

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

09 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1124/17/OL

Parish(es): Meldreth

Proposal: Erection of 18 dwellings (including affordable) with all matters reserved except for access

Site address: Land to the rear of No.79 High Street, Meldreth SG8 6LA

Applicant(s): Mr Michael Collins

Recommendation: Delegated approval (to complete section 106 agreement)

Key material considerations: Five year supply of housing land
Principle of development
Density of development
Affordable housing (including viability considerations)
Impact on the Conservation Area, street-scene and edge of village
Highway safety
Residential amenity of neighbouring properties
Surface water and foul water drainage
Trees
Ecology
Provision of formal and informal open space
Section 106 Contributions

Committee Site Visit: 08 August 2017

Departure Application: Yes (advertised 19 April 2017)

Presenting Officer: Rebecca Ward, Principal Planning Officer

Application brought to Committee because: Approval of the planning application would represent a departure from the Local Development Framework and would be contrary to the recommendations of Meldreth Parish Council.

Date by which decision due: 11 August 2017 (Extension of time agreed)

Executive Summary

1. 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.

2. It is acknowledged that this proposal would exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages. It would be outside the village framework of Meldreth within both the adopted and emerging development. As such, there is a conflict with policies ST/6, DP/1(a) and DP/7.
3. In terms of social and economic benefits, the proposed development would provide a number of dwellings, 40% of which would be affordable. This should be given significant weight and importance in the determination of the planning application in accordance with the advice in the National Planning Policy Framework, given the need and demand for market and affordable homes in the district.
4. The site is in a good location in relation to the services and facilities within the village and has good transport connections to other service centres. There is also capacity at the local primary and secondary school for students resulting from the development. S106 contributions towards indoor and outdoor community facilities will be of wider benefit to the village.
5. The density of the development is considered to be acceptable, allowing for the level of public open space within the development to exceed the policy required level. Amendments can also be made to ensure separation distances are met within any reserved matters application.
6. There will be some benefit to the local economy including the use services in the village as a result. The construction stages will also attract short term employment opportunities, albeit this would be more limited given the size of the scheme.
7. There would be limited environmental harm to the character of the landscape, loss of agricultural land, the Conservation Area and the setting of the listed buildings. The enhancement and protection of the landscape boundaries can be improved to help mitigate the identified impact.
8. Overall, it is considered that the social benefits arising from the contribution the proposal would make to the deficit in the Council's five year housing land supply and the significant need for affordable housing; and the other limited economic benefits would clearly outweigh the potential landscape and environmental disbenefits. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Relevant Planning History

9. SHLAA Registered Site 292 - Land to the rear of 79 High Street, Meldreth

National Guidance

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

Development Plan Policies

The extent to which any of the following policies are out of date and the weight to be

attached to them is addressed later in the report.

11. **South Cambridgeshire LDF Core Strategy DPD, 2007**
 - ST/2 Housing Provision
 - ST/6 Group Villages

12. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
 - DP/1 Sustainable Development
 - DP/2 Design of New Development
 - DP/3 Development Criteria
 - DP/4 Infrastructure and New Developments
 - DP/7 Development Frameworks
 - HG/1 Housing Density
 - HG/2 Housing Mix
 - HG/3 Affordable Housing
 - NE/1 Energy Efficiency
 - NE/3 Renewable Energy Technologies in New Development
 - NE/4 Landscape Character Areas
 - NE/6 Biodiversity
 - NE/8 Groundwater
 - NE/9 Water and Drainage Infrastructure
 - NE/11 Flood Risk
 - NE/12 Water Conservation
 - NE/14 Lighting Proposals
 - NE/15 Noise Pollution
 - NE/17 Protecting High Quality Agricultural Land
 - CH/2 Archaeological Sites
 - CH/4 Development within the Curtilage or Setting of Listed Buildings
 - CH/5 Conservation Areas
 - SF/10 Outdoor Playspace, Informal Open Space, and New Developments
 - SF/11 Open Space Standards
 - TR/1 Planning For More Sustainable Travel
 - TR/2 Car and Cycle Parking Standards
 - TR/3 Mitigating Travel Impact

13. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
 - Open Space in New Developments SPD - Adopted January 2009
 - Affordable Housing SPD - Adopted March 2010
 - Trees & Development Sites SPD - Adopted January 2009
 - Landscape in New Developments SPD - Adopted March 2010
 - Biodiversity SPD - Adopted July 2009
 - District Design Guide SPD - Adopted March 2010
 - Development Affecting Conservation Areas SPD – Adopted January 2009

14. **South Cambridgeshire Local Plan Submission - March 2014**
 - S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in Favour of Sustainable Development
 - S/5 Provision of New Jobs and Homes
 - S/6 The Development Strategy to 2031
 - S/7 Development Frameworks
 - S/10 Group Villages
 - HQ/1 Design Principles
 - H/7 Housing Density
 - H/8 Housing Mix

H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/14 Heritage Assets
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
SC/2 Heath Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

15. **Meldreth Parish Council** - Meldreth Parish Council recommend refusal (on the application as amended).

The site is large but the development will have an affect on the already agreed development-taking place at Maycroft Residential Home which will be a large development of 3 stories with bay windows from the bed/living rooms of residents of the care home.

Maycroft is an already approved application and this development will cause an overlooking problem. The houses will be too close to the boundary of Maycroft and the new care home accommodation is only some 4 metres from the boundary and therefore may cause concerns of overlooking by residents of both developments and loss of visual amenity for residents of the care home. The proposed hedge is unlikely to be able to screen the upper stories of Maycroft.

Affordable housing has been suggested and at the moment there is supposedly 53 listed on the housing list so there is a need for affordable housing in Meldreth. The proposal is also outside the village envelope where exception sites are the only type of development normally allowed. The access road cuts through both the conservation area and a PVAA.

We are concerned that proposed play area is badly sited close to the turning head that will be used by refuse lorries and other traffic. If SCDC are minded to approve this application, the Parish Council would like to see a full landscaping plan and would also need to know who will be responsible for the wooded areas.

Parish Council recommendation: Refusal: The Parish Council also requested that this should go to Planning Committee.

16. **District Council Environmental Health Officer (EHO)** - Consideration should be give to the two riding stable establishments adjacent to the site and the impacts it might cause in terms of smells and external lighting. In addition the following

conditions should be included :

- Construction Management Plan
- Limiting the hours of operation
- Burning of waste
- Details of pile foundations if used
- Details of any external lighting

17. **District Council Urban Design Officer and Conservation Officer** - Application is likely to be supported if further information is provided in respect of the design of the entrance, and the suggested conditions relating to landscaping and height are applied.

The applicant has worked proactively with the council at pre-application stage, and has followed advice given at that time, including reducing the number of dwellings to 18, which is welcomed and will make for a better overall scheme.

Impact on the conservation area - The conservation area is largely made up of a linear development of single dwellings, addressing the main road in large gardens. Though this historic pattern of development has been lost to the south of the village outside the conservation area boundary, within the conservation area this single plot depth is almost entirely still intact, with opportunities for views out to the rural landscape provided between buildings.

Developing to the rear of the properties within the conservation area will change the character of the built form, and therefore will cause a degree of harm to the setting of the conservation area, but this is deemed to be limited (less than substantial).

The High Street in this location has a very rural feel, with a prevalence of soft boundaries (timber fences, hedgerows), and lots of trees within plots etc. The creation of a formal engineered vehicular entrance within the conservation area is likely to cause harm to the rural character of the conservation area. Careful consideration needs to be given to the detailed design of this entrance to minimise the harm caused. I would have expected an application for outline / access to include details of this entrance. Additional information is sought in respect of the design and materials of the access

Impact on the setting of Maycroft (Grade II Listed Building) - The development will extend along the full rear boundary of May Croft. The loss of openness and connection to the landscape would cause some harm to the setting of the listed building. However, Maycroft has been extended significantly since its original construction in the early 20th century, the original (and most significant) part of the building is approximately 60m from its rear boundary, though later additions do extend it closer to the boundary.

Following advice given at the pre-application stage, the proposed houses have all be orientated with their backs (and back gardens) towards Maycroft, which has further increased separation between the two. The substantial planting belt is also welcomed along the boundary. There will be a degree of harm to the setting of the listed building, but this is deemed to be limited (less than substantial).

Proposed Layout - The layout has been amended and improved since the pre-application stage, which stands the application in good stead going forwards to a reserved matters application. The principle of 18 houses in this site is acceptable, my only comment is that a shared surface is unlikely to be acceptable for this number of houses, and a pavement may therefore be required within the development. Given the

edge of village location, I suggest a condition is attached to any permission restricting height to 2 storey.

18. **District Council Landscape Design Officer** - No objection with a development upon this site. Following the PRE/0419/16 application consultation I welcome the additional mitigation works proposed by the applicant to conserve and enhance the local landscape characteristics.
19. **Cambridgeshire County Council Local Highway Authority** - The Highway Authority can confirm that they will not be adopting any part of this development in its present format as the proposed carriageway width is only 4.8m.

The minimum carriageway that Cambridgeshire County Council would seek to adopt would be 5m in width preferably 5.5m. Please condition that the developer deposit a letter and drawing showing the site with the Local Planning Authority confirming that this site will not be presented for adoption now or at any time in the future.

The Local Highway Authority would also recommend that no more than 12 dwellings be serving off of a shared surface. The following conditions have been recommended:

- No private water shall drain from the site onto the adopted public highway
- Access is to be constructed of a bound material
- Traffic Management Plan
- No obstruction to the highway

20. **Cambridgeshire County Council Historic Environment Team (Archaeology)** - Our records indicate that the site lies in an area of high archaeological potential, situated approximately 285m to the north of the Avenell Way (Historic Environment Record reference MCB19147), a trackway of possible Roman origin, and runs for 12km between Odsey and Meldreth. Archaeological investigations of this section of the trackway in 2008 revealed that the trackway was used by wheeled vehicles and the track is believed to have been infilled between the 10th and 13th centuries as it came out of use. There is extensive evidence for Saxo-Norman and Medieval activity in the vicinity, including moated sites to the north east, south east and east (01275, 01246, 01251). There is also evidence for prehistoric activity in the vicinity, including cropmarks to the south west (08563) and a Bronze Age hoard found in the vicinity of the station (03117).

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

21. **Cambridgeshire County Council Flood & Water Team** – We have reviewed the submitted documents and can confirm as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development. As part of the details design stage the application should explore:

- The highways department would not adoption of the swale and that the applicant directs the majority of the surface water flow into the proposed swale/pond and just use one outfall to the ditch.
- Applicant to reduce the discharge rate into the ditch to 2L/s.

To ensure the above is met, a condition should be imposed requiring the following:

- Surface water drainage scheme
- Long term maintenance

22. **Environment Agency** - The application site is identified as being within flood zone 1, low risk. The application acknowledges that the western extent of the land ownership is with flood zone 3, high risk, and states that it should be left as a buffer strip. We would agree with this statement that will ensure that the existing flood plain regime is not altered. Recommended conditions and informatives :
- Surface water drainage
 - Foul water drainage
 - Pollution prevention
 - Contaminated water
23. **Scientific Contaminated Land Officer** – We have received the Phase I Desktop Study and Risk Assessment by Your Environment dated January 2017, and have considered the implications of the proposals. We are in agreement with the recommendations of the report than no site investigations are required. Therefore I am satisfied that a condition relating to contaminated land investigation is not required.
24. **Anglian Water** - Condition requested for details of foul water drainage scheme
25. **Affordable Housing Officer** - The developer is proposing 11 market properties and 7 Affordable dwellings, which is the 40% Affordable housing requirement. The district wide tenure split is 70% Rented and 30% Intermediate/Shared Ownership (Affordable Housing SPD 2010) 7 intermediate/Shared Ownership are proposed by the applicant for this application, this is not in accordance with policy. The applicant should be providing 5 affordable dwellings as Affordable rented and 2 as intermediate/Shared Ownership.

There are currently approximately 1,800 applicants on the housing register in South Cambs who are in need of good quality affordable housing. The highest and most urgent need is for 1 and 2 bedroom accommodation. And there are 48 applicants who are registered for housing in Meldreth and have a local connection to the village.

There are about 500 applicants in South Cambridgeshire who are registered on the 'Help to Buy' register in South Cambs who require shared ownership housing. The biggest demand for shared ownership accommodation are, 3 Bedroom properties. The mix proposed by the developer is 4 x 2 Bed Houses and 3 x 3 Bed Houses.

Our preferred mix and tenure split is:
 Affordable Rented - 5 x 2 (3 Person) Houses
 Intermediate/Shared Ownership - 2 x 3 (5 Person) House

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 district wide 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 the adjoining parishes and then to the 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 let.

Because of the Welfare Reform Act 2012, otherwise known as 'Bedroom Tax' it is essential that these properties are built in accordance with 'Nationally Described Space Standards' and DCLG Technical housing standards, so that Registered Providers will be able to allocate them to eligible households.

A registered provider operating in the South Cambs area should be appointed to take the affordable housing on. In order to provide a sustainable development the Affordable housing should be integrated within the development by 'Pepper Potting' with the Market housing as set out in Chapter 3 – 'Layout and Distribution (Affordable Housing SPD 2010). We would appreciate being informed when the developer appoints a registered provider, so that we can discuss the delivery of the Affordable housing with them.

25. **Cambridgeshire County Council Growth Team** – Please note: The comments issued by the CCC have taken into account the Marley Eternit site being approved in their predictions and contributions have been requested on this basis only. No other scenarios or justification have been put forward should the current undetermined application for the Marley Eternit site not be approved.

Early Years - The proposed development will have a significant impact on the early year's places in Meldreth. There is currently no project at the school and it is located on a constrained site. The County Councils proposed solution to mitigating the early years aged children arising from the development and others in the area is to expand a neighbouring school, Foxton Primary to provide 26 additional early years places. The total cost of the project is £480,000 - £110,772

Primary Years - The proposed development will have a significant impact on the primary education places in Meldreth. There is currently no project at the school and it is located on a constrained site. Therefore the County Council's proposed solution to mitigating the early years aged children arising from this development and others in the area is to expand a neighbouring school, Foxton Primary to provide 90 additional primary education places. The total cost of the project is 1,530,000 (4Q15). - £119,000

Secondary School - No capacity to take on the development but no known projects to date.

Libraries and Lifelong learning - Spaces available

Strategic Waste - This development falls within the Thriplow HRC catchment area for which there is insufficient capacity. This would generate a contribution of £151.02 (£8.39 x 18). However, the HRC already has 5 S106 contributions pooled; therefore, the County Council is prevented from seeking a further S106 Strategic Waste contribution.

26. **District Council Ecology Officer** - The submitted bat survey is sufficient to address previous comments and to demonstrate compliance with UK and EU law. Please attach the following conditions to any consent granted to secure compliance with protected species legislation:
- Ecological Mitigation
 - Nesting Birds
- Securing boundary vegetation outside of garden boundaries is welcomed. This should

involve retaining and augmenting existing native vegetation rather than clearing the site and then replanting. The information provided is not sufficient to demonstrate that the proposals will result in no net loss of biodiversity to meet the NPPF and LDF Policy NE/6. Any native trees removed should be replaced in at least a ratio of 1:1 and wooded habitats should be replicated. Securing ecological enhancement in the area of land to the west should still be investigated.

Enhancement measures for wildlife will also need to be included as detailed in my previous comments. Please attach the following condition to any consent granted to secure an appropriate scheme of ecological enhancement:

- Biodiversity Enhancement

The ecological enhancement measures must be a consideration in the detailed design for the Reserved Matters application to ensure that these can be incorporated into the scheme. Please also attach a condition to secure a sensitive external lighting design, with protection of wildlife habitats as one of the reasons for the condition.

27. **District Council Tree Officer** – No objections to this application in principle and it reflects the outcome of the pre-application discussion in respect of trees. The application is supported by an arboricultural report of Aspect (March 2017) which is comprehensive and realistic. This will require some updating for a forthcoming full or reserved matters application to reflect the final layout and special attention will need to be given to the access drive insofar as detail for tree root protection is concerned. If you are minded to approve this application the following conditions should be included:

- Updated arboricultural impact assessment
- Tree protection strategy

Representations

28. Six letters of objection were received on the planning application. In summary the following concerns were raised:
- Site is outside of the village envelope
 - Entrance would create a dangerous and narrow thoroughfare
 - Increase in traffic movements
 - Impact on the access to No.75 and No.81 High Street
 - Insufficient parking
 - Precedent for further building applications
 - Large trees will remove flora and fauna of the area
 - Change in character of the area and historic setting
 - Increase in noise levels and disturbance to surrounding residents including the care home

Site and Surroundings

29. The application site is located outside but directly adjacent to the Meldreth Village Development Framework and the Conservation Area which sits on the eastern boundary of the site. The site is currently undeveloped grassed land with a number of trees, some of which have a Tree Preservation Order (TPO). The access point into is from the High Street and is currently utilised by the residents of No.79. The access point is situated within the Protected Village Amenity Area (PVAA).
30. The northern boundary of the site is protected by a group Tree Preservation Order. This order covers Elms, Ash and Elm saplings. There is also a separate TPO on an Elm tree closer to the High Street (Ref C/11/17/071/02). Beyond this is a collection of

buildings associated with Meldreth Manor School.

31. The eastern boundary is made up of an established hedgerow beyond which is the Maycroft residential care home. This building is also recognised as a Grade II Listed Building. Maycroft is the closest listed building to the site, however, other heritage assets can be found along the High Street.
32. The southern boundary also contains a number of very tall trees and overgrown shrubs. None of these trees are protected. The western boundary is made up of an established hedgerow beyond which is a paddock with stables and associated buildings. The area in blue on the block plan is in a Flood Zone 3 according to the Environment Agency's indicative mapping data. The rest of the site is in a Flood Zone 1.

Proposal

33. The applicant seeks outline planning permission for the erection of 18 dwellings (including 40 % affordable housing) with all matters reserved apart from access.

Planning Assessment

34. The site was considered as part of the Council's call for sites in 2012. The site was reviewed on the basis of providing 22 residential units from a different access point to the one proposed.
35. It was concluded that the site is not capable of providing residential development taking account of site factors and constraints including loss of orchard and trees, loss of C19 wall for access and splays, loss of woodland backdrop to the High Street, not in character with the single depth pattern and would harm the landscape character of the village. However, it did recognise that the issues could be mitigated in part.
36. This application has been made on the bases the Council cannot demonstrate a five-year housing supply, as such the assessment is different to a SHLAA site and goes into more depth about the merits of the scheme.
37. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether the proposal is considered to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the surrounding landscape, street-scene, impact to conservation area and listed buildings, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

Five year housing land supply

38. The National Planning Policy Framework (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
39. 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 using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This

shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory 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.

40. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
41. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent 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 not to be restricted '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 adopted Development Plan which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.
42. 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/6 of the Core Strategy and policies DP/1 (a) and DP/7 of the Development Control Policies DPD fell to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF para 49 and therefore out of date.
43. 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.
44. The effect of the Supreme Court's judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as "relevant policies for the supply of housing". They are therefore not "out of date" by reason of paragraph 49 of the NPPF. None of these adopted policies are "housing supply policies" nor are they policies by which "acceptable housing sites are to be identified". Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policy ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing

locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.

45. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date “albeit housing supply policies” do not now include policies ST/6, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”
46. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
47. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused.
48. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
49. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
50. The site is located outside the Meldreth village framework, in the open countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will permitted. The erection of a residential development of up to 18 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.
51. Development in Group Villages (the current and emerging status of Meldreth) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings, or in exceptional cases 15, where development would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. This

planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.

52. By proposing 18 dwellings, the scheme would exceed the indicative maximum of 8 on a greenfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in the recent Over appeal decision (18 January 2017) stated that ‘...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.’
53. In light of the above, it is not appropriate, in the case of all Group Villages, to attach the same weight to policy DP/7 and DP/1(a) in the ‘blanket’ way. It is necessary to consider the circumstances of each Group Village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development. Similarly, each planning application must be assessed on its own merits.
54. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

Environmental Sustainability

Loss of agricultural land

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

Loss of trees, hedgerows and ecology enhancements

57. The Councils Tree and Landscape Officer has worked alongside the applicant to retain the most important trees/hedgerows on and around the application site including the Tree Preservation Orders.
58. There are a number of trees in the centre of the site at present, keeping the majority would negatively impact upon the use of the open space in the centre of the site. The Councils Tree Officer has agreed to the removal of some of the less important trees to free up space. The applicant has presented an indicative scheme which achieves a suitable balance from the landscape/urban design point of view, however, details will need to be secured in a reserved matters application.

59. A S106 agreement will be secured to ensure the landscape buffer around the western, southern and eastern boundaries are retained outside of the garden areas and maintained by a management company. This includes the area in blue. This matter will be covered more in depth below in the tree/landscape section.
60. In terms of ecology, the national framework requires there to be a net gain in biodiversity on the development sites. The majority of trees/hedgerows will be retained as part of the indicative proposal. Areas where they are being removed, replacement native species can be added. Additional features such as swales and ponds should also aid in offsetting the impact of the development. A condition will be added to any consent for a scheme of ecological enhancement.

Social Sustainability

Supply of Market and Affordable Housing

61. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
62. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 18 residential dwellings, 40% of these units (up to 7) will be affordable.
63. Ensuring that the housing mix of the market dwellings complies with emerging policy H/8 (being afforded more weight than the existing policy due to compliance with the NPPF and the nature of the unresolved objections to the policy) can be secured by condition at this outline stage. The affordable housing can be secured through a Section 106 agreement.
64. The indicative mix for market housing given in the application is 30% 1 and 2 bed units, 30% 3 bed units and 40% 4/5 bed units. This would meet the requirements of emerging policy H/8, which requires a mix of at least 30% of each category with 10% to be distributed across the development. The indicative scheme would meet this policy requirement.
65. Officers are of the view the provision of 18 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed to this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a demonstrable need for affordable housing in Meldreth (43 people with a local connection and roughly 1700 people district wide on the district wide register).

Open Space and Indoor facilities

66. On a site for a development of this scale the, adopted Open Space SPD requires the provision of approximately 233.2m² of formal play space (Local Area Play) and around 116.5m² of informal open space would be required. The total onsite provision of 349.7m² would be required.
67. This indicative scheme indicates that a minimum of 2900m² of open space, with some of the garden sizes exceeding the required standard substantially in a number of cases, could be achieved. When combined with the size of private garden space, the amount of open space to be provided is considered to represent a social benefit of the scheme.

68. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
- necessary to make the scheme acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development proposed.
69. The Parish Council have liaised with the Councils S106 Officer with a number of projects to improve the indoor and outdoor facilities within the Village. This includes a contribution towards gym equipment and all weather play surface on Meldreth recreation ground and for the replacement of an ageing boiler and refurbishment at Meldreth Village Hall. Provision has also been made for the widening of the footway between Meldreth Village and Field Gate nursery.
70. Officers have considered its compliance with CIL under the S106 section of this report. Subject to the contributions being used for this purpose, this level of provision is considered to be a significant social benefit of the proposals.
71. Another social and environmental benefit of the scheme would be the retention of the ecology/Landscape enhancement corridors along the boundaries that will be secured via condition and through a S106 agreement.

Accessibility to Services and Facilities

72. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. As such, this scale of development must be considered in light of the facilities in Meldreth and the impact of the scheme on the capacity of public services.
73. There is a train station within walking distance from the site at the other end of the High Street. There are frequent, high-speed trains into Cambridge, Royston and London (with additional stops along the route). There are bus stops on High Street. These bus stops are accessible from the site via lit public footpaths. There is a morning and evening service during the week only. Melbourn is roughly 1.1 miles from the site and is accessible via public footpaths. There are a range of facilities and services including a secondary school and business park. The road is relatively quiet and as such it would not be unreasonable to assume some might decide to cycle.
74. Given the close proximity of the site to the train and given their frequency, it is considered that the site is well served by public transport to Royston, Cambridge and London. Melbourn is also very accessible and the provision of a contribution towards the upgrade of the footpath will also present a wider benefit to the village. All of which have a wide range of facilities and employment opportunities to meet more than day to day needs. This enhances the social and environmental sustainability of the scheme by reducing reliance on car travel.
75. The village also has a village store and post office, primary school, community rooms, hairdressers, garage, public house, village hall, recreation ground and church. There is also a small industrial area containing a number of small businesses.

Education Provision

76. In order for a planning obligation to be a material consideration in the determination of a planning application it must satisfy all of the CIL tests. The 'Procedural Guide Planning appeals – England' is a guide used by Planning Inspectors (and all decision makers) when assessing the lawfulness of any financial contribution against these tests:

1. the relevant development plan policy or policies, and the relevant sections of any supplementary planning document or supplementary planning guidance;
 2. quantified evidence of the additional demands on facilities or infrastructure which are likely to arise from the proposed development;
 3. 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;
 4. 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;
 5. details of the facilities or infrastructure on which any financial contribution will be spent
77. The consultation provided by Cambridgeshire County Council (CCC) indicates that the proposal will create a child yield of 3 early year's spaces, 7 primary school spaces and 5 secondary school spaces. On this basis CCC has requested contributions for (a) £55,386 early years at Meldreth Primary School (b) £119,000 primary education at Foxton Primary School and (c) an unidentified sum of money in respect of an expansion to Melbourn Village College. This request has been made on the basis that the Marley Eternit site (150 homes) to the north of the village being approved.
78. There are a number of issues arising from this request. Firstly the Marley Eternit site remains un-determined therefore it cannot be given any material weight in the determination of this planning application as to do so would be premature. Secondly there is no evidence to confirm for certain that Meldreth Primary School cannot accommodate the children arising from the development without expansion. Thirdly it is not considered reasonable for the District Council to request a contribution towards the expansion towards Foxton Primary School as it is not considered directly related to the development. Furthermore, no project has been identified towards the expansion of Melbourn Secondary School.
79. Whilst CCC has declined to accept the conclusions reached by District Council officers, likewise they have not presented any other evidence for officers to come to an alternative conclusion. Therefore an education contribution has not been justified and therefore not requested from the applicant on this occasion.

Health Care Provision

80. In terms of health impact, NHS England has not provided a response on the application as it is below their threshold of 50 dwellings for providing comments.

Conclusion

81. Given the above assessment and the supporting evidence, it is considered that the adverse impacts of the development in terms of social sustainability would not represent a demonstrable level of harm that would outweigh the benefits of the provision of additional housing within the context of the Council's lack of a 5 year housing land supply.

Economic Sustainability

82. The provision of 18 new dwellings will give rise to employment during the construction

phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

83. Given the small size of the development delivery within five years including a reserved matters application is considered to be achievable. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Density of development

84. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (30 dwellings per hectare) at approximately 17 dwellings per hectare. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and that there are a number of trees and the site is in the backdrop of Grade II Listed Maycroft House, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Landscape character, setting of the village, heritage assets and protected village amenity area

85. The South Cambridgeshire Village Capacity Study (1998) refers to Meldreth as set in a flat and open agricultural landscape. As the village is approached, the woodland and tree cover increases creating a strong contrast with the wider open landscape. The fields to the south are smaller with strong hedgerow boundaries. The northern part of the village is more linear with low-density housing, large gardens and paddocks creating a very rural character. The River Mel and small fields, tree belts and hedgerows create a well-defined and continuous rural eastern edge to the southern part of the village.
86. The study identifies the rural character of the High Street in the historic core of the village as a critical asset and a key characteristic. Important building blocks are the detached properties in large gardens with mature trees and hedgerows and the enclosed fields and paddocks to the rear of the High Street properties.
87. Development of this site would have an effect on the landscape setting of Meldreth by building on one of these enclosed spaces. The SHLAA assessment undertaken in 2011 does identify that part of the impact of this could be partly mitigated by a low-density scheme which sought to retain most of the trees and hedgerows on the site.
88. It is important to state that this assessment was undertaken for the purposes of the Emerging Local Plan and whilst it does carry some weight, there is a requirement to consider sites on their own merits and taking into account the lack of five-year housing land supply. As such, these points are reviewed below.

Landscape Impact

89. In relation to the linear character, the site forms part of an enclosed landscape on the western edge of the village being screened by tree belts and hedgerows. Wider views from Whitcroft Road are therefore limited. There is the in-depth development of the Meldreth Manor School to the north and Gables Close to the south that hazes any

linear pattern. For these reasons, it is considered the proposed development would have only a limited adverse impact on the linear character of Meldreth in this location.

90. In relation to the specific proposal, the Landscape Design Officer (LDO) agrees with the visual assessment submitted in support of the application and concludes that, the site is relatively contained in visual terms by hedge planting and tree belts and welcomes the intention to incorporate the tree belt on the northern boundary into the scheme.
91. In addition to this, the indicative layout plan is considered to demonstrate that the proposed density of development would allow the retention of a landscape 'buffer' on the western, southern and eastern edge of the development.
92. For the above reasons, and considered against policies DP/2, DP/3 and NE/4 of the DCP, the proposal would result in only modest harm to the landscape character and setting of the village.

General Layout and Design

93. The layout and design of the dwellings will be considered at reserved matters stage. The LAP is likely to be located in the center of the site, whilst its likely to be adjacent to the access road, the space will be extensive and the provision of landscaping and low fencing could aid in ensuring the space is safe for small children.
94. Any reserved matter scheme would need to be considered in accordance with the relevant policies for scale, design, appearance.

Impact to the setting of the Listed Building and Conservation Area

95. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay "special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses"
96. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay "special attention to the desirability of preserving or enhancing the character or appearance of that area"
97. Paragraph 132 of the NPPF, in the section dealing with the designated heritage assets, states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".
98. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
99. Paragraph 134 of the NPPF says that "(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".

100. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
101. The site currently contributes to the setting of the Conservation Area by providing rural backdrop of trees to the houses along the High Street particularly that of Maycroft House.
102. As a result of the proposal the existing garage to the front of the site will be demolished and a new access road will be created. Whilst this will open up views of development to the rear, the physical presence of the new dwellings will be located behind the line of properties along the High Street; therefore only intermittent glimpses of the development will be afforded from the street scene and will not be prominent from the Conservation Area.
103. Maycroft House (Grade II Listed Building) has been extended significantly since its original construction in the early C20; the original (and most significant) part of the building is approximately 60m from its rear boundary. More recently consent has been granted for a substantial extension to the facility which will bring it 4m from the boundary. The indicative plans suggest perimeter buffer planting will be provided along the eastern boundaries, which will over time create separation between the care home and any new development.
104. Officers consider the potential harm to the setting of the Listed Building and Conservation Area could be reduced through careful consideration of the location, orientation, scale and design of any new development as well as boundary treatments and retention of trees on the site. This can be addressed in any reserved matters application.
105. The Historic Building Officer stated that consideration should be given to how the land profiled around the access and that any design should seek to minimise the visual impact on the street scene.
106. Officers consider the setting of the listed building and conservation area would be preserved as a result of the development in accordance with sections 66 and 72 and policies CH/4 and CH/5 of the Local Development Framework. The detail of access including landscaping, materials etc. would be considered at reserved matters stage.
107. In relation to the test of the national policy para.134, the proposed scheme would cause less than substantial harm to the setting of the Listed Building and Conservation Area. This harm would need to be weighed against the public benefit of providing new homes in the district.

Impact to PVAA (Protected Village Amenity Area)

108. The proportion of the proposed access from the High Street is designated within the PVAA. In accordance with policy CH/6 development will not be permitted within or adjacent to PVAA if it would have an adverse impact on the character, amenity or tranquility or function of the village.
109. The residential units will be set back from the High Street by 100m and will be set behind units that front onto the High Street, including Maycroft, No.75 and No.79. Officers have already concluded that the proposed development and the alterations to the access point would not have an adverse impact on the Conservation Area or the

setting of the listed buildings.

110. Whilst some of the unprotected trees will be lost they are not considered to be of merit and they will be replaced with native species. The majority of the landscape buffers and protected trees will be kept outside of the garden curtilages to ensure they are maintained in perpetuity. The low density of the scheme will allow for a large open space to be retained in the center of the site keeping it more open when viewed from the surroundings.
111. For these reasons, the proposed development would not have an adverse impact on the character or tranquility or function of the village in accordance with policy CH/6 of the Local Development Framework.

Trees

112. The District Council Tree Officer has raised no objections to the proposals. The proposals to enhance the landscape planting on a number of the boundaries of the site and the amendments to retain more of the hedgerow along the frontage of the site are welcomed. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application.

Ecology

113. The Ecology Officer has raised no objections to the application. The bat survey submitted with the application demonstrates that the buildings to be demolished have limited potential for roosting. The location of the Pipistrelle roost found during h survey period has been clarified and is not within the application site. The retention of boundary habitats and the indicative location of the areas of public open space is supported.
114. Measures to protect nesting birds also need to be enhanced. However, all of these issues can be dealt with at the reserved matters stage when the layout is to be fixed. Updated mitigation strategies addressing the protection of nesting birds and badgers and ecological enhancements can be secured by condition.

Highway safety and parking

115. Given the relatively low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.
116. Given that the proposed development is for up to 18 new homes, the impact to the road network is considered to be minimal and would not cause any significant highway safety issues to warrant the application for refusal. The access drive is 5m in width to ensure two cars can pass without revering onto the public highway. There will be no throughway.
117. Concerns have been raised by the occupiers of the adjacent properties about the access being too close to driveways. The applicant has demonstrated that both vehicle and pedestrian visibility splays can be achieved on both sides of the access in accordance with Manual for Streets and to the approval of the Local Highways Authority.
118. The proposals are therefore considered to comply with the requirements of policy DP/3 in terms of highway safety and the traffic generated and policy TR/1 in respect of

promoting sustainable modes of travel.

Residential amenity

119. The application is in outline and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.
120. Maycroft Care home lies to the eastern boundary of the site. During the consultation process the Parish Council and local residents raised concerns with the proximity of the new dwellings to the planned expansion of the care home to create additional living spaces/bedrooms over three floors (top floor being in the roof). The expansion of the care home will bring to 4m to the shared boundary and there will be windows its western elevation.
121. The applicants amended the plans on 15 June 2017 to attempt to mitigate the concerns that were raised by local residents. This moved the closest units from having a back-to-back distance of 18m to a back-to-back distance of 25m. It was also confirmed that within this separation distance a 5m native landscape buffer would be planted and would be retained outside of the gardens via S106 agreement.
122. In accordance with paragraph 6.67 of the Councils District Design Guide SPD, to prevent overlooking of habitable rooms to the rear of residential properties and private gardens, it is preferable that a minimum distance of 15m is provided between the windows and property boundaries. The proposed dwellings will be situated 14m to the landscape buffer and 20m to the shared boundary and therefore would meet this SPD requirement.
123. The distance of the extension to the care home does fall short of meeting the SPD guidance with only 4m to the shared boundary. However, the separation distance and introduction of a landscape buffer will aid in allowing a separation of 11m to the edge of the garden areas of the new dwellings. Whilst this still falls short by 4m, officers consider there is still scope in a reserved matters application to slightly amend the position of the houses given the space on the site and/or increase the depth of the buffer to meet the SPD requirement.
124. In terms of overlooking to facing windows, for two storey residential properties, a minimum distance of 25m should be provided between rear facing elevations; which should be increased to 30m, for 3 storey residential properties. The applicants have provided a separation distance of 25m from the rear of the care home. The third floor dormer windows are set an additional 1m into the roof leaving a separation gap of 26m.
125. The separation distances between the units would fall short of meeting the SPD guidance by 4m. However, the careful internal layout and alignment of facing windows on plots 5-8, could aid in limiting this impact to warrant a reduced distance. Furthermore given the additional space on the space, the dwellings could be set forward to allow for a greater gap in any forthcoming reserved matters scheme.
126. On that basis, it is considered that the proposed development would not have an adverse impact on the residential amenity of neighbouring properties to warrant refusal. However, additional amendments will need to be considered/made prior to the submission and determination of a reserved matters application.
127. Additional concerns have been raised to noise levels from the site, particularly to the

care home, given its intensification. The application is for residential dwellings and whilst officers appreciate there will be additional movements and increase in noise levels, the noise levels would not be significant or adverse unlike a commercial or industrial use. Given that most buildings in the immediate area are residential the proposed units should fit in well. Subject to the access drive being built in a bound material, noise impacts would not be significant from car movements down the drive.

128. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of the occupants of each of the plots within the development in accordance with policy DP/3 which seeks to prevent an unacceptable impact on residential amenity.

Surface water drainage

128. The site is located within flood zone 1 (lowest risk of flooding). The Lead Local Flood Authority (LLFRA) has not raised an objection to the revised proposal.
129. The revised Flood Risk Assessment (FRA) indicates that surface water attenuation measures allowing for 1890 metres cubed surface water to be managed on site and discharged to adjacent watercourses at a rate of 19 litres per second could be achieved. A condition requiring full details of the attenuation measures to be adopted can be attached to the outline planning permission and details of the management and maintenance of the drainage systems can be included in the Section 106 agreement.
130. The details of the surface water drainage strategy can be secured by condition at the outline stage and the means of management and maintenance can be included as clauses in the Section 106 Agreement.
131. The Environment Agency and Anglian Water have also raised no objection in relation to surface water drainage on the basis that this condition is attached to the decision notice.

Waste and Foul water drainage

132. Anglian Water (AW) has raised no objections to the proposals. In relation to Wastewater treatment, AW confirm that the foul drainage from this development is in the catchment of Melbourn Water Recycling Centre, which currently does not have capacity to treat the flows from your development site.
134. AW confirm that they are obligated to accept the foul flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission. This is a legal requirement of AW as statutory undertaker under legislation beyond the remit of the Town and Country Planning Act and therefore does not represent grounds to refuse a planning application.
135. In relation to the foul drainage network, the applicant will be required to develop a foul water drainage strategy that is acceptable to AW in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.

Section 106 contributions

136. Please see completed heads of terms in Appendix 1 of the Planning Committee report. This has full justification for each of the contributions that have been requested. This

includes:

- Funding towards upgrades of village hall
- Funding towards improvements to footpath near station bridge
- Funding towards improvement to children's play equipment
- Securing landscape/ecology enhancement strip
- 40% on-site affordable housing provision

Other matters – conditions

137. Officers have considered the conditions suggested by the consultees against the requirements of the Government's Planning Practice Guidance and the Framework. Where necessary and in the interests of clarity and precision they have been altered to better reflect the guidance. The time limit for a reserved matter scheme to be submitted has been reduced to 2 years. The agent and applicant have agreed to this.

138. A condition requiring renewable energy provision is necessary in order to provide an energy efficient development and in the interests of the environment. A foul water drainage condition is required in order to safeguard the water environment and provide for appropriate sewerage arrangements. The resulting condition is necessary to safeguard the development from surface water flooding. Tree and hedge protection details are necessary in order to safeguard the character and appearance of the area.

139. A scheme of archaeological work is necessary in order to safeguard any archaeological interest at the site.

140. Waste management details are necessary in order to maximise opportunities for waste re-use and recycling. A Construction Environmental Management Plan (CEMP) is required in order to minimise the impacts of construction upon the surrounding area. In the interests of precision and given that some aspects are covered by separate conditions on transport and waste I have not included the long list of requirements as suggested by the Environmental Health Officer. The matter of the detailed content of the CEMP would be for the parties to consider.

141. It is not considered necessary to attach the suggested landscaping condition as this would be dealt with through a subsequent reserved matters application. A condition controlling heights is not reasonable in this instant and can be controlled via a reserved matters application.

142. Officers are not aware of any proposals to enlarge the site. In any event each application is considered on its individual merits at the time of its determination.

Conclusion

143. 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.

144. It is acknowledged that this proposal would exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages. It would be outside the village framework of Meldreth within both the adopted and emerging development. As such, there is a conflict with policies ST/6, DP/1(a) and DP/7.

145. However, in the absence of a five year housing land supply, this conflict needs to be balanced against the benefit of the proposal in terms of its contribution to the supply of housing (and affordable housing) in accordance with para 14 of the NPPF. It is only where the conflict with those policies of the development is so great as to “significantly and demonstrably” outweigh the benefits of the proposal, particularly in terms of housing delivery, that planning permission should be refused.
146. In terms of social and economic benefits, the proposed development would provide a number of dwellings, 40% of which would be affordable. This should be given significant weight and importance in the determination of the planning application in accordance with the advice in the NPPF, given the need and demand for market and affordable homes in the district.
147. The site is in a good location in relation to the services and facilities within the village and has good transport connections to other service centres. There is also capacity at the local primary and secondary school for students resulting from the development. S106 contributions towards indoor and outdoor community facilities will be of wider benefit to the village.
148. The density of the development is considered to be acceptable, allowing for the level of public open space within the development to exceed the policy required level. Amendments can also be made to ensure separation distances are met within any reserved matters application.
149. There will be some benefit to the local economy including the use services in the village as a result. The construction stages will also attract short term employment opportunities, albeit this would be more limited given the size of the scheme.
150. There would be limited environmental harm to the character of the landscape, the loss of agricultural land, the Conservation Area and the setting of the listed buildings. The enhancement and protection of the landscape boundaries can be improved to help mitigate the identified impact.
151. Overall, it is considered that the social benefits arising from the contribution the proposal would make to the deficit in the Council’s five year housing land supply and the significant need for affordable housing would clearly outweigh the potential landscape and environmental disbenefits. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

152. Officers recommend that the Committee grants planning permission, subject to the following:

Section 106 agreement

153. To secure provision of onsite affordable housing, the provision of public open space, the management of the public open space and surface water drainage within the development and the community benefits and education contributions listed in Appendix 1, attached to this report.

Draft conditions

154. 1) Details of the appearance, landscaping, layout, and scale (hereinafter called

"the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 2 from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: PL01, PL02revC, C5014/2revG (In relation to access only)
- 5) Prior to the commencement of development a scheme for the provision of on-site renewable energy to meet 10% reduction in projected carbon emissions from the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained in operation.
- 6) Prior to the commencement of development, including site preparation or the delivery of materials, an updated arboricultural assessment and method statement including a tree and hedge protection strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 7) Prior to the commencement of development a traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:
 - a. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway);
 - b. Contractor parking (all such parking shall be within site boundary and not on the street);
 - c. Movement and control of deliveries (all loading and unloading shall be undertaken off the adopted public highway);
 - d. Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.
- 8) Prior to the commencement of development a scheme of ecological enhancement and mitigation strategy, including a programme of implementation, has been submitted to and approved in writing by the Local Planning Authority. The ecological enhancement scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out in accordance with the approved programme of implementation.
- 9) No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

10) Prior to the commencement of development a full Site Waste Management Plan and Waste Audit shall be submitted in writing and approved by the Local Planning Authority. These shall include details of:

- a. Construction waste infrastructure dealing with how inert waste arising will be managed/recycled during the construction process;
- b. Anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;
- c. Measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
- d. Any other steps to ensure the minimisation of waste during construction;
- e. The location and timing of provision of facilities pursuant to criteria a, b and c;
- f. Proposed monitoring and timing of submission of monitoring reports;
- g. The proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction;
- h. A RECAP Waste Management Guide toolkit shall be completed with supporting reference material;
- i. Proposals for the management of municipal waste generated during the construction phase of the development, along with the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles is required.

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

11) Prior to the commencement of the development hereby permitted a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

12) Prior to the commencement of development a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme which shall have been submitted to and agreed in writing by the Local Planning Authority.

13) No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a

sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. include a timetable for its implementation; and,
 - c. provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 14) As part of any reserved matters application details of the housing mix (including both market and affordable housing) shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details.
- 15) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

Background Papers:

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

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

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