

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 November 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/0460/17/FL

Parish: Balsham

Proposal: Proposed demolition of existing dairy buildings and erection of fifteen new dwellings

Site address: Plumbs Dairy, 107 High Street

Applicant(s): Plumbs Property

Recommendation: Delegated Approval (subject to complete section 106)

Key material considerations: Principle of development
Five year housing land supply
Sustainability of the location
Loss of employment
Density of development and affordable housing
Visual/heritage impact
Highway safety and parking
Residential amenity
Section 106 contributions

Committee Site Visit: 31 October 2017

Departure Application: No

Presenting Officer: Edward Durrant, Principal Planning Officer

Application brought to Committee because: The local member, Councillor Fraser, has requested that the application be determined by the planning committee.

Date by which decision due: 8 November 2017 (extension of time agreed)

Executive Summary

1. This application seeks approval for 15 dwellings (40% affordable) on the existing Plumbs Dairy site and land to the rear of 105 High Street, which has consent for a dwelling to the rear. The entire application site falls within the Balsham village framework, protected village amenity area and conservation area. The part of the site that presently accommodates Plumbs Dairy has a mix of primarily low level, concrete block buildings and the garden land part of the site to the east is more open in character. The employment site is used by Plumbs Dairy for storage and distribution (B8) with ancillary office use. Due to the firm relocating its operation to more modern premises at Linton the site is due to become vacant.

2. Balsham is a group village, where development of 15 up to dwellings on a previously developed site accords with the policies of the Adopted Core Strategy. The proposed new homes are considered to be a positive contribution to the conservation area and not to be detrimental to the setting of a nearby listed building or the protected village amenity area. The main issue to consider in the determination of this application is whether the benefits that would result in the residential development of the site would outweigh the loss of the westernmost part of the site that presently has a commercial use.
3. Although the site has not been marketed as an employment site a report has been submitted that demonstrates that the buildings within the site would not be suitable for conversion without significant expenditure. The same report also lists a number of purpose built employment sites in the nearby villages that are presently vacant.
4. The applicant argues that the cost of the necessary works to bring the site up to modern day standards would make the site less commercially viable than the vacant employment sites/buildings in the surrounding area. There are also a number of constraints that would add to the cost of any redevelopment of the employment site in isolation. The redevelopment of the site for a residential use is considered to comply with the aims of Policy ET/6 as the loss of the employment use would not be detrimental to the provision of employment sites in the vicinity and there would be benefits to the community resulting from the proposal.
5. These benefits include the provision of housing in a sustainable location, with 40% affordable housing, a visual enhancement of the conservation area through the architect designed dwellings and the fact that once Plumbs Dairy relocates the unsightly clutter of staff vehicles parked along the High Street would be removed. In addition to the provision of a LAP on the site there would also be off-site S106 contributions towards Balsham sports pavilion, outdoor gym equipment, Balsham Church Institute, household waste receptacles and monitoring.
6. Policy ET/6 is not considered to be a housing supply policy that would be out of date as a result of the District not currently having a 5 year supply of housing land. Notwithstanding this there are clearly benefits to the provision of a further 15 homes to meet the council's targets for the purposes of the National Planning Policy Framework 2012 (NPPF) in a sustainable village location.
7. The benefits identified in this report can be afforded significant weight in favour of the proposal and are deemed to clearly outweigh any potential disbenefits which include the loss of the employment site. The proposal is therefore recommended for approval subject to the necessary safeguarding conditions and Section 106 Agreement.

Planning History

9. SC/0522/69/O – High Street – erection of chalet bungalow - Refused
10. S/0552/77/F - 105 High Street - single and double storey extension - Approved
11. S/0771/77/F - R/O107 High Street – erection of an agricultural dwelling - Refused
12. S/2007/78/F - 105 High Street – erection of front porch - Approved
13. S/1233/87/F - 105 High Street - extension - Approved
14. S/1032/93/F – Home Dairy - Office extension - Refused

- 15. S/1409/93/F - Home Dairy - Office extension - Approved
- 16. S/1085/09/F- 105 High Street – Garage/Pool Pump Room and Gym with New Vehicular Access - Approved.
- 17. S/0362/10/F - 105 High Street – dwelling following demolition of existing building - Approved.
- 18/1. S/1842/12/DC - 105 High Street – conditions 2 and 10 of S/1085/09/F - Approved.
- 18/2. S/0994/13/DC - 105 High Street – conditions 3, 6, 7, 8, 9, 12 and 13 of S/0362/10/F - Approved.

Planning Policies

- 19. **National Guidance**
National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance (PPG)

Development Plan Policies

- 20. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/3 Re-Using Previously Developed Land and Building
ST/6 Group Villages
- 21. **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
ET/6 Loss of Rural Employment to Non-Employment Uses
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/2 Renewable Energy
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/8 Groundwater
NE/9 Water and Drainage Infrastructure
NE/10 Foul Drainage-Alternative Drainage Systems
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Lighting Proposals
NE/15 Noise Pollution
NE/17 Protecting High Quality Agricultural Land
CH/4 Development Within the Curtilage or Setting of a Listed Building)
CH/5 Conservation Areas
TR/1 Planning For More Sustainable Travel

TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

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

Open Space in New Developments SPD - Adopted January 2009
Affordable Housing SPD - Adopted March 2010
District Design Guide - Adopted March 2010
Biodiversity- Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Health Impact Assessment SPD– Adopted March 2011
Listed Buildings: Works to or affecting the setting of-July 2009

23. **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
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/14 Heritage Assets
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
H/11 Residential Space Standards for Market Housing
E/14 Loss of Employment Land to Non Employment Uses
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
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
T1/9 Education facilities

Consultations

24. **Balsham Parish Council** – Has made no recommendation but states that the development is contrary to policies S/3 Sustainable Development, S/10 Group Villages, SC/6 indoor community facilities, DP/7 and ST4/5/6/7. In their first response they noted that the site has not been marketed and it would result in a loss of jobs in

Balsham and that the site is in the conservation area, PVAA and opposite a listed building.

25. **Contaminated Land Officer** - Has no objection and has requested that a condition be attached to any consent relating to contaminated land.
26. **Affordable Housing Officer** - Originally requested that the proposed affordable housing units be amended in size and design. Following a meeting with the applicant two potential options have been agreed, which relate to either a policy compliant scheme in terms of the affordable housing mix or a commuted sum if a Registered Provider would take on a higher number of intermediate units that would be easier to manage. Following amendments to the size of the affordable units there are no objections to the development as both the aforementioned affordable housing options are considered acceptable.
27. **Sustainability Officer** – Supports the application subject to a condition to clarify the maximum amount of water per person per day that the development will be designed to.
28. **Environmental Health Officer** - Has no objection and has requested that conditions be attached to any consent relating to hours of works.
29. **S106 Officer** - Following submission of the amended S106 contributions supports the application.
30. **Trees Officer** – Has no objection and has requested that a condition relating to tree protection be attached to any consent.
31. **Landscape Design Officer**- Has no objection and recommends the applicant considers providing a rural approach to the site and incorporates more tree planting and green spaces within front plot boundaries to consider and enhance the local landscape character and visual amenity. Following submission of revised plans, no objection, recommends applicant considers a number of factors.
32. **Ecology Officer**- Has no objection and has requested that conditions be attached any consent relating to ecological mitigation and biodiversity enhancement.
33. **Drainage consultant** – Has no objection and has requested that conditions be attached to any consent relating to surface water drainage.
34. **County Education, Waste and LLL S106** – Has not requested any contributions towards early years, primary school, secondary school, libraries or strategic waste.
35. **Urban Design Officer** – Originally questioned the layout of the site primarily relating to the location of the LAP and parking spaces for the affordable homes. Also suggested that the courtyard area be more broken up by planting or different materials, that changes be made to the fenestration and questioned the parking for 105 High Street and the housing mix. The contemporary design of the buildings is considered appropriate and will not have a detrimental impact upon the conservation area or heritage assets. Following the submission of amended plans supports the application.
36. **Archaeology Officer** - Has no objection and has requested that a condition be attached to any consent.

37. **Lead Local Flood Authority-** Initially objected to the proposal and requested further information on infiltration rates. Following the submission of further information a condition has been requested to require further testing following the grant of planning.
38. **Local Highways Authority** - Originally objected to the proposal. Following the amendment to provide visibility splays has no objection and has requested that conditions be attached to any planning consent.
39. **Cambridgeshire Fire and Rescue** – Has requested that adequate provision be made for fire hydrants.
40. **Representations**
41. Representations have been received from the owner/occupiers of 103 High Street and 20 Queens Close, Balsham, who object to the application on the following grounds:
- Impact upon existing schools and services
 - Increase in vehicular traffic and parking issues
 - Limited facilities in the village
 - Out of keeping with the local context, street pattern and scale
 - Loss of privacy to rear garden (no. 103)
 - Loss of green space
42. Representations have been received from the owner/occupiers of 109 High Street and 8 West Wickham Road, Balsham, who support the application and make the following comments:
- Good design and layout with different style of houses
 - Will not miss stream of parked cars
 - Enhance the village and community
 - Would be happy to discuss with the developer boundary treatment on the western edge to ensure that new fence is not erected against the existing fence
43. Councillor Fraser has requested that the application be considered by the planning committee for the following reasons:
- Development is in a conservation area, a protected village amenity area and opposite a listed building.
 - Loss of the last commercial site in the village. The report supplied by the developers only addresses the existing buildings. If the site were to be sold for commercial development, purchasers would no doubt redevelop the site to meet their own needs.
 - The village is poorly served by buses and it is therefore very difficult for people to travel to employment areas outside the village. Far better for employment opportunities to be available locally and I am sure that with the two developments already approved there will be a number of people who would like to find local jobs to say nothing of the existing residents.
 - Concerns about the effect the development will have on the High Street. Planning requires 1.5 car parking spaces per property. However we all know that this is more likely to be either two or three, which will inevitably lead to more parking on the already congested High Street.
 - Doctor's surgery is already overcrowded (and this before the High Street and Linton Road developments come on stream) villagers are already having to wait between three and four weeks to have an appointment with a named doctor.

- We reference to ST/4 this development will add to green house gas emissions given the lack of local transport.
- ST/6 - With Linton Road and High Street permissions there will already be a wide choice of quality homes.
- ST/7 - There will be significant change to the local character of this part of the village particularly as the site is in a conservation area and a PVAA.
- DP1a - I believe there would be a significant negative impact that would outweigh any benefits. Better to retain this as a commercial site that would benefit the village as a whole.

Site

44. This application site lies entirely within the Balsham Village Framework, conservation area and protected village amenity area. The linear Plumbs Dairy part of the site presently accommodates a mix of concrete sheds and primarily single storey buildings to the east and west of the central roadway and a two storey administration building to the north. This building is set back from the High Street frontage by an area of parking either side of the central roadway, which leads through to open paddock land to the south of the site. To the south of the buildings there is an area of parking and to the west there are a number of mature, protected trees. The B8 site (storage and distribution) is soon to be vacated due to the firm relocating its operation to more modern premises at Linton.
45. A large part of the application site is made up of land to the east that presently forms part of the curtilage of 105 High Street. This land is typical of a residential garden with a grassed area and some semi-mature trees. There is also a large outbuilding to the rear of the garden, which is roughly where consent has been granted for a single-storey dwelling.
46. Either side of the entrance there are residential properties that front onto the High Street. There is also an electrical substation that sits between the curtilage of 105 High Street and the dairy site. To the east the two storey properties front the High Street in a linear pattern of development. To the west there is a complex of converted barns arranged in a courtyard formation that access onto the High Street. To the north of the High Street there is a grade II listed converted barn that abuts the extensive and well landscaped curtilage of 86 High Street.

Proposal

47. The application seeks full planning permission for the demolition of the existing buildings on the site and the erection of 15 dwellings (40% affordable) that would be served off a repositioned vehicular access from the High Street, and associated parking, landscaping and a Local Area of Play. In response to consultation responses the layout of the application and the design of the homes has been amended and further information has been submitted.

Planning Assessment

48. The key issues to consider in the determination of this application are the principle of development and the impact of the loss of an employment site. An assessment is also required in relation to the density and mix of the development, affordable housing, section 106 contributions and the impact upon the conservation area, protected village amenity area, highway safety, trees and landscaping, ecology, residential amenity, surface water drainage, archaeology, and environmental issues.

Principle of Development

49. The site is located within the Balsham village framework, a Group Village which is proposed to remain so in the emerging Local Plan. Policy ST/6 of the adopted Core Strategy and S/10 of the Local Plan submission permits residential development and redevelopment of up to 8 dwellings within the village framework. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site. As the site is formed partly by a brownfield site and partly by a residential curtilage, which has consent for residential development, the principle of the development is acceptable subject to the consideration of all other material planning considerations.

Affordable Housing

50. The layout of the site with five combined homes and one detached home means that management of an approved tenure split may prove challenging as there would be a mix of tenures in the block of homes. Therefore, two options have been agreed with affordable housing officers that would either result in a policy compliant scheme with a mix of tenures in the main block, or an increase in the number of intermediate units, which would be easier to manage by a Registered Provider, and would result in the payment of a commuted sum to the District Council to make up the difference of delivering a policy compliant scheme. Subject to approval by committee one option would be agreed, once a Registered Provider is on board, before the S106 is finalised. Affordable housing officers support the approach of the application being considered by committee without the tenure mix yet being agreed.

Housing Delivery

51. This site is not being promoted as a five year supply site as it falls within the village framework and does not exceed the numbers in policy ST/6. Notwithstanding this, clearly the additional homes would make a meaningful contribution towards the Council's present housing supply deficit. The fact that Plumbs Dairy has already secured an alternative site, within the District, means that the site and the wider community benefits are likely to be delivered in a timely manner, rather than the former staying vacant and providing nothing for the local community.

Sustainable location

52. The development of this site has to be seen in the context of recent approvals for 33 homes on the Balsham Builders site and 29 homes approved at appeal on land at Linton Road (S/2830/15/OL). In the consideration of both of these applications Balsham was considered to be a sustainable location. The South Cambridgeshire 2014 Services and Facilities Study for Balsham details a range of services and facilities in the village and the site is within walking distance of many of these as well as bus stops that connect Balsham to Linton, Haverhill and Cambridge.
53. One of the objections to the development referred to other developments in the village and the impact that they will have on services and schooling. As part of consultation on the Balsham Builders sites the Meadows Primary School appealed for new family housing in the village to counter the impact of falling student numbers. Due to the school capacity in the area the County Council has not requested education payments for primary or secondary education.
54. Although this application would result in the loss of an employment site there are still employment opportunities within the village (including primary school, retail) Balsham

is also well located to access employment opportunities in Linton (3 miles), Great Abington and Babraham (5 miles) with Granta Park and The Babraham Institute, the Genome Campus in Hinxton, ARM in Fulbourn and Newmarket Business Park; and Haverhill Business Park. As a number of these sites are currently expanding they will provide more employment opportunities within close proximity of the site and put further pressure on the need for housing.

Economic sustainability

55. The provision of fifteen new homes would 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 in Balsham, both of which would be of benefit to the local economy. The redevelopment of the site would not result in the closure of Plumbs Dairy, as the company is in the process of moving to a more appropriate employment site at Linton. The redevelopment of the site would therefore form part of the business case for an established employer relocating their business to a designated employment site that would allow them to grow the business further and create further employment opportunities.

Loss of employment

56. Policy ET/6 of the LDF requires that any proposal for the re-development of existing employment sites to non-employment uses within village frameworks will be resisted, unless it is demonstrated that the site is inappropriate for any employment use to continue having regard to the following criteria:
- market demand, with documentary evidence submitted that identifies that the site is not suitable or capable for continued employment, and that the property has been adequately marketed for a period of not less than twelve months;
 - or the overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises;
 - or the existing use is generating environmental problems and any alternative employment use would continue to generate similar environmental problems.
57. In assessing the loss of the employment site it is necessary to recognise that not all the application site is in an employment use. The eastern part of the site presently forms part of the residential curtilage of 105 High Street, which already has consent for a new dwelling to the rear. Therefore the employment site only constitutes the linear strip of land to the east of the application site between the electrical sub-station and the protected trees.
58. In order to address the fact that the site has not been marketed the applicant has submitted a Commercial Viability Appraisal Report produced by Barker Storey Matthews. This report details the condition of the existing buildings, most of which are of basic blockwork construction with low ceiling heights and either corrugated metal or asbestos roofs. These buildings, most of which date back to the 1950s, are considered to be near to the end of their useful economic lives. The report concludes that the continued use of the buildings would require significant expenditure to bring them up to modern day standards.
59. The report also lists a number of vacant B1 and B8 employment buildings in the surrounding area. Although none of these are in Balsham they are in nearby villages and the applicant argues that any businesses locating to the area would be likely to consider these vacant sites first, especially due to the significant redevelopment costs and constraints of the dairy site. In terms of a B1 use the existing buildings would

need to be rebuilt or significantly altered to meet building regulations. The report concludes that any rebuilding of the buildings to modern day standards would make the site commercially unviable and any proposal to reuse the existing buildings would result in a negative return on capital due to their limited life expectancy. For a B8 use the low eaves heights of the buildings would limit their appeal to most operators, many of which prefer to be on main road networks.

60. There are also a number of planning constraints that would further impact upon the viability of redeveloping the employment site in isolation. The westernmost buildings are in close proximity to protected trees and if they were to be rebuilt then the impact upon these trees would represent a significant constraint on the layout and scale of where any new buildings could be located. As these buildings are presently sandwiched between the protected trees and the roadway to the south, any rebuilding of them in their present location would be difficult to achieve without negatively impacting upon the root systems of the protected trees.
61. The present views to the open land to the south of the site are important as they add to the character and appearance of the conservation area and the protected village amenity area. This sense of openness has been maintained by the proposals and the setting of the protected trees has been enhanced by taking development away from them. This has only been achievable because of the inclusion of the additional land to the east of the Plumbs Dairy site, which means that the central route through the site has shifted eastwards. If the employment site were to be redeveloped in isolation the protection of the rural vista to the south through the linear site would further complicate any layout.
62. The applicant argues that the continued employment use at the site, or an alternative B8 use, would impact upon residential amenity through twenty four hour operations and regular HGV and car access. There is no evidence to suggest that the site presently causes a nuisance but that could be because of its historic location in the village neighbours have accepted such disturbances. However, from a marketing point of view the proximity of the site to existing residential properties would significantly reduce the appeal for businesses to occupy the site, especially as a B8 use.
63. One of the public representations has referred to the present staff parking along the High Street, which is a circumstance of having such a constrained site. Clearly there would be benefits to the street scene of this part of the High Street by not having so many vehicles routinely parked on the carriageway.

Density of development

64. The site measures 0.58 hectares in area and would equate to a density of 26 dwellings per hectare. Policy HG/1 of the LDF and H/7 of the Proposed Local Plan requires residential developments to make the best use of the site by achieving an average net density of at least 30 dwellings per hectare with higher densities of at least 40 dwellings per hectare in more sustainable locations. Given the constrained nature of the site, and in keeping with the open nature of this part of the conservation area, the proposed density is considered to be appropriate. The balance of housing across the site is considered acceptable with family housing to the south and the provision of the smaller properties to the north.

Visual Impact

65. The proposed contemporary style homes have been positioned to make the most of

the linear nature of the northern part of the site with the more spacious, detached homes and curtilages located in a courtyard layout to the south. The style of homes mimics the barn style of nearby properties in a more contemporary form. The provision of the amenity space/LAP around the protected trees enhances their setting as well as that of the protected village amenity. The existing buildings offer little to the conservation area or the street scene and the proposed homes are considered to add interest and diversity to this part of the village. One of the key features of the protected village amenity, and the conservation area, are the vistas through to the countryside to the south. This vista has been retained and enhanced by the design of the buildings that actively front onto the central roadway. The proposal is considered to preserve the character and appearance of the area of the conservation area, and would be appropriate to the visual amenity of the area.

66. Concerns about the impact upon the openness of the area have been raised by the local member and one of the neighbours. Although the land to the rear of 105 is presently open it is within the village framework and already has consent for a new dwelling, which if built would impact upon the openness of the area through the erection of a new building and boundary treatments. The proposed layout of the site provides for greater openness to the north, adjacent to the protected trees, and introduces an open courtyard area to the south. The development is therefore considered to provide more publicly enjoyable areas of openness than the site presently offers.

Heritage Impact

67. Presently the site adds very little to the character and appearance of the conservation area with the most significant visual impact being the mature trees along the western boundary of the site. Through the retention of these trees in a more appropriate setting, and a sympathetic building design and external treatment, the development is considered to be an enhancement of the setting of this part of the conservation area.
68. Although the site is opposite a listed building the development would not be seen in the same context as it as the new homes are to the south of the High Street. The proposal would not therefore result in any harm to the setting of the listed building opposite.

Highway safety and parking provision

69. The Highway Authority has raised no objections to the scheme following the submission of amended plans showing that the necessary visibility splays could be achieved. Any approval would result in conditions in relation to the management of traffic and delivery of materials during the construction phase of the development.
70. Presently employees of Plumbs Dairy park on the High Street due to the limited staff parking within the site. Once the dairy relocates this employee parking will no longer take place. Having less vehicles parked on the High Street will visually be preferable to the existing situation and will have highway safety benefits as obstacles to the free flow of traffic will be removed. Although not all of the homes would have access to two in curtilage parking spaces the layout could easily accommodate visitor parking on the internal roadway to limit any vehicles being parked on the High Street.
71. The applicant identifies that presently only a limited number of employees come from the surrounding area. By relocating the business to a larger and better served village there is the potential for employees to consider alternative, and more sustainable transport modes to get to work.

Trees and Landscape

72. The landscaping of the site benefits from the existing trees to the west, with more had landscaped areas proposed to the east. A condition would be attached to any consent to require tree protection prior to any demolition or construction works. A condition would also be attached to require details of proposed hard and soft landscaping, including a planting specification for the proposed scheme.

Local Area of Play

73. A local area of play (LAP) is proposed to the west of the site. Originally this LAP was to be enclosed by the built development but as a result of the amendments it has become more of a focal point within the development and no longer contains play equipment. The removal of the proposal play equipment was requested by officers as LAPs do not normally contain them and it has enabled a contribution of £16,309.68 towards outdoor gym equipment, which would be secured through the Section 106.

Ecology

74. By providing more space around the existing trees there is the potential for the site to offer less constrained habitats for biodiversity to flourish. A condition would be attached to the consent requiring a scheme of ecological enhancement.

Residential amenity

75. The immediate neighbour to the west of the site has questioned whether there would be any overlooking of their property from the first floor windows of the northernmost properties. Although western facing habitable rooms are proposed there are a number of factors that would limit any overlooking. These factors include the angles involved from the new windows to 109 High Street's amenity area. Any views of this area would also be largely obscured by the existing protected trees on the western boundary of the site and eastern projecting gable of no. 109, which would limit views from the any new windows.
76. Officers questioned whether the proximity of the eastern most dwelling to the boundary with 97 High Street would result in some overlooking of their rear garden. As a result of the amended design this property now features openings to the first floor habitable rooms that look southwards rather than to the east. This would effectively limit any overlooking of no. 97's rear garden.
77. The neighbour at 103 High Street, to the north of the site, has questioned whether the new properties would overlook their rear garden. The distance between the rear windows of the north easternmost dwelling on the site and the well screed boundary of 103 High Street would be approximately 16 metres. Any impact of windows at this distance is not considered to result in an unacceptable impact upon neighbour amenity.

Section 106 Contributions

78. In addition to payments towards waste and monitoring the development would also make contributions towards Balsham Sports Pavilion (£14,713.85) and £16,309.68 towards outdoor gym equipment. There would also be a payment of £6,167.08 towards Balsham Church Institute. These contributions for specific projects would add to the range of facilities for Balsham not just for use by new residents but also by the

existing community.

Surface Water Drainage

79. Cambridgeshire County Council as Lead Local Flood Authority have raised no objection to the application following the submission of additional information and have requested that a condition be attached to any consent to require further testing to ensure that the proposed SUDs can be implemented.

Archaeology

80. In accordance with the comments of Cambridgeshire County Council Archaeology a condition requiring a programme of archaeological investigation would be attached to any consent granted.

Energy and Water Conservation

81. A Sustainability Report has been submitted with the application and is considered acceptable as it demonstrates compliance with the Council's policies. Though there are conflicting figures for the maximum water usage calculations per person per day. It has been agreed that this matter will be clarified by way of a planning condition requiring the development to deliver facilities for a maximum use of 105 litres per person per day.

Recommendation

82. Officers recommend that the Committee grants planning permission subject to:

Requirements under Section 106 of the Town and Country Planning Act 1990

Completion of an agreement confirming contributions of the following:

- £14,713.85 towards Balsham Sports Pavilion contribution
- £16,309.68 towards outdoor gym equipment
- £6,167.08 towards Balsham Church Institute
- £73.50 per house and £150 per flat for household waste bins
- 40% affordable housing
- £500 for S106 monitoring fee
- Local Area of Play to be provided on site

Conditions

- (1) **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- (2) **The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:1250, 1881 02 C, 1881 02 C, 423(PL)1-01, 423(PL)1-02, 423(PL)2-01, 423(PL)2-02, 423(PL)2-03, 423(PL)2-04, 423(PL)2-05, 423(PL)2-06, 423(PL)2-07, 423(PL)2-08, 423(PL)2-09, 423(PL)02, 423(PL)18 and 423(PL)19.**
(Reason - To facilitate any future application to the Local Planning Authority

under Section 73 of the Town and Country Planning Act 1990.)

- (3) **No development apart from site demolition and site clearance works shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (4) **Prior to the first occupation of any of the development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (5) **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (6) **All works must proceed in strict accordance with the recommendations detailed in Sections 4.5 and 4.6 of the Ecology Report (Applied Ecology Ltd. – September 2016) Appraisal report (Landscape Planning Ltd., June 2016). This shall include avoidance and mitigation measures for nesting birds and hedgehog. If any amendments to the recommendations as set out in the report are required, the revisions shall be submitted for approval in writing to the Local Planning Authority before works commence.**
(Reason: To minimise disturbance, harm or potential impact on protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and the Wildlife and Countryside Act 1981 (as amended).
- (7) **No development shall commence until a scheme for ecological enhancement including a location plan and establishment and specification for native planting, connectivity measures and habitat for hedgehog and in-built features for nesting birds, roosting bats has been submitted for approval in writing to the Local Planning Authority. The**

agreed scheme shall also include a programme for the works and shall be implemented in accordance with the approved details.

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

- (8) **Prior to demolition, site preparation, commencement or the delivery of materials to site the tree protection measures recommended in the submitted Hayden's Tree Protection Plan (dated 22/11/2016) shall be erected and remain in position until the practical completion of the development.**
(Reason – To ensure that adequate protection is in place for the trees on the site during the demolition and construction process in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (9) **The garages, carports and parking spaces that are to be provided on or near each dwelling for parking and turning of vehicles shall be provided before the respective dwellings are occupied, and those spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles.**
(Reason - To ensure that residential vehicles are parked clear of the highway to avoid unsightly street environments and potential highway safety problems in accordance with Policy TR/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.)
- (10) **All private driveways shall be constructed using a bound material to prevent debris spreading onto the proposed adopted public highway and so that their falls and levels are such that no private water cross onto the proposed adopted public highway.**
(Reason - for the safe and effective operation of the highway)
- (11) **No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:**
(i) **Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)**
(ii) **Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street**
(iii) **Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)**
(iv) **Control of dust, mud and debris, in relationship to the functioning of the adopted public highway**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (12) **Visibility splays shall be provided across the front gardens of the properties on plots 38 and 39 of drawing Planning Layout (ref. 12716/PL1 – Rev B) and shall be maintained free from any obstruction over a height of 600mm.**
(Reason: In order to maintain unobstructed visibility splays for the junction to the south of plot 39 in the interests of highway safety in accordance with Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.)

- (13) **No development or demolition shall take place until details of the following have been submitted to and approved in writing by the local planning authority:**
- **Contractors' access arrangements for vehicles, plant and personnel;**
 - **Contractors' site storage area(s) and compound(s);**
 - **Parking for contractor's vehicles and contractors' personnel vehicles; and**
 - **Method statement for the control of debris, mud and dust arising from the development during the demolition and construction period.**
- (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (14) **The development shall be carried out in accordance with the water efficiency measures identified in the SLR Water Conservation Strategy ref: 408.06369.00003 – December 2016 to deliver a maximum water use of 105 litres per person per day.**
- (Reason – To maximise water efficiency measures in accordance with Policy NE/12 the adopted Local Development Framework 2007.)
- (15) **Prior to the first occupation of any of the development full details of a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.**
- (Reason - To ensure an adequate water supply is available for emergency use.)
- (16) **The approved renewable and /or low carbon energy technologies shall be fully installed and operational prior to each dwelling being occupied and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.**
- (Reason: In the interests of reducing carbon dioxide emissions in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework and CC/3 of the South Cambridgeshire Proposed Local Plan.)
- (17) **No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:**
- **The statement of significance and research objective;**
 - **The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and**
 - **The programme for post-excavation assessment and subsequent analysis, publication and dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.**

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

- (18) **No development shall commence until:**
- A. The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the local planning authority.**
 - B. Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the local planning authority.**
 - C. The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the local planning authority, in accordance with the approved scheme.**
 - D. If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the local planning authority.**

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

- (19) **During the period of demolition and construction, no power operated machinery shall be operated on the site, and there shall be no construction related deliveries taken at or dispatched from the site, before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

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

- (20) **No construction work and or construction related dispatches from, or deliveries to the site shall take place other than between the hours of 0800 hours and 1800 hours on weekdays and 0800 hours and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

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

Informatives

- (a) The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- (b) If the developer wishes to connect to Anglian Waters sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991.

- (c) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- (d) There shall be no burning of any waste or other materials on the site, without prior consent from the Environmental Health Department to ensure nuisance is not caused to local residents.
- (e) Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

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 Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- South Cambridgeshire Local Plan Submission 2014

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