the redevelopment. CPPF disagrees with that view, however that is a matter of judgement against the NPPF rather than one which relies on the specific wording with the draft policy to which it objects.
87. Notwithstanding that it is not considered that the determination of the current application is premature, the NPPG states that arguments that an application is premature are unlikely to justify a refusal unless it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking into the NPPF policies and other material considerations into account. It states that such circumstances will generally be limited to situations where both the development is so substantial or significant that granting permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development central to an emerging plan and where the emerging plan is at an advanced stage, but is not yet formally adopted. Given that the redevelopment of the site is provided for in adopted Local Plan policy GB/4 and Site Specific policy SP/9 it is difficult to conclude that the granting of permission would have any significant impact on decisions about new development, much less ones which would be central to the Plan.
88. It is therefore considered that the argument that the application is premature should not be held and that the application should be determined expeditiously.

### **Recommendation**

89. That authority to approve the application be delegated to the Director for Planning and Economic Development subject to:
- i. Planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to those matters set out in the Heads of Terms document (Appendix 1), with the final wording to be agreed in consultation with the Chair and Vice Chair of Planning Committee prior to the issuing of planning permission.
  - ii. Planning conditions as set out in Appendix 2, with the final wording to be agreed in consultation with the Chair and Vice Chair of Planning Committee prior to the issuing of planning permission.