

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	06 December 2017
AUTHOR/S:	Joint Director for Planning and Economic Development	

Application Number:	S/2745/17/OL
Parish:	Horseheath
Proposal:	Application for outline planning permission with all matters reserved apart from access for 8 dwellings.
Site address:	Land adj The Police House, Linton Road, Horseheath, CB21 4QF
Applicant(s):	Thurlow Estate – F & B
Recommendation:	Delegated Approval subject to the completion of a section 106 agreement.
Key material considerations:	Housing supply Principle of development Density Housing mix Affordable Housing Impact on services and facilities Impact on landscape, local character, heritage impact and loss of agricultural land Ecology, trees and hedging Noise, emissions and lighting Residential amenity Highway Safety and Parking Archaeology Flood Risk, Surface Water and Foul Water Drainage Contamination Developer contributions Other matters
Committee Site Visit:	Yes
Departure Application:	Yes - advertised as a departure on 23 August 2017 and development affecting Conservation Areas and/or setting of Listed Buildings on 04 October 2017
Presenting Officer:	Lydia Pravin, Senior Planning Officer
Application brought to Committee because:	The recommendation of officers conflicts with that of the Parish Council and Local Member and approval would represent a departure from the Local Plan
Date by which decision due:	01 Feb 2018 (Extension of time to facilitate Section 106 agreement)

Executive Summary

1. In determining planning applications for new housing development given the fact that the District cannot currently identify a five year supply of housing land supply, the balancing exercise is directed in favour of granting permission in accordance with the guidance in paragraph 14 of the NPPF. This states that in balancing all of the material considerations, planning permission should be granted unless any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits when assessed against the policies of the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
2. Paragraph 7 of the NPPF states there are three dimensions to sustainable development: economic, social and environmental and that these roles should not be undertaken in isolation because they are mutually dependant, and to achieve sustainable development gains should be achieved jointly and simultaneously.
3. This report sets out a number of benefits that would result from the development. These are set out below: -
 - i) The provision of 8 dwellings towards housing land supply in the district based on the objectively assessed 19,500 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - ii) The provision of 3 affordable dwellings towards the identified need
 - iii) The provision of a significant amount of informal open space within the development.
 - iv) Provision of public footpath to link to the bus stop secured by condition
 - v) There are no objections from the statutory consultees in terms of landscape harm and the impact on the setting of the Grade I listed Church
 - vi) Employment during construction to benefit the local economy.
 - vii) Greater use of local services and facilities to contribute to the local economy.
4. Significant weight can be attached to the provision of 8 dwellings including 40% affordable housing to meet the lack of housing supply in the district in accordance with the guidance in the NPPF.
5. Significant weight can also be attached to the provision of informal open space within the development and the provision of public footpath.
6. Significant weight can be given that there are no objections from the statutory consultees.
7. Moderate weight can be attached to the provision of employment during construction and the impact upon local services from the development.
8. This report sets out a number of adverse impacts that would result from the development. These are set out below: -
 - i) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Scale of development and the objectives of policy ST/7
9. Limited weight can be attached to the location and scale of the development given the absence of a five year housing land supply and the need to balance this conflict against the significant need for housing identified in the NPPF.
10. There is also access to wider services and facilities as there is a regular bus service which would allow commuting to Haverhill and Cambridge within a short walk of the development and will be accessible through the public footpath provided as part of the development. This would provide an alternative means of transport to access a

broader range of services and facilities without relying on the private car.

11. Overall it is considered the development does not significantly and demonstrably outweigh the benefits and as a result, in line with the guidance in paragraph 14 of the NPPF, the recommendation is to grant planning permission.

Site Planning History

12. S/0646/17/OL – Outline planning permission for residential development of 9 dwellings with new access (indicative layout) - withdrawn

Planning Policies

13. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.

14. **National Guidance**

National Planning Policy Framework (NPPF) 2012
Planning Practice Guidance

15. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*

ST/2 Housing Provision
ST/7 Infill Villages

16. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure in New Developments
DP/7 Development Frameworks
CH/1 Historic Landscapes
CH/2 Archaeological Sites
CH/4 Development Within the Curtilage or Setting of a Listed Building
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
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/14 Light Pollution
NE/15 Noise Pollution
NE/16 Emissions
NE/17 Protecting High Quality Agricultural Land
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact
TR/4 Travel by Non-Motorised Modes

17. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

District Design Guide SPD – Adopted 2010
Affordable Housing SPD – Adopted March 2010
Open Space in new Developments SPD – Adopted 2009
Listed Buildings SPD – Adopted July 2009
Trees and Development Sites SPD – Adopted January 2009
Landscape and new development SPD – Adopted March 2010
Biodiversity SPD – Adopted July 2009

18. *Draft Local Plan*

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/7 Development Frameworks
S/11 Infill Villages
CC/8 Sustainable drainage systems
CC/9 Managing Flood Risk
HG/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
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
SC/13 Air Quality
SC/15 Odour and other fugitive emissions to air
TI/2 Planning For Sustainable Travel
TI/3 Parking provision
TI/8 Infrastructure and New Developments

Consultation

19. **Summary of Horseheath Parish Council comments:**

The full comments of Horseheath Parish Council are detailed in Appendix 1. The Parish Council objected to the application on Monday 11 September and requested the application be considered by the District Council's Planning Committee. This was supported by Cllr Andrew Fraser as follows:

- Outside the village framework, contrary to policy ST/7 of the Core Strategy and policy S/7 of the Draft Local Plan
- Landscape harm in short and long views contrary to paragraph 109 of the NPPF and policy NH/1
- Loss of Historic Meadowland contrary to policy DP/1, DP/3, NH/1 and CH/1 of the adopted LDF 2007
- Insufficient landscape appraisal contrary to paragraph 128 of the NPPF
- Cul-de-sac layout is contrary to the character of the area
- Impact on the setting of the Grade I listed Church contrary to S66, DP/3 and CH/4 of the adopted LDF 2007
- Requirement to consult Historic England and Historic Buildings Officer
- Harm to archaeology of the site and lack of assessment contrary to policy CH/2 of the adopted LDF 2007 and NPPF paragraph 128
- No consideration of the safety of proposed and existing road users contrary to para 35 of the NPPF 2012
- Does not show the island and traffic width restriction point adjacent to the proposed entrance point
- Cause harm through intensification as a result of the development on the safety and efficiency of the junctions of the A1307 contrary to paragraph 32 and 35 of NPPF
- Unsafe location of access contrary to policy TR/1, TR/2 and TR/4 of the adopted LDF 2007.

20. The amendments to the application were discussed on Monday 13 November and the same comments made above were made together with additional comments as listed below:

- The copy of the public advert shows it wasn't advertised as a departure contrary to the Development Plan and should have been.
- The LVIA states that the frontage hedgerow is of little significance. As this has been removed asked the application be withdrawn pending enforcement action on the hedgerow as it met the criteria of a Protected Hedgerow under the Hedgerows Regulations (1997) as it was more than 20 metres long, met a hedge on each end, was in agricultural use, and is part of an early field system shown on the historic maps.
- Asked the Landscape Officer to review their comments as there is concern their comments and the Landscape Assessment has missed the landscape features of the site and that the methodology is flawed.
- Revised heritage statement does not cover the most important views of the Church and the author is not a member of the IHBC
- Asked the County Archaeologist to review their comments as this is a highly sensitive site.
- The new access diagram shows longer in one direction than the other, so one is not 90M. Asked that the accuracy and implications of this are reviewed.
- Application does not consider the safety of proposed and existing users or any upgrading of the existing roads or verges.
- NPPF 35 requires developments to be located and designed where practical to accommodate the efficient delivery of goods and supplies and create safe and

- secure layouts which minimise conflicts between traffic and cyclists or pedestrians and is contrary to this and policy DP/3 of the adopted LDF 2007.
 - Flooding concern. No percolation tests have been carried out with no provision for flood protection. Contrary to statutory requirements to deal with flooding and climate change. Includes flooding of the proposed houses as well as the existing houses.
 - Indicative plan shows the proposed layout is still uncharacteristic of the locality, including a cul-de-sac layout, ad-hoc orientated buildings that do not relate to the existing road layout and linear building character. The outline plan is not to scale with the houses on the south side of the road and is therefore not indicative of the size of the development.
 - There is no provision to deal with the substantial field ditch and the differences in level. It does not lend itself to providing the described (glimpsed) views of the Church.
21. **Local Highway Authority** - The proposed access design and footway provision as shown on Drawing number 4184/05 Rev C overcomes a Highway Authority request for refusal.
 22. Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that the footway as shown on Drawing number 4184/05 Rev C is provided prior to the first occupation of any of the dwellings on site. Reason: in the interests of highway safety.
 23. Other than those relating to pedestrian connectivity, all other comments remain.
 24. Other comments
Recommend conditions governing: falls and levels of access (to prevent run-off); proposed access is constructed from a bound material for the first 5m into the site from the boundary of the adopted public highway. The existing access to the land shall be permanently and effectively closed and the footway/highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, within 28 days of bringing into use of the new access.
 25. The access shall be a minimum width of 5m, for a minimum distance of 5m measured from the near edge of the highway boundary. Traffic management plan. Reasons; In the interest of highway safety.
 26. Condition that a bin collection point needs to be located to the front of the proposed development due to the proposed bin store being located more than 25m from the public maintainable highway.
 27. The Highway Authority have severe reservations with regards to connectivity within the site as shown on the indicative plan no: 4184-01, the Highway Authority has a hierarchy which places pedestrians at the top of that hierarchy and this has not been addressed at all within the submitted drawing. The Highway Authority therefor strongly recommends that the applicant engage with South Cambridgeshire District Councils Urban Design Team and the Highway Authority to progress a more suitable internal arrangement.
 28. **Cambridgeshire County Council Archaeology** - Raises no objection in principle but considers that a condition should be added requiring a programme of archaeological investigation to be secured prior to the commencement of development as the site lies in an area of high archaeological potential as detailed below.

29. Our records indicate that the site lies in an area of high archaeological potential, situated adjacent to medieval earthworks (Historic Environment Record reference 07339) and post-medieval brick kiln (07339A). To the north east of the application area is 14th century All Saints' Church (07341) and archeological investigations in the vicinity of the church have revealed evidence of Roman paving and pottery deposits and evidence of Saxon and later medieval occupation (07375, 07375A). In addition, to the south of the proposed development area is artefact evidence of Prehistoric (07332), medieval (07332A) and post-medieval (07332B) settlement.
30. We have reviewed the above planning application and this does not affect our previous advice.
31. **Contaminated Land Officer** – has received a copy of the Environmental Desk Study Report by Prior Associates dated October 2016 and have considered the implications and conclusions.
32. The site comprises an agricultural field which presents a relatively low risk of contamination, however the proposed use is sensitive to the presence of contamination (residential). The Desk Study Report by Prior Associates sets out the Conceptual Site Model (CSM) highlighting any contaminant sources, pathways and receptors.
33. I am not in agreement with the report's CSM which states there are no sources, or pathways or receptors. An agricultural field presents a potentially contaminative use and a residential use provides human receptors regardless of the existence of any potential contamination. It is therefore recommended that the report's CSM is updated and any recommendations changed as necessary.
34. Unless additional or amended information is received prior to determination of the application recommend a condition that no development approved by this permission shall commence until the application site is subject to a detailed desk study and site walkover, detailed scheme for the investigation and recording of contamination and remediation objectives, detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement). The works specified in the remediation method statement have been completed and a verification report submitted. If during remediation works, any contamination is identified that has not been considered in the remediation method statement, the remediation proposals for this material should be agreed in writing by the Local Planning Authority.
35. The proposal for Amended - New access details, amended location plan, heritage statement and landscape appraisal, does not affect our contaminated land condition already issued on 23/08/17.
36. **Environmental Health Officer** - Advises the following conditions:
- No development 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 contractors' vehicles and contractors' personnel vehicles;
Method statement for the control of debris, mud and dust arising from the development during the construction period.
37. • No construction site machinery or plant shall be operated, no noisy works shall be

carried out and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy.

38. • There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
Reason: To ensure nuisance is not caused to local residents.

39. • Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

40. • Details of any external lighting, including security lighting used during the construction phase, shall be submitted to and approved by the Local Planning Authority before construction commences.

The lighting impact shall be assessed in accordance with The Institute of Lighting Professionals' "*Guidance Notes for the Reduction of Obtrusive Light GN01:2011*".

Reason: To ensure nuisance is not caused to local residents.

41. Informatives

- 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.

42. **Landscape Officer (commenting on revised plans)** - No objection subject to landscape, boundary and drainage conditions.

43. The Site

The site is situated to the west of the village of Horseheath. It is a pasture land located on the edge of the village. The site is located within an existing open field. To the north adjoins an existing field. There are no existing boundaries. To the east is the existing development framework and edge of village with residential properties. To the south is a green verge abutting Linton Road. Linton Road is one of four roads leading into the village. To the west are boundary hedgerows with trees leading out to large open fields.

44. Designations

The landscape is not subject to any national designations. The site is located outside the Conservation Area and does not form part of the Greenbelt. The site is located outside the existing village development framework boundary. There are no Public Rights of Way running through or immediately adjacent to the site boundaries. There are no TPO's within or adjacent to the site which would be effected by the development. However, there is a public right of way 131/2 to the north of the site.

45. Existing landscape character

At National Level the site is situated within the National Landscape Character Area (NCA) 86: South Suffolk and North Essex Clayland. At Regional level the site is

situated within the Wooded Village Farmlands as assessed by Landscape East. At local level the site is situated within The South- East Claylands as assessed by SCDC within District Design Guide SPD March 2010.

Key characteristics of particular relevance to the site and/ or its surroundings include:

- This is an undulating area reaching 100 – 120 meters in height on the hilltops.
- The field sizes are mostly large, but are united by the gently rolling landform and woodland.
- Long open views extend to wooded skylines, and sometimes village rooftops and church towers.
- The area has a surprisingly remote, rural character.
- Villages and small hamlets in this area typically have strong linear forms, often with a wooded setting and mature hedgerows and trees that contribute to rural character.
- Buildings are arranged in a low density, loose knit pattern along narrow winding or gently curving lanes.
- Mature trees and hedgerow are important features, mainly in private curtilages, giving a strongly rural character to settlements.

46. Landscape Value

The value attached to the landscape– medium. Landscape condition is fair and components are generally relatively well maintained.

47. The proposal

The features that will be introduced include 8 dwellings, new access and an open space / garden.

48. It is a village extension i.e. a development adjoining the existing village development framework boundary.

49. Landscape impact

As part of the application documents the applicant has submitted an indicative drawing *Figure 2: Proposal page 4*. As indicated by the applicant all boundary trees, hedgerows and trees of landscape interest are to be retained. No key characteristics, individual elements or features are to be removed. There would be negligible effects on the wider and local landscape character areas.

50. Visual and visual amenity impact

There are views into the site from Linton Road, the approach into the village, residential properties upon Linton road and the public right of way.

51. Mitigation Works

The applicant has indicated the following as mitigation / enhancement works which I welcome

- Retention of the existing trees and hedgerows upon Linton Road – to reduce the visual impact from Linton Road and residential properties
- Retention of the tree and hedgerow upon the northern boundary- preserving the local landscape character
- Including a new thick native hedge and trees upon the northern boundary – a new boundary line which will reduce the visual impact from the public footpath and enhance the local character

52. Within the detailed design applicant to incorporate / demonstrate the following:

- Incorporate water conservation measures
- Where practical, use sustainable drainage systems

- Conserve and wherever possible enhance the local landscape character
 - Conserve or enhance important environmental assets of the site
 - Ensure density and pattern of new developments reflect that of existing villages and hamlets. Houses should normally be set back from the street with front gardens, except where enclosure of the street frontage is important to the historic character.
 - Use a framework boundary of native woodland, tree and thick hedge planting that reflect the local mixes, to integrate new developments.
 - Enclose boundaries facing roads by hedgerow or, in appropriate locations, low flint and brick walls.
 - Avoid the use of standardised and intrusive urban materials, street furniture, lighting and signage as part of traffic calming measures wherever appropriate.
 - Additional planting to the east of the site. Applicant to create a defined gateway entrance into the site and to screen the development upon arrival.
53. **Ecology Officer** - The minor amendments to the Location Plan submitted to the LPA do not significantly change the ecological constraints as already identified and agreed. Therefore please refer to my colleagues comments from 16/03/2017 (see below) with regards to this application.
54. Previous Comments on 16/03/2017:
55. “The ecological survey provided with the application is welcomed. No further ecological surveys are required. There are no ponds within 250 m and therefore, great crested newts are also unlikely to be present on site.
56. The scheme has been sensitively designed to retain existing trees and boundary planting. The existing trees and hedge in the west of the site should be retained outside of garden curtilages to ensure their long term protection. The adjacent ash tree with high bat roost potential will be retained and remain undisturbed by lighting based on the indicative site layout. Please ensure that a condition for detailed external lighting design to be provided (with protection of wildlife habitat as a reason for the condition) and the following condition are attached to any consent granted:
- 1) Ecological Mitigation
- All works must proceed in strict accordance with the recommendations detailed in Section 8 of the Protected Species Survey report (Chris Vine, September 2016). This shall include avoidance and mitigation measures for nesting birds and bat species. If any amendments to the recommendations as set out in the report are required, the revisions shall be submitted in writing to and agreed by the Local Planning Authority before works commence.
- Reasons: 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).
57. All applications should demonstrate net ecological gain to meet the NPPF and SCDC planning policy including LDF Policy NE/6 and Biodiversity SPD. Additional native hedgerow planting should help to achieve this, providing the site layout is designed so that the hedges will be retained and managed appropriately for wildlife in the long-term. The site should also include native wildflower/species-rich seed mixes in any public open space, again with appropriate management, as well as in-built bat and bird boxes in a target of 50% of dwellings and connectivity measures for hedgehog. Please attach the following condition to any consent granted to secure biodiversity gain:

2) Biodiversity Enhancement

No development shall commence until a scheme for ecological enhancement including a location plan and specification for establishment and management of native planting, connectivity measures for hedgehog and in-built features for nesting birds and roosting bats has been provided to and agreed by the Local Planning Authority. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To 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.”

58. **Anglian Water** - The pre-development Team provide comments on planning applications for major proposals of 10 dwellings or more and as this query is below the threshold we will not be providing comments.
59. **Environment Agency** - No objection in principle and offer the following recommendations and informatives
60. The application falls within Flood Risk Standing Advice. In line with current government guidance on Standing Advice, it will be necessary in this instance, for the Council to respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues
61. Informatives regarding surface water drainage ensuring soakaways should only drain to uncontaminated surface water and will not be permitted in contaminated areas. In respect of foul water drainage an acceptable method of disposal would be connection to foul public sewer. Anglian Water should be consulted on foul water drainage. Pollution prevention – site operators should ensure there is no possibility of contaminated water entering or polluting surface or underground waters. Requested informative regarding if contamination not previously identified at the site is found then no further development shall commence until details of how this shall be dealt with has been submitted.
62. **Historic Buildings Officer** - No Objection
63. The site is on the western edge of Horseheath and is currently the site is undeveloped agricultural land.
64. Although the development site is not immediately adjacent to any heritage assets, as outlined in the heritage statement, there are some heritage assets within a close proximity to the site. South east of the site there is a group of listed buildings. These are all grade II listed and are as follows;
Forge Cottage (LEN 1331012)
Lyndale Cottage (LEN 1127940)
Manor Farm (LEN 1331013)
Barn at Manor Farm (LEN 1127942)
65. These listed buildings are not visible from the site and it is not considered that the development site is within the setting of the listed buildings.
66. To north east sits the Grade I listed Church of All Saints (LEN 1127944), the church tower can be viewed from this site. The definition of setting, as defined in the NPPF, is *‘the surroundings in which a heritage asset is experienced.’*

67. The heritage statement considers the site is within the setting of the Church as it can be viewed and is where the building can be experienced. However, it is not considered that the proposed development will have a substantial or less than substantial harm on its setting.
68. It is considered that a development of 8 dwellings on this site could be designed around the views of the Church. The setting of the Church and views of the Church, from the site and adjacent to the site, should be taken into account when developing plans for the Reversed Matters application.
69. **Historic England** - On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
70. **Trees Officer** - I have no arboricultural objections to the amendments to this application. The comments given on 19 September still apply to this application.
71. No objections to the principle of this application subject to a condition that before any works on site commence, a strategy for the protection of existing tree shall be submitted and approved in writing by the Local Planning Authority. Tree protection measures shall be installed in accordance with the approved tree protection strategy. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.
72. **Housing Team** commented:
73. **Affordable Housing** (*Proposed Submission South Cambridgeshire Local Plan July 2013 Policy H/9*) (DCP HG/3). Policy H/9 requires that all developments that increase the net number of dwellings on a site by 3 or more need to provide 40% affordable housing suitable to address local housing needs. DCP policy HG/3 required the same percentage of affordable housing at a lower threshold of two units or more. The proposed scheme is for 8 dwellings which would trigger an affordable housing requirement of 3 affordable homes.
74. **Tenure Mix** *Affordable Housing SPD (July 2010)*
The tenure mix for affordable housing in South Cambridgeshire District is 70% Rented and 30% Intermediate housing. 1 and 2 bed properties are the dwelling types with the fastest growing demand. The Cambridge sub-region 2013 SHMA states that 'One person and couple households make up the majority of the household increase from 2011 to 2031 (96% of the change in household numbers').
75. **Rented Housing** is defined as Affordable Rented housing let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rented housing is let to households that are unable to purchase Intermediate or Open Market housing (typically those in Band A and B in the table below) and subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable)ⁱ. Affordable Rented housing should remain affordable in the longer term. Affordable Rent should not be set higher than the Local Housing Allowance rates for this areaⁱⁱ. As at May 2016 there were a total of **1689** applicants registered on the housing register for South Cambridgeshire. The chart below shows their bedroom requirements and housing need:

bedroom requirements	Band A (urgent need)	Band B (high need)	Band C (medium need)	Band D (low need)	Total
1bed	65	127	449	283	924
2bed	42	144	93	271	550
3bed	12	63	9	84	168
4bed	4	22	3	11	40
5bed	3	2	0	2	7
total	126	358	554	651	1689

76. **Intermediate Housing** is defined as Shared Ownership, Older Person Shared Ownership (OPSO), Home Ownership for people with Long-Term Disabilities (HOLD), Rent to Buy and Intermediate Rentⁱⁱⁱ. Intermediate Housing is suitable for those who may be able to afford to purchase open market housing, but need assistance in doing so. RentPlus would be classed as Intermediate Housing, but has not yet been used on any sites within the District.
77. The Council has published an Affordable Housing Glossary which will be updated as and when the statutory definitions, and regulations, including those describing Starter Homes, are available.^{iv}
78. **Types and sizes of affordable homes** In Major Developments, Rural Centres and Minor Rural Centres the type (house, flat, bungalow) and size (bedrooms) of affordable housing will be based on the need across the district as a whole. Minimum space standards that are recommended for affordable housing are set out in the Nationally Described Space Standards^v. The types and sizes of affordable homes required by this development to meet current district wide affordable housing need is set out in the table below

Bedroom requirements	Preferred Mix			
	Affordable Rent	Intermediate	Total	%
1bed	0	0	0	0
2bed	2	0	2	75%
3bed	0	1	1	25%
4bed+	0	0	0	0
Total	2	1	3	100%

79. The proposed scheme includes 3no 2 bedroom affordable dwellings has been confirmed by email dated 08 November 2017 as being acceptable to the Affordable Housing Team.
80. **Lifetime Homes** Proposed Submission South Cambridgeshire Local Plan July 2013 Policy H/8 (3) requires 100% of affordable homes to meet the Lifetime Homes standard. The Lifetime Homes standard has been superseded by new Building Regulations. We now advise that across the district there is a requirement for 5% of all affordable housing to be accessible and adaptable that meet Building Regulations Part M4(2). Although this type of housing is more often required for those over the age

of 60, we currently have a district wide requirement for 10 affordable homes built to this standard from those in the greatest housing need, not all of whom will be aged over 60. In terms of size, two bedrooms would be required for these applicants to ensure a separate bedroom is available for a live in carer. In this scheme, we would recommend that the 1no. affordable dwellings are built to this standard, with the remainder of the affordable housing built to Part M4(1): Category 1 – Visitable dwellings.

81. 5 year land supply

The site is outside the development framework and would normally be considered an Exception site (DCP HG/5, Proposed Submission Local Plan H/10) requiring all affordable housing in the development to be allocated to applicants with a specific local connection. However as this site is a '5 year land supply' site, which should therefore provide a policy compliant (40%) level of affordable housing. As a starting point for discussions on the requirement for a local connection criteria on 5 year land supply sites:

- The first 8 affordable homes on each 5 year land supply site will be occupied by those with a local connection, the occupation of any additional affordable homes thereafter will be split 50/50 between local connection and on a Districtwide basis.
- If there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to relet.

82. Local Housing Need

The local housing needs for Horseheath are currently as follows:

Bedroom requirements	Rent	Intermediate
1bed	2	0
2bed	3	0
3bed	0	0
4bed	0	0
Total	5	0

83. In the above table, the Intermediate Housing Need is derived from the applicants on the Help to Buy register living in Horseheath^{vi}. The needs for Affordable Rented housing is taken from the Council's annual Housing Statistical Information Leaflet^{vii}. The detailed breakdown is as follows:

84. Viability Affordable Housing SPD Chapter 5

There will be a presumption that the development will include full and appropriate provision for affordable housing unless it is demonstrated that it cannot be provided at a rate of 40% or more of the dwellings in a development. The Affordable Housing SPD sets out in Chapter 5 the approach that should be taken by the developer to producing a full economic appraisal. The methodology, underlying assumptions and any software used to undertake this appraisal should be agreed with the Council, with the

normal approach being the current methodology endorsed by the Homes and Communities Agency.^{viii}

85. **Commuted sums** *DCP Policy HG/3(5); Affordable Housing SPD*

The Council's priority is to secure the provision of free serviced land for affordable housing as part of market developments. However the Council recognises that there can be exceptional circumstances on certain smaller sites (10 dwellings or less) where an alternative to on-site provision may be appropriate. The procedure for calculating commuted sums set out in Chapter 5 of the Affordable Housing SPD is that it is to be considered as part of the determination of the planning application, and to be assessed by an independent valuer (appointed by the Council and paid for by the applicant) on the following basis -

- Land value of the whole site based on the notional scheme without an on-site affordable housing contribution, and
- Land value of the site with an on-site affordable housing contribution, where the amount of free serviced land is based on the notional scheme for the site

The commuted sum will be the difference between the two valuations. Commuted sums may be reviewed in the same way as schemes for on site provision of affordable housing.

86. **Drainage Officer** - The development is acceptable subject to the imposition of surface water and foul water drainage conditions. The proposal is in flood zone 1 and not in an area of surface water flood risk. There is sufficient space onsite to provide the required surface water attenuation.

87. **Representations**

30 letters of representation have been received including the Residents Survey Group, Horseheath, objecting to the proposals and raising the following concerns:

- (a) Landscape harm through encroachment into the open landscape setting of the village onto ancient meadowland/health land contrary to policy S/1 of the draft local plan. Obscure the view of the heath, the Church and the Roman Road, from the A1307 and from the approaches to the village negatively impacting on the rural character contrary to policies DP/1, DP/3 and NE/4 of the adopted LDF 2007 which would outweigh the benefits of additional housing. Contrary to paragraph 109 of the NPPF causing substantial harm.
- (b) Archaeological concerns contrary to policy CH/2 of the adopted LDF 2007 and paragraph 135 of the NPPF
- (c) Application is contrary to policy S/11 Infill Village.
- (d) The site is not a brownfield site
- (e) Not adequate services and facilities in the village
- (f) Inadequate drainage and sewerage
- (g) Flooding concerns
- (h) Loss of meadowland contrary to paragraph 112 of the NPPF as it could be Grade I agricultural land
- (i) Entrance is where the traffic calming chicane is currently situated which slows traffic
- (j) Additional traffic causing highway and pedestrian safety issue
- (k) Outside the village framework
- (l) Strain on A1307

- (m) Not possible to assess the impact on the character of the village
- (n) No consideration of Local Plan 2013
- (o) Biodiversity damaged
- (p) Does not maintain the character of the village
- (q) Insufficient car parking, turning space and disability access
- (r) No footpath
- (s) Cars parking on the pavement would not provide appropriate accessibility to wheelchair users
- (t) Access is too narrow for recycling vehicles and opposite the pub car park could lead to traffic accidents
- (u) Inappropriate mix of dwellings
- (v) Existing street lighting is limited and provision within the new development would cause a light pollution issue
- (w) Overlooking
- (x) Loss of privacy from footpath
- (y) Environmental Health issues such as noise, smells and general disturbance
- (z) Loss of a view
- (aa) Loss of property value
- (bb) Development is disproportionate to the size of the Parish
- (cc) Other sites within the village could accommodate the affordable housing
- (dd) Harm to the setting of the Grade I listed All Saints Church. No heritage statement has been submitted
- (ee) Affordable housing will not be for Horseheath residents
- (ff) No need for affordable housing in the village
- (gg) Risk from land contamination
- (hh) If the development is to go ahead haul routes should not be admitted through the village
- (ii) The cul-de-sac principle is contrary to the local linear character of the settlement as identified in the District Design Guide (paragraph 3.12)
- (jj) Do not agree with the judgements and conclusions drawn in the Heritage Statement and the Landscape Appraisal documents. The site is an unspoilt meadowland of valued heritage and amenity
- (kk) The refusal of application S/0096/17/OL in Linton has set a precedent
- (ll) Negative effect on the Conservation Area
- (mm) Isolated development contrary to paragraph 55 of the NPPF
- (nn) Access diagram shows the Little Gables being opposite The Police House and is incorrect and is inaccurate
- (oo) The size of the units will not fit on the plot and doesn't meet internal standards
- (pp) Further landscaping is required within the site and along the boundaries
- (qq) Concern the rest of the meadow will be developed

Site and Proposal

88. The site is located along Linton Road, adjacent to The Old Police House dwelling and consists of pasture land comprising 0.83 hectares. The site is located outside but adjacent to the village framework on the eastern boundary and therefore in the open countryside. To the south of the site there are residential dwellings set back with driveways onto Linton Road with the Red Lion Public House and car park at the southern end which is within the village framework. To the north of the site is a larger field and the land falls away to rolling arable countryside with a public right of way further north. To the east there are more residential dwellings set around a green. To the south east of the site there is a group of Grade II listed buildings, Forge Cottage (LEN 1331012), Lyndale Cottage (LEN 1127940), Manor Farm (LEN 1331013) and

Barn at Manor Farm (LEN 1127942). To north east sits the Grade I listed Church of All Saints (LEN 1127944), the church tower can be viewed from the site.

89. The southern boundary has a grass verge and half a metre hedge. To the west there are boundary hedgerows and trees. The eastern boundary has 1.5-2.0m high wire and meshed fencing with hedging with the garage of the Old Police House dwelling and 2.0m high fencing along the boundaries of the dwellings to the east.
90. The application is for outline planning permission with all matters reserved apart from access for 8 dwellings.

Planning Assessment

Housing Land Supply

91. 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.
92. 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.
93. 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 policy ST/7 but as a logical consequence of the decision this should also be considered a policy "for the supply of housing".
94. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' have emerged from the decision of 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".
95. The effect of the Supreme Court's judgement is that policies ST/7, 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 policies ST/7 (and the other settlement hierarchy policies by extension), 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.

96. 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/7, 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 ...”
97. 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/7, 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/7, 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.
98. 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/7, 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.
99. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.

Principle of Development

100. The site is located in the open countryside, outside Horseheath Development Framework, although adjacent on the eastern boundary and the dwellings opposite on the southern boundary are within the village framework. Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
101. Development in Infill Villages is restricted to redevelopment within the village frameworks of these villages to not more than 2 dwellings comprising:
 - a. A gap in an otherwise built up frontage to an existing road, provided that it is

not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining: or

- b. The redevelopment or sub-division of an existing residential curtilage; or
- c. The sub-division of an existing dwelling; or
- d. The conversion or redevelopment of a non-residential building where this would not result in a loss of local employment

102. In very exceptional circumstances a slightly larger development (not more than about 8 dwellings) may be permitted where this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.
103. The erection of 8 dwellings on a green field site outside the village framework would not under normal circumstances be considered acceptable in principle. Due to the current lack of a 5 year housing land supply within the District the next main consideration is whether this level of development would be supported in line with the definition of sustainable development.
104. Paragraph 7 of the NPPF states there are three dimensions to sustainable development: economic, social and environmental, which are mutually dependent. These are assessed below in relation to the proposed development.

Economic

105. The provision of 8 dwellings would give rise to employment during the construction phase of the development and has the potential to result in an increase of local services and facilities, both of which will be of benefit to the local economy.

Social

Provision of new housing

106. Chapter 6 of the NPPF relates to 'delivering a wide choice of high quality homes' and seeks to '*boost significantly the supply of housing*' placing importance on widening the choice of high quality homes and ensuring sufficient housing (including affordable housing) is provided to meet the needs of present and future generations.
107. 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.
108. There remains a significant shortage of deliverable housing sites in the district. The development would provide a clear public benefit in helping to meet the current housing shortfall in South Cambridgeshire. The site would deliver 8 residential dwellings. Officers are of the view significant weight should be afforded to this benefit in the decision making process. Growth in housing will be important in maintaining the vitality of the village in the future. The agent has agreed to a condition that an application for the approval of reserved matters shall be made before the expiration of two years which will ensure the site is deliverable to add to the lack of 5 year housing land supply.

Density

109. Housing density Policy HG/1 is applicable in this instance and seeks a minimum density of 30 dwellings per hectare, unless there are exceptional local circumstances

that require different treatment. The site is 0.83 hectares and 8 dwellings constitutes 10 dwellings per hectare. Given the edge of village rural location this density will allow the site to be developed in a manner appropriate to the sensitive location which is also in the setting of a Grade I listed Church. The density is therefore considered appropriate for this location.

Mix

110. Under the provisions of policy HG/2, the market housing provision of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties, approx. 25% 3 bedroom properties and approx. 25% 4 bedroom properties. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories, with the 10% margin to be applied flexibly across the scheme.
111. The application forms state there will be 5 market dwellings and 3 social rented which are shown as 2 bed bungalows on the indicative layout.
112. Policy H/8 is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF. Policy H/8 states with regard to the mix of 9 homes or fewer shown in this case regard should be given to local circumstances. Within South Cambridgeshire there is still a shortage of smaller houses and the housing mix of x3 two bedroom bungalows provides above the 30% requirement for 1 or 2 bedroom dwellings. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme is policy compliant.

Affordable Housing

113. Development Control Policy HG/3 of the Development Control Policies DPD July 2007 seeks to secure affordable housing on small developments and there are a growing number of appeals where planning inspectors are giving greater weight to adopted local policies securing affordable housing, even when these policies were not consistent with the WMS. The Council has previously operated a threshold of 2 properties, but has raised this threshold to 3 to encourage more very small scale developments to come forward.
114. On 28 November 2014 The Minister of State for Housing and Planning (Brandon Lewis) issued a Written Ministerial Statement the effect of which was to introduced a national threshold below which affordable housing and tariff style s106 contributions could not be sought. On the same day the Planning Practice Guidance (PPG) was updated. A Judicial Review was brought by Reading and West Berkshire Councils in January 2015. The case was heard in the High Court on the 29th and 30th April 2015 by Mr Justice Holgate. His judgement was handed down on 31st July 2015. He found in favour of the challenge by the local authorities and quashed the amendments to the National Planning Practice Guidance. The Government sought leave to appeal the High Court decision and the judgement of the Court of Appeal issued on 11 May 2016 found in favour of Secretary of State for Communities and Local Government. All grounds of appeal succeeded. The NPPG was updated on 19 May 2016 reintroducing the principle of the policy albeit with a small number of changes to the text. The decision made by the Court of Appeal has given legal effect to the Written Ministerial Statement of 28 November 2014, which should be taken into account in planning decisions as a material consideration.
115. The WMS made by The Minister of State for Housing and Planning (Brandon Lewis)

on 28 Nov 2014 says that “Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions”.

116. The National Planning Practice Guidance says that “There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
117. These circumstances are that;
- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm
 - in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty
 - affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home
118. Planning law requires that planning applications shall be in accordance with the development plan, unless material considerations indicate otherwise. The Written Ministerial Statement is a material consideration in the determination of planning applications but the Minister himself recognises the effect of the new national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.
119. Despite the Written Ministerial Statement, a number of Planning Inspectors have issued decisions dismissing appeals where affordable housing was not being provided and allowing them where affordable housing was being provided. South Cambridgeshire District Council has itself successfully defended its position in relation to three appeals (a) 8 dwellings at Kettles Close Oakington, (b) 5 dwellings at Dotterell Hall Farm Balsham and (c) 9 dwellings at Broad Lane Industrial Estate, Cottenham where the Planning Inspector gave greater weight to the adopted Development Plan. The local circumstances to justify securing affordable housing were (a) affordability (b) housing need and (c) viability.
120. It is the Council's current position that local circumstances remain such that the threshold set out in Development Control Policy HG/3, albeit with a threshold of 3 dwellings or more, remain appropriate and should continue to be applied

notwithstanding the Written Ministerial Statement. In these circumstances the Council continues to consider that affordable housing threshold should remain unchanged.

121. The applicant has confirmed that they wish the scheme to be determined on the basis that 40% affordable housing with 3 affordable dwellings will be provided. This is a significant social benefit to the scheme and should be given significant weight in determining the application.
122. The Affordable Housing Officer states the Housing Statistical Information Leaflet 2016 shows there is a requirement for 5 affordable dwellings in Horseheath, x2 one bed and x3 three bed. The first 8 affordable homes on each 5 year land supply site will be occupied by those with a local connection. The final details of the affordable housing, together with their long term management will be detailed in the S106 agreement.

Impact on Services and Facilities

123. The South Cambs 2014 Services and Facilities Study details Horseheath is served by relatively few services and facilities in the village. These include a mobile library service at the Old Nurseries on 1st Tuesday of the month from 14:00-14:40, a post office, The Red Lion Public House and Hotel, village hall, childrens equipped play area, recreation ground which encompasses a cricket ground. There are two areas of informal open space, land south of Cornish Close, Horseheath and Land at Audley Way, Horseheath. There are also two allotments, Land north of Alington Cottages and Land west of West Wickham Road.
124. Whilst the village is served by some community and social facilities, it is deficient in its function to provide sources of employment, education and services to fulfil the most basic shopping trip. As such, journeys out of the village would be a regular necessity for residents in order to access day-to-day services.
125. There is a bus stop on Linton Road approx. 81 metres from the site which would take less than 5 minutes to walk to. The number 19 bus, 13/A/B/C/X13 runs from this bus stop. The number 19 bus runs to and from Haverhill but this provides no service.
126. The number 13/13A provides to and from Haverhill. To Haverhill there are 4 buses from 7:00-9:29, from 9:30-18:59 every 30 minutes and hourly from 19:00-23:00. From Haverhill there is the same provision with the exception of increase services from 7:00-9:29 every 30 minutes Monday- Saturday with an hourly service on a Sunday. This journey takes approx. 25 minutes and is considered to be a regular bus service.
127. The number 13/13A also provides a service to and from Cambridge with a service every 30 minutes Monday-Saturday from 7:00-18:59 and hourly from 19:00-23:00. There is an hourly service on a Sunday from 9:00-18:00. This service is also considered to be regular. The service to and from Haverhill, and to and from Cambridge would allow commuting to and from the site using public transport and would offer an alternative to the private motor car.
128. To access the bus service users would have to walk along a grass verge with no lighting and this would not allow safe access to the bus stop. A 1.8m wide footpath link has been provided and shown on drawing number 4184/05 C to improve connectivity and this would improve the sustainability of the scheme. The footpath can be secured by condition.
129. It is acknowledged that occupants of the proposed development would need to make journeys to larger centres, such as Haverhill and Cambridge to meet day to day

needs. However, it is possible to do that journey by public transport from the development and therefore there is an alternative to the use of the private car for these journeys. This would allow access to services and facilities in Haverhill and Cambridge which would meet the day to day needs of residents. In this instance, there would be some conflict with policy DP/1(a) and para 7 of the NPPF.

130. With regard to informal open space Horseheath has an over provision of +0.11 hectares in accordance with the Open Space SPD. There is no requirement for formal open space as the development is not for more than 10 dwellings as outlined in the Open Space SPD. However, the agent has agreed to on site informal open space, the quantum of informal open space and its maintenance will be included in the Section 106 agreement. This is considered to be a significant social benefit of the proposal.

Environmental

Impact on Landscape, Local Character, Heritage Impact and Loss of agricultural land

131. The site is considered to be pasture land and in the open countryside. To the south of the site there are residential dwellings set back with driveways onto Linton Road with the Red Lion Public House and car park at the southern end which is within the village framework. To the north of the site is a larger field and the land gently falls away with trees to rolling arable countryside with a public right of way further north. To the east there are more residential dwellings set around a green and north east the Grade I listed Church of All Saints.
132. The southern boundary has a grass verge and half a metre hedge. To the west there is boundary hedgerows and trees. The eastern boundary has 1.5-2.0m high wire and meshed fencing with hedging, with the garage of the Old Police House dwelling and 2.0m high fencing along the boundaries of the dwellings further east. The landscape is not subject to any national designations
133. The Landscape Officer has reviewed the revised Landscape Appraisal dated October 2017. This meets good practice guidance and has provided an assessment of the the actual views experienced by the receptors including the impact on the Grade I listed Church and public right of way. It includes an assessment of the District Design Guide SPD 2010 local designation which is specific to the site and village. Concerns were raised that the Landscape Visual Impact Assessment states that the frontage hedgerow is of little significance. The Parish Council state this is because the frontage hedgerow was recently removed (after 2011, as it is shown on the Google Streetview of September 2011 shown below) and is a Protected Hedgerow under the Hedgerows Regulations (1997). An assessment can only be made of the current site and the impact on the landscape as a result of the development. Therefore it is not reasonable to withdraw the application subject to enforcement action; this would be a separate matter.
134. At National Level the site is situated within the National Landscape Character Area (NCA) 86 'South Suffolk and North East Claylands'. At Regional level the site is situated within the Wooded Village Farmlands as assessed by Landscape East. At local level the site is situated within The South- East Claylands as assessed by SCDC within District Design Guide SPD March 2010. The key characteristics of the site and surroundings include an undulating area reaching 100 – 120 meters in height on the hilltops. The field sizes are mostly large, but are united by the gently rolling landform and woodland with long open views extend to wooded skylines, village rooftops and the Grade I listed church of All Saints. The area has a surprisingly remote, rural

character with a strong linear form to the village with mature hedgerows and trees that contribute to the rural character. The dwellings are arranged in a low density, loose knit pattern along narrow winding or gently curving lanes.

135. The landscape value of this site is not designated or considered historic and the value is considered to be medium and the landscape condition is fair with components generally relatively well maintained. With regard to the impact of the development upon the landscape the retention of the tree and hedgerow upon the northern boundary will help to preserve the local landscape character. In terms of the visual amenity impact there are views into the site from Linton Road, the approach into the village, residential properties upon Linton road, the public right of way, views of the Church tower and from the A1307.
136. The mitigation / enhancement works include further tree and hedge planting on the boundaries which will reduce the visual impact. There is a new thick native hedge and trees upon the northern boundary which creates a new boundary line and will reduce the visual impact from the public footpath and the Church and enhance the local character. The additional hedgerow and tree planting on the boundaries also reduces the visual impact from Linton Road and there is already trees and hedgerow along the western boundary from the A1307. In principle there is no objection to development upon the site.
137. Overall in landscape terms the development would result in negligible effects on the local and wider landscape character areas and is not considered a designated landscape or historic landscape in accordance with policies DP/1, DP/3, NE/4 and CH/1 of the adopted LDF and paragraph 109 of the NPPF 2012. The landscaping proposed will be detailed in the subsequent reserved matters application.
138. The character of the dwelling directly adjacent to the site, The Old Police House consists of a two storey detached brick dwelling. There are buff brick semi-detached and terraced dwellings with a green on Audley Way. The dwellings on the opposite side of Linton Road consist of detached dwellings of one and a half storeys with dormer roofs set back from the road with driveways. There is the two storey Red Lion Public House on the south western corner with rendered walls.
139. The site plan which is for illustrative purposes only shows the three single storey affordable dwellings aligned akin to the Old Police House dwelling with a relatively linear row of houses set back behind tree and hedgerow planting off one access. Audley Way has an access road with a T shape and forms a cul-de-sac, therefore a cul-de-sac arrangement in principle is acceptable. The detached dwellings follow the pattern of dwellings on the southern side of Linton Road and the rear northern boundary aligns with the rear boundary of the Old Police House dwelling. There is no objection to the principle of development based on the character of the area and indicative layout of the site. The low density will allow the site to be developed in a manner appropriate to the location. The design and layout of the dwellings will be subject of a reserved matters application.
140. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to preserving or enhancing the character or appearance of a Listed Building.
141. The *Barnwell* judgement indicates that any harm caused to a listed building via its setting should be given great weight in any such balancing process derived from paragraph 134. This directly stems from S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This places a statutory duty on the decision maker to

'have regard to the desirability of preserving', i.e. keeping from harm.

142. With regard to policy CH/4 (Development Within the Curtilage or Setting of a Listed Building) of the LDF and policy NH/14 (Heritage Assets) of the draft Local Plan the aims of these policies are to ensure development does not cause adverse harm by dominating the Listed Building or building in its curtilage by scale, form, mass or appearance or harm the visual relationship between the Listed Building and its formal or natural landscape surroundings.
143. These policies are consistent with the NPPF paragraph 129 which seeks to ensure the significance of the heritage asset is taken into consideration that may be affected including development affecting the setting of a heritage asset to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal. Therefore existing policy CH/4 which affects the scale and density of new housing can be afforded considerable weight.
144. Paragraph 132 of the National Planning Policy Framework 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 assets 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.
145. The Historic Buildings Officer considers the development site is not immediately adjacent to any heritage assets, as outlined in the heritage statement, there are some heritage assets within a close proximity to the site. Horseheath does not contain a Conservation Area and the site is not within the setting of one or a scheduled ancient monument. To the south east of the site there is a group of Grade II listed buildings, Forge Cottage (LEN 1331012), Lyndale Cottage (LEN 1127940), Manor Farm (LEN 1331013) and Barn at Manor Farm (LEN 1127942). These listed buildings are not visible from the site and it is not considered that the development site is within the setting of these listed buildings.
146. To north east sits the Grade I listed Church of All Saints (LEN 1127944), the church tower can be viewed from this site. The definition of setting, as defined in the NPPF, is *'the surroundings in which a heritage asset is experienced.'*
147. The Historic Buildings Officer states the heritage statement considers the site within the setting of the Church as it can be viewed and is where the building can be experienced in line with paragraph 128 of the NPPF 2012. There are existing houses to the east with the garage and close boarded fencing along the boundary with the Old Police House dwelling.
148. It is considered that a development of 8 dwellings on this site could be designed around the views of the Church without causing substantial or less than substantial harm to the Church's setting in accordance with paragraphs 133 and 134 of the NPPF 2012. The setting of the Church and views of the Church, from the site and adjacent to the site, should be taken into account when developing plans for the Reversed Matters application.
149. Officers are of the view that the site plan which is for illustrative purposes only and housing density demonstrates that the site can accommodate 8 dwellings and provide sufficient space for private garden areas, parking, landscaping and access which will be details for reserved matters.

150. Given the gentle slope in the landscape it would be reasonable to condition that in the submission of reserved matters a plan showing the finished floor levels of the proposed buildings in relation to the existing and proposed ground levels of the surrounding land. This would ensure the development is properly assimilated into the area in accordance with policies CH/4, DP/2 and DP/3 of the adopted Local Development Framework 2007.
151. 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 grades 1, 2 or 3a. This is caveated with two exceptions. The site is not allocated for development in the existing or the emerging Local Plan and so the first exception does not apply. The second exception is where sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
152. Given that the Council cannot demonstrate a five year supply of housing land, means weight can be given to the need for housing as overriding the need to retain this small parcel of agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with criterion b of NE/17 should be afforded due weight.

Ecology, Trees and Hedges

153. The Ecology Officer commented the ecological survey provided with the application is welcomed and no further ecological surveys are required. There are no ponds within 250 m and therefore, great crested newts are also unlikely to be present on site.
154. The scheme has been sensitively designed to retain existing trees and boundary planting. The existing trees and hedge to the west of the site should be retained outside of garden curtilages to ensure their long term protection. The adjacent ash tree with high bat roost potential will be retained and remain undisturbed by lighting based on the indicative site layout. Recommend conditions regarding detailed external lighting design to be provided in order to protect wildlife habitat in accordance with policy NE/6 of the adopted LDF 2007.
155. An ecological mitigation condition is required ensuring that all works must proceed in strict accordance with the recommendations detailed in Section 8 of the Protected Species Survey report (Chris Vine, September 2016). This shall include avoidance and mitigation measures for nesting birds and bat species 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). It is also reasonable to add an ecological enhancement condition in accordance with policy NE/6 of the adopted LDF 2007.
156. The Trees Officer has no objections to the application in principle and recommends a condition consisting of a strategy for the protection of existing trees shall be submitted and approved in writing by the Local Planning Authority. Tree protection measures shall be installed in accordance with the approved tree protection strategy. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.

Noise, Emissions and Lighting

157. The Council's Environmental Health Officer raises no objection to the principle of the development subject to conditions relating to the approval of a management plan relating to traffic and the storage of materials during the construction phase, a limit on the hours of deliveries to the site and the times during which power operated machinery can be used and external lighting. These details can be controlled by way of condition to address the concerns of neighbours in terms of noise and emissions. It would be reasonable to add these conditions to ensure there is not significant harm in respect of noise, emissions and lighting in accordance with Policies DP/3, NE/14, NE/15 and NE/16 of the adopted LDF 2007. It would only be reasonable to add burning of waste and pile driven foundations as informatives as these conditions would not be considered necessary and reasonable in accordance with paragraph 206 of the NPPF 2012.

Residential Amenity

158. The site is bordered by residential properties to the east and on the southern side of Linton Road. The application is only in outline form and therefore the site plan is for illustrative purposes only. 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.
159. The submitted drawing demonstrates that the site could accommodate the amount of development proposed without having an unreasonable impact on residential amenity through overlooking, overshadowing or overbearing impact. Adequate separation distances could be retained to the neighbouring properties to the east and those to the south on the opposite side of Linton Road and the enhancement and retention of the hedgerow and tree belt on the boundaries of the site would emphasise the sense of separation. Concerns were raised regarding noise from people using the public footpath to access the bus stop. There is already a grass verge adjacent to the bus stop and given the degree of separation which is 14m from the dwelling to the public footpath combined with the low scale of development there is not considered to be significant harm to residential amenity in accordance with policy DP/3 of the Local Development Framework 2007 and the requirements of the District Design Guide SPD 2010.
160. The illustrative site plan shows that sufficient garden spaces can be achieved for 8 dwellings, although further detail will be required at detailed design stage and can be addressed at reserved matters stage.

Highway Safety and Parking

161. The Highways Authority raises no objection to the proposal. The proposed access design and footway provision as shown on Drawing number 4184/05 Rev C overcomes the original Highway Authority request for refusal. This drawing is accurate and shows inter-vehicle visibility splays of 90m in each direction due to the curve in the road. This plan is at a scale of 1:500 and is taken from drawing number 1:1250 which shows the name Little Gables to the east of the property and Croatswood House opposite the Old Police House. As the access and visibility splays plan is zoomed in at a scale of 1:500 this is why the rest of Croatswood House cannot be seen. This drawing shows the access point in relation to the island and traffic width restriction point which will not obstruct other users of the road or the cycle safety area.
162. It is requested the proposal requiring the footway as shown on Drawing number 4184/05 Rev C is provided prior to the first occupation of any of the dwellings on site which can be conditioned. Due to the small scale of the development it will not result in

significant highway safety concerns to Linton Road or the A1307.

163. Conditions are recommended regarding governing: falls and levels of access (to prevent run-off); proposed access is constructed from a bound material for the first 5m into the site from the boundary of the adopted public highway. The existing access to the land shall be permanently and effectively closed and the footway/highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, within 28 days of bringing into use of the new access. The access shall be a minimum width of 5m, for a minimum distance of 5m measured from the near edge of the highway boundary and a traffic management plan which will control dust and debris as well as detailing movements and control of lorries. It would be reasonable to add these conditions in the interest of highway safety in accordance with policy DP/3 of the adopted LDF 2007.
164. The access is 5.5m wide which will allow two vehicles to enter and exit the site safely. A condition regarding the bin collection point needs to be located to the front of the proposed development due to the proposed bin store being located more than 25m from the public maintainable highway. This will be subject to detail at reserved matters stage and is not precise enough to be conditioned and meet the test of paragraph 206 of the NPPF 2012.
165. The Highway Authority did comment they have severe reservations with regards to connectivity within the site for pedestrians as shown on the indicative plan. The internal arrangement is a reserved matters detail with regard to the layout and pedestrian connectivity within the site.
166. Given the low density of the site there is sufficient space to achieve 1.5 parking spaces per dwelling and 1 secure cycle space per dwelling in accordance with Policy TR/2 of the adopted LDF 2007. Visitor parking can also be achieved in addition to this which will be detailed at reserved matters stage.

Archaeology

167. The comments of CCC archaeology are acknowledged. A condition requiring a programme of archaeological investigation to be secured prior to the commencement of development is recommended in accordance with policy CH/2 of the adopted LDF 2007.

Flood Risk, Surface Water Drainage and Foul Water Drainage

168. The Environment Agency commented it will be necessary in this instance, for the Council to respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues. The site is not in a flood zone and the Council's Drainage Manager raises no objection in principle to the proposal, subject to the imposition of conditions requiring details of the surface water drainage system and foul water drainage in accordance with policies NE/9, NE/10 and NE/11 of the adopted LDF 2007.

Contamination

169. The Contaminated Land Officer reviewed the Environmental Desk Study Report by Prior Associated dated October 2016 and has considered the implications and conclusions.
170. The site comprises an agricultural field which presents a relatively low risk of

contamination, however the proposed use is sensitive to the presence of contamination (residential). The Desk Study Report by Prior Associates sets out the Conceptual Site Model (CSM) highlighting any contaminant sources, pathways and receptors.

171. The Contaminated Land Officer does not agree with the report's CSM which states there are no sources, or pathways or receptors. An agricultural field presents a potentially contaminative use and a residential use provides human receptors regardless of the existence of any potential contamination. A condition is therefore recommended in line with his consultation response in accordance with Policy DP/1 of the adopted Local Development Framework 2007.

Developer Contributions

172. With regard to developer contributions development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
173. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -
i) Necessary to make the development acceptable in planning terms;
ii) Directly related to the development; and,
iii) Fairly and reasonably related in scale and kind to the development.
174. The Written Ministerial Statement and Planning Practice Guidance first introduced on 28/11/2014 (and later reintroduced on 19/05/2016 following legal challenge) seeks to limit the section 106 contributions secured from small scale development (i.e. those of 10 dwellings or fewer and those where the gross floorspace does not exceed 1000 square metres). The Planning Portfolio Holder for South Cambridgeshire District Council made a decision published on 18/02/2015 that tariff style section 106 contributions should no longer be sought from developments beneath this national threshold. This decision was endorsed by Planning Committee on 4/3/2015. The proposed development is for 8 no. dwellings and would fall below the threshold. Therefore, no contributions in relation to open space, community facilities, education, libraries and waste could be secured from the development. However, where the Council approves an outline application of 10 dwellings or fewer, any reserved matters application that is approved and which provides a combined gross floorspace of more than 1000sqm may be subject to financial contributions secured by a section 106 agreement in accordance with Development Control Policies DP/4 and SF/10.
175. Notwithstanding the above, contributions can be secured towards waste receptacles. The RECAP Waste Management Design Guide requires household waste receptacles to be provided for the development. Off-site contributions are required towards the provision to comply with Policy DP/4 of the adopted LDF. The contribution would be £73.50 per dwelling and £150.00 per flat. These need to be secured by way of a section 106 agreement.

Other Matters

176. Local residents have stated application S/0086/17/OL in Linton which was refused has set a precedent. This application was refused for 95 dwellings and is a different site in a different context, each application must be determined on its individual merits and is not a reason to refuse the application.

177. Concerns were raised regarding loss of a view and property value. These are not considered to be material planning considerations. There is concern the rest of the land will be developed. Each application is assessed on its own merits and this would require a fresh application which would be subject to independent assessment.
178. The application was advertised on 23 August 2017 as a departure to the development plan in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as Amended) Procedure) (England) Order 2015 and a copy of the notice is on the file which has been available for public inspection for the duration of the application process.

Planning Balance

179. 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.
180. This report sets out a number of benefits that would result from the development. These are set out below: -
 - i) The provision of 8 dwellings towards housing land supply in the district based on the objectively assessed 19,500 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - ii) The provision of 3 affordable dwellings towards the identified need
 - iii) The provision of a significant amount of informal open space within the development.
 - iv) Provision of public footpath to link to the bus stop secured by condition
 - v) There are no objections from the statutory consultees in terms of landscape harm and the impact on the setting of the Grade I listed Church
 - vi) Employment during construction to benefit the local economy.
 - vii) Greater use of local services and facilities to contribute to the local economy.
181. Significant weight can be attached to the provision of 8 dwellings including 40% affordable housing to meet the lack of housing supply in the district in accordance with the guidance in the NPPF.
182. Significant weight can also be attached to the provision of informal open space within the development and the provision of public footpath.
183. Significant weight can be given that there are no objections from the statutory consultees.
184. Moderate weight can be attached to the provision of employment during construction and the impact upon local services from the development.
185. This report sets out a number of adverse impacts that would result from the development. These are set out below: -
 - i) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Scale of development and the objectives of policy ST/7
186. Limited weight can be attached to the location and scale of the development given the absence of a five year housing land supply and the need to balance this conflict against the significant need for housing identified in the NPPF.

187. There is also access to wider services and facilities as there is a regular bus service which would allow commuting to Haverhill and Cambridge within a short walk of the development and will be accessible through the public footpath provided as part of the development. This would provide an alternative means of transport to access a broader range of services and facilities without relying on the private car.
188. Overall it is considered the development does not significantly and demonstrably outweigh the benefits and as a result, in line with the guidance in paragraph 14 of the NPPF, the recommendation is to grant planning permission.

Conclusion

189. In summary, the adverse impacts of this development in terms of the location and scale of development are not considered to significantly and demonstrably outweigh the benefits of the provision of this housing scheme, when assessed against the policies in the NPPF taken as a whole. On balance, planning permission should therefore be approved.

Recommendation

190. Delegated approval subject to:

Legal Agreement

191. Contributions to be secured by way of a Section 106 (or other appropriate) legal agreement as set below, final wording to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission. The contributions comprise:
- a) Affordable Housing – 3 dwellings on site
 - b) Waste Receptacles - £73.50 per dwelling and £150.00 per flat
 - c) Informal open space provision on site including management and maintenance
 - d) Drainage Maintenance

Conditions and Informatives

192. Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:
- (a) Approval of the details of the layout of the site, the scale and appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
 - (b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.
(Reason - The application is in outline only.)
 - (c) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason - The application is in outline only.)

- (d) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:2500 only and drawing number 4184/05 C
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (e) The submission of reserved matters in accordance with the details required in condition (a) shall include a plan showing the finished floor levels of the proposed buildings in relation to the existing and proposed ground levels of the surrounding land. No development shall take place until this submitted plan is approved by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved plan.
(Reason: To ensure the development is properly assimilated into the area in accordance with policies CH/4, DP/2 and DP/3 of the adopted Local Development Framework 2007.)
- (f) Prior to the commencement of any development, a scheme for the provision and implementation of surface 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 plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To ensure a satisfactory method of surface water drainage and ensure there is not a significant flooding issue in accordance with Policy NE/9 and NE/11 of the adopted Local Development Framework 2007.)
- (g) Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify run-off sub-catchments, SuDS components, control structure, flow routes and outfalls. In addition the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
(Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework 2012.)
- (h) Prior to the commencement of any 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 plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
- (i) No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
(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.)

(j) No development approved by this permission shall commence until:

- a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.
- b) 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.
- c) 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.
- d) 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.
- e) 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).

(k) No construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing 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, access arrangements for vehicle, plant and personnel, for both phases all such parking shall be within the curtilage of the site and not on street;
Contractors site storage area(s) and compound(s);
- (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
- (iv) Method statement for control of dust, mud and debris during the construction period and in relationship to the functioning of the adopted public highway

Development shall commence in accordance with the approved details.

(Reason - In the interest of residential amenity and highway safety in accordance with Policy DP/3 and DP/6 of the adopted Local Development Framework 2007.)

(l) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The

boundary treatment shall be completed before the development is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

(m) No development shall commence until a scheme for ecological enhancement including a location plan and specification for establishment and management of native planting, connectivity measures for hedgehog and in-built features for nesting birds and roosting bats has been provided to and agreed by the Local Planning Authority. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
(Reason: To 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.

(n) All works must proceed in strict accordance with the recommendations detailed in Section 8 of the Protected Species Survey report (Chris Vine, September 2016). This shall include avoidance and mitigation measures for nesting birds and bat species. If any amendments to the recommendations as set out in the report are required, the revisions shall be submitted in writing to and agreed by the Local Planning Authority before works commence.
(Reasons: 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).

(o) The development hereby permitted shall not be occupied until the footpath link along Linton Road has been laid out as shown on drawing number 4184/05C. The footpath shall thereafter be retained and maintained in perpetuity.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

(p) Prior to commencement, site preparation or the delivery of materials to site a tree protection strategy in accordance with British Standard BS5837 for the protection of existing trees on site shall be submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be installed in accordance with the approved tree protection strategy and the measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

(q) As part of any reserved matters application a lighting scheme (to maximise energy efficiency and minimise lighting pollution) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any external lighting of the site and a Lighting Spill Plan. The Artificial Lighting Scheme shall have regard for the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light – GN01:2011 (or as superseded). The lighting scheme will be implemented in accordance with the approved details.

(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/6 and NE/14 of the adopted Local Development Framework 2007.)

(r) As part of any reserved matter application details of the housing mix (including both market and affordable housing) shall be provided in accordance with local planning policy or demonstration that the housing mix meets local need shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the approved details

(Reason: To ensure an appropriate level of housing mix, both market and affordable housing in accordance with policies H/8 and H/9 of the South Cambridgeshire Local Plan Proposed Submission July 2013)

(s) During the period of 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.)

(t) The proposed access hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the highway and shall be constructed from a bound material for the first 5m to prevent displacement of materials onto the highway. The development shall be retained as such thereafter.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

(u) The existing access to the land shall be permanently and effectively closed and the footway / highway verge shall be reinstated in accordance with a scheme including a plan (scale of 1:100) showing details of the specifications and materials to be agreed with the Local Planning Authority within 28 days of the bringing into use of the new access.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

(v) The access shall be a minimum width of 5m, for a minimum distance of 5m measured from the near edge of the highway boundary.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

(w) 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.)

Informatives

- 193.
- (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) 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.
 - (c) 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.
 - (d) 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.
 - (e) The Written Ministerial Statement and Planning Practice Guidance first introduced on 28/11/2014 (and later reintroduced on 19/05/2016 following legal challenge) seeks to limit the section 106 contributions secured from small scale development (i.e. those of 10 dwellings or fewer and those where the gross floorspace does not exceed 1000 square metres). The Planning Portfolio Holder for South Cambridgeshire District Council made a decision published on 18/02/2015 that tariff style section 106 contributions should no longer be sought from developments beneath this national threshold. This decision was endorsed by Planning Committee on 4/3/2015. However, where the Council approves an outline application of 10 dwellings or fewer, any reserved matters application that is approved and which provides a combined gross floorspace of more than 1000sqm may be subject to financial contributions secured by a section 106 agreement in accordance with Development Control Policies DP/4 and SF/10.

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 Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- Planning File Ref: S/2745/17/OL

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