

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 December 2017

AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/3128/17/OL

Parish: Castle Camps

Proposal: Outline application with all matters reserved for the erection of 9 dwellings.

Site address: Land south of Bartlow Road, Castle Camps, CB21 4SY

Applicant(s): Elbourn Carter Trust

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, trees local character and heritage
Ecology
Noise
Residential amenity
Highway Safety and Parking
Archaeology
Surface Water Drainage and Foul Water Drainage
Contamination
Developer contributions

Committee Site Visit: Yes

Departure Application: Yes (advertised on 13th September 2017)

Presenting Officer: Will Tysterman, Planning Project 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: 22nd December 2017

Executive Summary

1. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
2. Castle Camps is a group village with limited facilities and occupants of the development would be required to travel out of the village to access facilities to meet day to day needs and employment opportunities. These factors weigh against the social and environmental sustainability of the scheme.

However, the extent of this harm is considered to be reduced by the fact that there is a bus service which would allow commuting to Haverhill, a market town within a reasonable time and that this service runs within close proximity of the application site. Whilst buses are infrequent throughout the day, occupants of the development would still have an alternative to the use of the private car to access the services and other facilities in Haverhill.

3. There are no objections from statutory consultees and the proposal would not result in significant harm to the character of the landscape, allowing for the retention of the intermittent hedgerow and trees and further hedgerow and tree planting will be provided on the boundaries. This will enable a sense of containment and reduce the impact of the development on the wider landscape to an acceptable degree.
4. A significant benefit of the scheme is the provision of 40% on site affordable housing and this will fulfil the significant need within the Parish of Castle Camps, as well as a substantial need District wide, this is a benefit which officers consider should be afforded significant weight in the determination of the application. The development of up to 9 dwellings will provide towards the lack of five year housing land supply giving rise to significant social and economic benefits through the creation of jobs in the construction industry and an increase of local services and facilities, both of which will be of benefit to the local economy.
5. It is considered the public benefits of providing housing to meet the significant deficit in five year housing land supply and shortage of affordable housing 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

7. S/1767/78/O – Erection of two dwellings. – Refused
SC/0342/73/O – Residential Development of five dwellings – Refused

Planning Policies

8. 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.

National Guidance

9. *National Planning Policy Framework (NPPF) 2012
Planning Practice Guidance*
10. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted
January 2007*

ST/2 Housing Provision
ST/6 Group Villages
11. *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/2 Archaeological Sites
CH/4 Development Within the Curtilage or Setting of a Listed Building
CH/5 Conservation Areas
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/1 Energy Efficiency
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Drainage – Alternative Drainage Systems
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Light Pollution
NE/15 Noise Pollution
NE/16 Emissions
NE/17 Protecting High Quality Agricultural Land
SF/10 Outdoor Play space, 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
12. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

District Design Guide SPD – Adopted 2010
Development Affecting Conservation Areas SPD – Adopted 2009
Health Impact Assessment SPD – Adopted March 2011
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

13. *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/10 Group Villages
S/12 Phasing, Delivering and Monitoring
CC/1 Mitigation and adoption to climate change
CC/3 Renewable and low carbon energy in new developments
CC/4 Sustainable design and construction
CC/6 Construction methods
CC/7 Water quality
CC/8 Sustainable drainage systems
CC/9 Managing flood risk
HG/1 Design principles
NH/2 Protecting and enhancing landscape character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/6 Green infrastructure
NH/14 Heritage assets
H/7 Housing density
H/8 Housing mix
H/9 Affordable housing
SC/8 Open space standards
SC/11 Noise pollution
SC/13 Air quality
TI/2 Planning For Sustainable Travel
TI/3 Parking provision

Consultation

14. **Castle Camps Parish Council** – Objection, comments summarised below:
The application was discussed at a Parish Council meeting held on 10/10/2017. The meeting was attended by 4 Councillors 10 parishioners who raised the following concerns:
- There is an existing outline planning application S/415/17/OL for land opposite this site looking to build up to 10 dwellings. If this application were to go ahead for a further 9 dwellings this would mean this gateway to the village would be supporting an additional 19 houses. This is a very localised development area on such a small village and will be significantly changing the characteristics and rural nature and appearance of the area.
 - The increase to the number of houses in such a small vicinity will be extremely invasive to the current residents.
 - This application is outside the framework set out in the South Cambs Local Plan and the South Cambs Strategic Housing Land Availability Report – August 2013 (SHLAA). Had the South Cambs Local Plan still been in place it would carry weight to argue against the position of this application.
 - The SHLAA report showed site assessment conclusion of no development potential and status of site in proposed local plan 2013 was not allocated for development. “The site is not potentially capable of providing residential development taking account of site factors and constraints”.
 - It further states the site listed as “Viability Category 4 Least Viable Sites”.

There have been no positive influences or changes to the area to move from this position and the Parish Council would therefore note that this “least viable” position is again equally valid and relevant today.

- The report states that land is Agricultural land grade 2
 - This site has had 2 previous applications as follows
SC/0342/73 – 5 dwellings
S/1767/78/O – 2 dwellings
 - The two refusals above show that the current lack of Local Plan shouldn’t count as this area has been classed as unsuitable for development for many years.
 - This site is outside of the 30mph zone. The speed check report submitted with the application was taken in Oct 2016 during half term so doesn’t reflect accurate use. Pavement alignment is not true. This application shows pavement from this development south of the highway to the boundary in the direction of the school – pedestrians will then cross the road to use a pavement on the opposite northern side of the carriageway supposedly put in place by application S/0415/17/OL, but this application doesn’t include all pavements referred to. There is a shortfall of pavement.
 - This application could generate an increase of 18 – 20 vehicles. The development S/0415/17/OL will also generate an increase of up to 20 vehicles, this is a huge demand on this area of the village. Pedestrian safety is not adequate at present
 - Sewer and drainage system. Both systems struggle to cope at present, the proposed development would simply add to the current problem and exacerbate the situation further. Anglian Water have not been consulted on this application to date, so at present it is unknown what effect this development will have on the system or if it can cope at present with this extra demand
 - The sewage system suffered recent major problems its latest problem earlier this year along Bartlow Road that resulted in a blockage and overflow, flooding a property’s garage and garden.
 - Design & Access statement refers to amenities and facilities that are not recognisable to residents. This is a rural village with very few amenities to support a development of this size. There is a regular bus service but it’s not a frequent service and is very limited.
15. It was agreed and voted on that this complete outline planning application be considered by the District Council’s Planning Committee and all objections submitted be included. This request has the support of Cllr Andrew Fraser
16. **Local Highway Authority** – The Local Highway Authority initially objected to the scheme, however due to an administrative error this objection was subsequently removed and confirmed in an email on the 16 October 2017.
17. No objections in principle. Requested conditions: driveway falls, levels and materials, the access must be a minimum width of 5m and traffic management plan and an informative about works to the public highway.
18. **Sustainable Drainage Engineer** – No objections in principle, requested pre commencement conditions regarding surface water drainage and foul water drainage.
19. **Anglian Water** – No objections in principle, due to the lack of Anglian Water operated assets no comments have been made with regards to surface water drainage. However a condition was requested for a foul water drainage strategy.
20. **Environmental Health Officer** – **Raised** an observation that the site is adjacent to Pond Farm, the farm area should be considered for any potential noise sources including the presence of any fixed or mobile machinery such as grain dryers or the

- intensive use of any agricultural vehicles at the site. If this is a busy operational farm where noise sources exist, a noise impact assessment needs to be carried out to fully establish the overall noise environment and, if necessary, to produce a plan of noise mitigation works which will need to be forwarded to our department for approval. The noise assessment should be carried out in accordance with all relevant British Standards and must consider the noise impact in both the internally and within the external amenity areas of the new dwellings. If there are no noise issues of concern I would suggest conditions should be attached to any consent granted.
21. Requested conditions on hours of work, no burning of materials on site, driven pile foundations. Requested an Informative relating to minimising the potential for disturbance to neighbouring residents and waste materials and rubbish associated with the development.
 22. **Trees Officer** – No Objections in principle, however recommended conditions for tree protection.
 23. **Ecology Officer** - No Objections in principle of the development at outline stage. It is agreed with the recommendations in both the Reptile report and Biodiversity report. There is agreement to the reptile translocation scheme and a condition is recommended in order to achieve this. The ecology officer also recommended a biodiversity enhancement condition.
 24. **Landscaping Officer** – Recommend Approval, subject to landscaping conditions. The site is in a rural location and preservation of existing trees is welcomed. Applicant to consider the following within the final detailed design:
 - Permeable paving
 - Access road to be less urban / engineered and reflect the local village character.
 - Southern boundary to be both post and rail fencing with native mixed hedgerows / trees. This will reflect the existing village boundary treatments.
 - Northern boundary to be infilled with both tree and a native hedgerow
 - Enclose boundaries facing roads by hedgerow or, in appropriate locations, low flint and brick walls.
 - Hedgehog gaps within close boarded boundary fencing to be included.
 25. **Cambridgeshire County Council Archaeology** – The site lies in an area of high archaeological potential, situated in the village core, reflected by the series of listed buildings in the vicinity of the application area. Raises no objection in principle but considered 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.
 26. **Contaminated Land Officer** – No immediately evident environmental constraints that would attract a contaminated land condition, however, the development proposed use is one which is particularly sensitive to the presence of any contamination and vulnerable receptors should be taken into account. Therefore recommend an informative that if during development contamination not previously identified is found to be present then no further development shall be carried out until a remediation strategy detailing how the unsuspected contamination should be dealt with.
 27. **Cambridgeshire County Council Education** – The County Council does not seek contributions for 10 or less dwellings unless we are made aware that the development has a combined gross floor space of over 1000sqm.

28. **Affordable Housing Officer** - 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. The proposed scheme is for 9 dwellings which would trigger an affordable housing requirement of 4 homes.
29. Tenure Mix Affordable Housing SPD (2010) - The Tenure mix for affordable housing in the 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).*'
30. 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. There are currently around 1,800 applicants on the Home link housing register in South Cambridgeshire, which is the register of those applicants who are in need of affordable rented housing.
31. Intermediate Housing is defined as Shared Ownership, Older Person Shared Ownership (OPSO), and 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. There are approximately 600 applicants who are registered on the 'Help to Buy' register who are interested in shared ownership.
32. 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}.

Local Housing Need

33. The local housing needs for Castle Camps are currently as follows:

| Bedroom requirements | Bedroom requirements for applicants under aged 60 | Bedroom requirements for applicants over aged 60 |
|----------------------|---------------------------------------------------|--------------------------------------------------|
| 1bed | 1 | 2 |
| 2bed | 3 | 0 |
| 3bed | 3 | 0 |
| 4bed | 2 | 0 |
| Total | 9 | 2 |

34. There are currently around 1,800 on the housing register in South Cambs and the highest demand, both in Castle Camps and district wide is for 1 and 2 bedroom accommodation.

Types and sizes of affordable homes

35. In Major Developments, Rural Centres and Minor Rural Centres the type (house, flat, and 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 | | | |
|----------------------|---------------|--------------|----------|-------------|
| | Social Rent | Intermediate | Total | % |
| 1bed | 1 | 0 | 0 | 25% |
| 2bed | 2 | 0 | 2 | 50% |
| 3bed | 0 | 1 | 1 | 25% |
| 4bed+ | 0 | 0 | 0 | |
| Total | 0 | 0 | 4 | 100% |

36. The applicant has identified within their Planning Statement that four of the nine proposed dwellings would be for affordable housing. We would encourage them to contact one of the Registered Providers on the published on the Council's website with a view to securing their involvement at an early stage of the development^{vi}.

5 year land supply

37. 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, if there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to re let.

Representations

38. A number of representations have been received from the following properties: The Lymit, Woodside, Garden House all on Bartlow Road Castle Camps. A member of the public who attended the Parish Council's meeting has also submitted comments but has not provided their address. The following comments are summarised below:
- 39.
- The development would be an advantage to the village although concerns if the infrastructure could support additional dwellings following S/0415/17/OL, additional funding is needed for services.
 - If consideration is given to extend the speed restriction of 30mph, the rural location which is currently shaded by trees and heights and sizes of potential properties then this could benefit other residents within the village.
 - The previous planning history on the site shows permission for residential development on the site has been refused.
 - The proposal would be contrary to settlement policies incorporated in the approved structure plan for Cambridgeshire where the proposed development in Castle

Camps will be restricted to infilling.

- The proposal would be outside the village framework within the open countryside and would detract from the open rural character and appearance of the area.
- Lack of services within the village, no shops and sporadic bus service.
- Increased traffic movements combined with development opposite S/0415/17/OL could result in additional 38-40 cars, creating further congestion on the A1307 and environmental issues, due to limited public transport.
- Highway Authority recommended refusal for visibility splays
- Current sewage system is inadequate, this will create increased pressure
- Development joins dangerous road where there is currently a 60mph speed limit.
- Loss of ground drainage because of S/0415/17/OL creating surface water flooding
- The South Cambridgeshire Strategic Housing Land Availability Assessment (SHLAA) reports the site is a non statutory archaeological site, evidence of medieval activity in this vicinity, further historic information is needed.
- SHLAA concluded site was not suitable for development.
- Developers who have no knowledge of the area are incorrect about the convenient and accessible facilities within the area. This strategy was used by developers for recent outline planning permission on the other side of the road.
- A transport survey was carried out in December 2016 at the 30mph sign and the village boundary, this in no way reflects speed of traffic 200 yards from the 30mph sign, another survey needs to be carried outside the village boundary.
- The proposed 2m wide footpath will be difficult to construct due to the power and telephone line, strange a path should be considered along a fast moving road outside the village boundary.
- At present has been constructed on the other side of Bartlow Road, the crossing point is still outside the boundary.
- No evidence the village needs additional housing, presently 3 houses for sale in Castle Camps, been on the market for some time.

Site and Proposal

40. The proposed site lies south west of Bartlow Road and to the west of the village of Castle Camps. The site is a parcel of land located within the open countryside just outside but adjacent to the village development framework of Castle Camps. It is bounded to the east and west by residential properties which are defined by areas of vegetation providing separation between the site and the adjacent development. The northern boundary of the site runs parallel with Bartlow Road with a drainage ditch running along the northern and southern boundaries of the site. To the south of the site is open countryside.
41. The outline application is for residential development for up to 9 dwellings with all matters reserved.

Planning Assessment

42. The key planning issues relevant with respect to the proposed development are considered to be the following: Housing Supply, Principle of development, Density, Housing mix, Affordable Housing, Impact on services and facilities, Impact on landscape and local character, Ecology, trees and hedging, Residential amenity, Highway Safety and Parking, Surface Water Drainage and Foul Water Drainage, Contamination, and Developer contributions.

Housing Land Supply

43. 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.
44. 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.
45. 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/6 but as a logical consequence of the decision this should also be considered a policy "for the supply of housing".
46. 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" rather than more being interpreted more broadly so as to include any policies which "affect" the supply of housing, as was held in substance by the Court of Appeal.
47. The effect of the Supreme Court's judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as "relevant policies for the supply of housing". They are therefore not "out of date" by reason of paragraph 49 of the NPPF. None of these adopted policies are "housing supply policies" nor are they policies by which "acceptable housing sites are to be identified". Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policies ST/6 (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.
48. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date "albeit housing supply policies" do not now include policies ST/6, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be

granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”

49. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
50. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh the benefit in terms of the delivery of new homes that planning permission should be refused.
51. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.

Principle of Development

52. As the proposed site is located in the open countryside, outside Castle Camps Development Framework, policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan apply and state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 9 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.
53. Castle Camps is identified as a Group Village under Policy ST/6 of the LDF and Policy S/10 of the Draft Local Plan, one of four categories of rural settlements. Group Villages are less sustainable settlements than Rural Centres and Minor Rural Centres, having fewer services and facilities and allowing only some of the day-to-day needs of residents to be met without the need to travel outside the village.
54. Castle Camps has only relatively limited facilities and services, with no secondary school, and limited easily accessible public transport services than larger settlements. Development in Group Villages is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.

55. However, the policy objective and the principle of applying a settlement hierarchy have to be considered in light of the 'out of date' status, resulting from the lack of a five year supply of housing land in the District. By proposing up to 9 dwellings, the scheme is only a small increase based on the indicative maximum of 8 on a greenfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in a previous appeal decision at Over (18 January 2017) stated that '...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.'
56. In light of the above, it is not appropriate, in the case of all Group Villages, to attach the same weight to policy DP/7 and DP/1(a) in the 'blanket' way. It is necessary to consider the circumstances of each Group Village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development.
57. 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 scheme.
58. The site is classified as grade II agricultural land, even though the parcel is disused and has been heavily treed. 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. 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.
59. The economic sustainability benefits from a future application would include employment for the construction industry and allied trades in the short term, in the long term the new residents would potentially add to local spending levels for local services and facilities as well as council tax returns.
60. 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. 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. The development would provide a clear public benefit in helping to meet the current housing shortfall in South Cambridgeshire as well as creating additional social interaction within the local community.

Density

61. Policy HG/1 states that residential developments will make best use of the site by achieving average net densities of at least 30 dwellings per hectare or 40 dwellings per hectare in more sustainable locations. The development site is approximately 0.42ha in area which would mean the proposed development would equate to approximately 21 dwellings per hectare. Whilst it is accepted this density would be below the minimum density of 30 dwellings per hectare, given the edge of village rural location and the limited existing development on Bartlow Road the density is therefore considered appropriate for this location.

Housing Mix

62. Policy HG/2 requires the market housing provision of proposed schemes to be a minimum of 40% 1 or 2 bed properties, approx. 25% 3 bedroom properties and approx. 25% 4 bedroom properties. This scheme is proposing 4 x 3/4 bedroom chalet properties (44%), 3 x 2/3 bedroom properties (33%) and 2 x 1 bedroom detached properties (22%). The application forms were amended to include x5 market dwellings and x4 affordable dwellings, 3 of which are proposed to be affordable rent and 1 would be shared ownership. The indicative layout shows a range of housing options with detached and semi-detached dwellings. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme is policy compliant.

Affordable Housing

63. 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.
64. 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 introduce 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.
65. 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".

66. 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.
67. 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.
68. 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.
69. The applicant has confirmed that they wish the scheme to be determined on the basis that 40% affordable housing with 4 affordable dwellings will be provided. This is a significant social benefit to the scheme and should be given significant weight in determining the application.
70. The tenure mix would be 75% of the affordable dwellings for Affordable Rent, and 25% Shared ownership/ lease. This would meet the Affordable housing officer's requirement for a 70/30 Affordable/Shared ownership mix. A local resident has questioned the need for further housing to serve the village with 3 existing properties already on the market. However there may be a number of reasons why those three houses have yet to be sold.
71. The Affordable Housing Officer states the Housing Statistical Information Leaflet 2016 shows there is a requirement for 11 affordable dwellings which contain between 1-4 bedrooms in Castle Camps. The first 8 affordable homes on each 5 year land supply site will be occupied by those with a local connection, the occupation of any additional affordable homes thereafter will be split 50/50 between Local Connection and on a District Wide basis. The final details of the affordable housing, together with their long term management would be detailed within a S106 agreement.

Impact on Services and Facilities

72. The South Cambs 2014 Services and Facilities Study details Castle Camps is served by relatively few services and facilities in the village. The applicant's Design and Access statement refers to a number of services that the Parish Council and local residents do not recognize. The facilities the local planning authority are aware of include a Primary School, a mobile library service on the first Tuesday of the month

from Sangers Farm (Camps End) and Claydon Close, a temporary Post Office which operates on a Monday from 12.30-14.30 and on Thursday from 13:30-15:30, a Public House and a Village Hall located at the Recreation Ground. The Recreation Ground has a Local Equipped Area of Play and outdoor sports facilities which include a football pitch and multi-use hard court with floodlights and play area, a separate bowls green and allotment.

73. This relative lack of services and employment opportunities is reflected in Castle Camps being designated a 'Group Village'. Whilst the village is served by some community and social facilities, it is deficient in its function to provide significant sources of employment, secondary education and services to fulfil other than the most basic shopping trip. As such, journeys out of the village would be a regular necessity for the majority of residents in order to access many day-to-day services. The nearest settlement that would offer services and social facilities, including sources of employment and secondary education, to possibly meet day-to-day needs would be the Minor Rural Centre of Linton, located approximately 6 miles to the north west. The market town of Haverhill located in Suffolk is also only approx. 5 miles north east which contains a range of services and facilities. It is also acknowledged that the scheme would generate further cars in the village as commented on by residents.
74. There is a bus stop on Bartlow Road near the corner of High Street, approximately 200m from the site. The number 19 bus service connects Castle Camps to Haverhill with one bus from 7.00-9:29, 4 buses from 9:30-16:29 and 1 bus from 16:30-18:59. There are 4 buses from Haverhill between 9:30-16:29 and one bus from 16:30-18:59 Monday-Friday. There is no service on a Saturday or Sunday. The service between the village and Cambridge is extremely limited and would not allow commuting from the proposed development without access to private motor transport.
75. Bartlow Road has a public footpath which commences at 8 Bartlow Road on the opposite side of the road to the site, the footpath on the same side of the road of the site commences at the junction with Church Lane. The proposed development includes the installation of a footway along the north eastern boundary of the site to improve connectivity and this would improve the sustainability of the scheme. The proposed footpath would then link to the footpath proposed under application S/0415/17/OL. No development on this site could be occupied until the footpath on both schemes is implemented in order to provide safe access into the village. Details of the extent of the footpath are considered in the highway safety section below.
76. It is acknowledged that occupants of the proposed development would need to make journeys to larger centres, such as Haverhill, to meet day to day needs. However, it is possible to do that journey by public transport and therefore there is an alternative to the use of the private car for these journeys.

The issues of greater car movements have been raised by local residents because of the proposed development combined the potential development opposite the site and the congestion this could cause on the A1307. It is accepted the proposed development would increase car use and congestion, but given there are alternative means of travel other than by car, this is considered to carry only limited weight against the proposal given the existing housing land supply deficit.

Impact on Landscape, trees, and Character of the area.

77. Policies DP/2, DP/3 and NE/4 are not considered to be housing supply policies and are not therefore considered to be out of date. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area;

conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character. NE/4 requires development to respect, retain or enhance local landscape character and distinctiveness.

78. The Parish Council and local residents have raised the conclusions of the South Cambridgeshire Strategic Housing Land Availability Assessment (SHLAA) report and stated that the situation with regards to the application site has not changed.
79. It is acknowledged at the time of writing that report, the site was considered as "Viability Category 4 Least Viable sites". However the situation has changed for a number of reasons, contrary to the Parish Council's opinion. As stated, the Council is unable to demonstrate a 5 year land supply, unlike in 2013 when the SHLAA report was written. Importantly, many of the trees and mature hedge frontage which were discussed within the SHLAA and seen to be crucial to the rural landscape and gateway to the village were removed following the publication of the SHLAA. The applicant was within their right to do this as there was no legal protection of trees on the site. Therefore the application and the impact on the rural landscaping caused from the proposal can only be assessed by the site's current conditions.
80. Following the removal of a large amount of vegetation, the site comprises of a small ditch of trees along the northern and southern boundary and these are unlikely to be affected by the development of houses. There would be trees which require removal where the access to the site would be located and the applicants have submitted an arboricultural impact assessment in accordance with British Standard BS5837. There is no objection in principle from the tree officer, however it was recommended that the remaining trees should be protected from any development, therefore tree protection conditions have been recommended and it is considered necessary and reasonable for these to be secured by condition. The presence of the surrounding vegetation partially screens the site and would compliment the mix between the new urban development and the rural countryside character.
81. Whilst the proposal would result in encroachment into the countryside outside the existing development boundary, there are dwellings within the village framework immediately east of the site on the same side of Bartlow Road, as well as immediately west of the site such as Pond Farm which is an existing dwelling in the countryside. Therefore the dwelling would effectively act as an infill between existing dwellings, reducing the impact on any open countryside. The landscaping officer has no objections to the scheme subject to landscaping conditions that can be dealt with at reserved matters stage. The Landscape officer did have recommendations which the applicant should consider as part of submitting additional information which are included under the summarised consultee comments. The northern boundary trees and hedgerows of landscape interest are to be mostly retained in order to mitigate the local landscape character, reduce visual harm, partially screen the development so it would not be prominent until in close proximity of the site. Further landscaping information will be requested by condition at this outline stage.
82. The Parish Council have raised concerns that the impact of the proposed nine dwellings combined with the impact of another planning application for 10 dwellings opposite the site S/0415/17/OL would have a severe impact on the rural gateway to the village and the character of the area. The development in application S/0415/17/OL is set back from the street scene, the southern boundary trees and hedgerows of landscape interest are to be retained and combined with the mitigation

and enhancement proposed which includes further trees and hedgerow along boundaries will protect the local landscape character and reduce visual harm.

83. Each application is judged on its own merits. Although the application site opposite has been granted outline planning permission, there is no guarantee that housing would actually be delivered. The character of the dwellings to the east on the opposite side of Bartlow Road consist of semi-detached painted render dwellings set back from the road with driveways which include tiled roofs and brick chimney stacks. Immediately adjacent to the site is a detached bungalow, further east along Barlow Road there are a mix of dwelling types constructed from different materials which don't follow a linear character along the street scene.
84. In this context, the current proposal is not considered to have a significant adverse impact upon the rural character of the area, It would therefore accord with policies DP/2, DP/3 and NE/4.
85. Sections 66 and 72 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 and special regard shall be paid to preserving or enhancing the character or appearance of a conservation area . Policies CH/4 (Development Within the Curtilage or Setting of a Listed Building) and CH/5 (Conservation Areas) of the LDF and policy NH/14 (Heritage Assets) of the draft Local Plan echo this requirement and seek to ensure development does not cause adverse harm to either the setting of listed buildings or to the character and appearance of a conservation area.
86. 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 to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal. It is also consistent with paragraph 131 of the NPPF which states in determining planning applications local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Therefore existing policy CH/5 which affects the scale and density of new housing can be afforded considerable weight
87. 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.
88. Further along Bartlow Road is Wisteria Cottage, a Grade II listed thatched cottage with further cottages set close to the road. There would not be any significant views of the proposed development from the Grade II listed building and due to the distance, it is not considered the site would be within the setting or have an adverse impact on this Listed Building. Therefore the proposal is in accordance with Policy CH/4 of the South Cambridgeshire District Council Local Development Framework.
89. This site is located approximately 200 metres from the western edge of Castle Camps Conservation area which begins on the eastern boundary of no 1 Bartlow Road and western boundary of The Garden House. Due to the mix of development on the same side of Bartlow Road as and the lack of linear character, and the retention of trees on the north eastern boundary of the site it is considered views from the Conservation

Area would be limited and would not be adversely impacted. Therefore the proposal is in accordance with Policy CH/5 of the South Cambridgeshire District Council Local Development Framework.

90. In any event, paragraph 134 of the National Planning Policy Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Given that the harm to the Conservation Area and setting of the Grade II listed building is considered to be very limited the public benefits are considered to outweigh this limited harm.
91. The Parish Council and local residents have raised the fact development had been refused on the site on two previous occasions. An application submitted in 1973 for 5 dwellings (S/0342/73) and was refused for lack of drainage, undesirable ribbon development, an undesirable precedent for future development in the rural countryside and development which didn't serve the needs of the local community. An application was also submitted in 1978 for two dwellings S/1767/78/O and was subsequently refused for being outside the village boundaries; create dangerous ribbon development, an area that has been considered unsuitable for development and development which would have an adverse impact on the rural character of the area.
92. Whilst it is accepted that these two refusals have shown the site was historically not suitable for development, the circumstances have changed contrary to the Parish Council's opinion. As the Council is unable to demonstrate a 5 year land supply and there is considered to be an urgent need for housing, including affordable housing, the weight that can be given to these historical appeal decisions can only be limited. With regards to the impact on the rural character of the area, it has been discussed previously that many of the trees and vegetation had been removed before an application had been submitted, so the scheme must now be assessed on the remaining landscaping taking into account other material considerations. The remaining landscaping mitigates the adverse impact of the development, further landscaping can be secured by condition, therefore the impact on the character of the area is considered acceptable.
93. Officers are of the view that while the site plan is for illustrative purposes only, this clearly demonstrates that the site can accommodate up to 9 dwellings and provide sufficient space for private garden areas, informal open space, parking, landscaping and access.

Ecology

94. The Ecology Officer does not have any objections in principle to the application and agrees with the recommendations within the submitted reptile report and biodiversity report. The Ecology officer recommends an ecological mitigation condition in the form of a Construction Environmental Management Plan (CEMP: Biodiversity) in order to prevent any significant adverse environmental impacts during construction. An enhancement condition was also requested in the biodiversity and reptile reports which would include the recommendations of a reptile relocation scheme. These conditions are considered necessary and reasonable to achieve compliance with policy NE/6 of the South Cambridgeshire District Council Local Development Framework 2007.

Residential Amenity

95. The Council's Environmental Health Officer raised concerns about any noise

generated from fixed or mobile operational machinery or intensive use of agricultural vehicles because of the presence of Pond Farm close to the application site. However the case officer has confirmed from his site visit that Pond Farm is the name of the existing dwelling and is not an operational commercial farm, therefore, a noise impact assessment is not required. As such, the EHO has no objection to the principle of the development subject to requested conditions which would limit working hours and timings of deliveries. This are considered necessary in order to prevent significant adverse impacts of noise and disruption on nearby neighbouring properties.

96. Conditions were also requested regarding burning of materials on site and driven pile foundations. However it is not considered reasonable to add these issues as conditions, therefore they will be added as informatives. An informative was requested regarding information on minimising noise and demolition.
97. The Parish Council raised concerns that the proposed development would create noise and be invasive to existing residents. However as the EHO officer raised no objections to the scheme with regards to existing and future residents, subject to the above.
98. The submitted drawing demonstrates that the site could accommodate the amount of development proposed without having an unreasonable impact on residential amenity through overlooking or overbearing impact. Adequate separation distances could be retained to the neighbouring properties to the south east, north west and those to the opposite side of Bartlow Road. The retention and enhancement of the tree belt on the boundaries of the site would emphasise the sense of separation. The proposals therefore accord with the relevant amenity criteria of policy DP/3 of the Local Development Framework and the requirements of the District Design Guide.

Highway Safety and Parking

99. The Parish Council and local residents have raised concern the site is just outside the 30mph speed limit zone, the site entrance would exit onto a national speed limit and the fact the speed report is not an accurate reflection of the use of the road. However the Highways Authority raises no objection to the proposal subject to the imposition of conditions regarding construction of the proposed access, the access width and submission of a traffic management plan. These are considered necessary with regards to highway safety and subject to these, the proposal is thereby acceptable in this regard. It should be noted that the Highway Authority did initially recommend refusal to the scheme due to a lack of dimensions for visibility splays, and this was stated by a local resident. However the plan in question HD0138-02, did in fact show all the necessary information for visibility splays, therefore the Local Highway Authority withdrew their objection.
100. In terms of the access, there is sufficient width to enabled two cars to enter and exit the site. In terms of trade lorries being able to turn within the site, the Traffic Management Plan condition will deal with this during the construction phase and the reserved matters application will ensure there is space for example for the bin lorry to turn as the bins are proposed to be located within the site through the layout and landscaping details.
101. The Parish Council and local residents raised concern with the proposed footpath, whether it can be built because of existing power lines, that it does not align with the existing and there are concerns about how it links to the proposed footpath from S/0415/17/OL. A footpath is proposed to be provided from the access to the development, to join up with the existing footpath which currently ends just east of the

site along Bartlow Road using the footpath currently proposed under S/0415/17/OL. The proposed footpath for this application can be secured by condition, however if S/0415/17/OL is not implemented, then the applicants for this proposal would be responsible to connect the proposed footpath up to the existing on Bartlow Road.

102. With regard to parking, the illustrative site plan shows sufficient parking space to achieve 1.5 parking spaces per dwelling and 1 secure cycle space per dwelling in accordance with Policy TR/2. Visitor parking can also be achieved in addition to this which will be detailed at reserved matters stage.

Archaeology

103. The South Cambridgeshire Strategic Housing Land Availability Assessment (SHLAA) and the County Council archaeological team have identified the area as a non statutory archaeological site where there is evidence for medieval activity in the vicinity. This was also raised by a local resident. 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.

Surface Water Drainage and Foul Water Drainage

104. The Parish Council and local residents have raised a number of concerns that the current drainage and sewage systems are struggling to cope, where they have raised a number of examples of overflowing and flooding. There are also concerns the nearby proposed development, reference S/0415/17/OL will contribute this issue. However, the Council's sustainable drainage officer 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. Subject to these, the proposal would be in accordance with Policy NE/11 of the South Cambridgeshire District Council Local Development Framework.

105. The Parish Council commented that Anglian Water have not been consulted as part of the current application. Anglian Water would not normally comment on small scale proposals under 10 dwellings such as this proposal, therefore comments for the Council's sustainable drainage officer are considered sufficient. However on this occasion Anglian Water have commented. As there are no Anglian Water assets in the area there are no objections in principle. The details submitted to support the planning application show the proposed method of surface water management does not relate to Anglian Water operated assets. As such no comments have been provided on surface water management, however they did recommend the Local Planning Authority should consult a drainage consultee, which has taken place and comments have been received. Anglian Water did request a drainage strategy condition to deal with any unacceptable risk of flooding downstream. As the Council's sustainable drainage engineer has already recommended a similar condition, it is not necessary to add a further drainage condition requested by Anglian Water.

Contamination

106. The Contaminated Land Officer stated there are no immediately evident environmental constraints that would attract a contaminated land condition, however, the development proposed use is one which is particularly sensitive to the presence of any contamination and vulnerable receptors should be taken into account. Therefore an informative will be added that if during development contamination not previously identified is found to be present then no further development shall be carried out until

a remediation strategy detailing how the unsuspected contamination should be dealt with.

Developer Contributions

107. 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.
108. 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.
109. The Written Ministerial Statement and NPPG dated November 2014 and later reintroduced in May 2016 following a legal challenge seeks to limit Section 106 contributions secured from small scale developments of less than 10 no. dwellings or those where the gross floor space would not exceed 1000 square metres. The proposed development is for up to 9 no. dwellings and would not exceed 1000 square metres 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, given that the application is currently at outline stage only and no exact details of the size of the dwellings are known, contributions may be required at reserved matters stage if the floor space exceeds the limit. An informative will be added regarding this issue.
110. Notwithstanding the above, contributions can be secured towards waste receptacles and monitoring. 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 will need to be secured by way of a section 106 agreement

Other Matters

111. A number of residents and the Parish Council have stated that any adverse impacts from this proposal would be exacerbated by the proposed development near to the site of application S/0415/17/OL. This has been acknowledged throughout the report in the relevant sections, however each application is judged on its own merits.
112. A local resident commented about the height of the proposed properties, however as this is an outline application, elevations will be dealt with at Reserved Matters stage.

Conclusions

113. Given the fact that the District cannot currently identify a five year supply of housing land, policies which restrict the supply of housing outside of village frameworks are out of date and should therefore only be afforded limited weight in the decision making process. 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.

114. It is acknowledged that Castle Camps has a limited number of services and facilities and that travel to larger centres, such as Haverhill, is required to meet basic day to day needs and sources of employment. However, there is a bus service which would allow commuting to Haverhill which serves bus stops within a short walk 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. The environmental impact of the proposal in terms of trip generation and the social impact in relation to the capacity of services and facilities would therefore be reduced.

115. Nonetheless, there would be some harm arising from the need to travel from the development to access facilities such as shops, a doctor's surgery and employment.

116. The indicative site layout shows up to 9 dwellings can be accommodated on the site and will cause less than substantial harm to the Conservation Area and setting of the Grade II listed building. Officers are therefore of the view that the harm resulting from the proposal is considered to represent less than substantial harm and in accordance with paragraph 134 of the National Planning Policy Framework has been assessed with regard to the public benefits of the development and its optimum viable use.

117. In contrast, the proposed development would provide a number of dwellings, 4 of which would be affordable and on site. This is a benefit which should be given significant weight in the determination of the planning application. The creation of jobs in the construction industry and an increase of local services and facilities, both of which will be of benefit to the local economy can also be afforded some weight.

118. There are no objections from statutory consultees and the proposal would not result in significant harm to the character of the landscape, allowing for the retention of the hedgerow and trees and further hedgerow and tree planting on the boundaries. This will enable a sense of containment and reduce the impact of the development on the character of the wider landscape to an acceptable degree.

119. It is considered the public benefits of providing housing to meet the significant deficit in five year housing land supply and the shortage of affordable housing in the district outweigh the limited identified harm. 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.

Recommendation

120. Officers recommended that the Committee grant delegated approval subject to:

Section 106 agreement

121. 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

Conditions

122. A) Approval of the details of the layout of the site, the scale and appearance of buildings (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 three 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 1:1250 Drawing No HD0138-01.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- E) No development shall commence until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework, associated Planning Policy Guidance and the Non-statutory technical standards for sustainable drainage systems. The results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:
- i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge rate and volume from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.
 - ii) Provide a plan indicating flood exceedance routes, both on and off site in the event of a blockage or rainfall event that exceeds the designed capacity of the system
 - iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Including: details of land ownership; maintenance responsibilities; a description of system; the identification of individual assets, services and access requirements; details of routine and periodic maintenance activities.
 - iv) The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for the lifetime of the development.
- (Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- F) 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.)

G) No development shall take place until a written scheme of archaeological investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI which shall include:

- a) the statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- c) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material.

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.)

(H) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:

- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
- (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street
- (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
- (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Development shall commence in accordance with the approved details.

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

(I) No development of the new dwellings shall take place until full details of both hard and soft landscape works, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2, CH/5 and NE/6 of the adopted Local Development Framework 2007.)

(J) 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.)

(K) Prior to commencement, site preparation or the delivery of materials to site the applicant shall submit a tree protection strategy, including a tree protection plan and arboricultural method statement (in accordance with the BS 5837:2012 standard), have been submitted to and approved in writing by the Local Planning Authority. The protection measures recommended in the approved tree protection strategy shall be implemented prior to the commencement of building operations, site preparation or delivery of materials and remain in position until the practical completion of the development.

(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.)

(L) Prior to commencement, site preparation or the delivery of materials to site the tree protection measures recommended in the approved tree protection strategy shall be erected and remain in position until practical completion of the implementation of the development.

(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.)

(M) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan not justified?(CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- i) Risk assessment of potentially damaging construction activities.
- ii) Identification of "biodiversity protection zones".
- iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- iv) The location and timings of sensitive works to avoid harm to biodiversity features.
- v) The times during which construction when specialist ecologists need to be present on site to oversee works.
- vi) Responsible persons and lines of communication.
- vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- viii) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

(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.)

(N) Prior to the commencement of the development a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: NPPF expects development to provide for biodiversity and this can be achieved at this site through enhancement measures as set out in the Ecological Appraisal and Reptile Survey Report and in accordance with Policy NE/6 of the adopted Local Development Framework 2007 .

(O) 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)

(P) 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.)

(Q) The proposed access shall be a minimum of 5m in width, shall be constructed from a bound material for the first 5m to prevent displacement of materials onto the highway and constructed so that its falls and levels are such that no private water from the site drains across or onto the public 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.)

(R) Prior to the first occupation of any dwelling, a 2m wide footway shall be provided from the entrance of the site eastwards to the existing footway outside number 8 Bartlow Road, Castle Camps. Details shall be submitted to and approved in writing by the Local Planning Authority which shall include a plan showing the location, design and materials of the footway. Development shall commence in accordance with the approved details.

(Reason: To provide suitable pedestrian connectivity to the village from the site in accordance with policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

- (a) The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- (b) 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) If during development contamination not previously identified is found to be present then no further development shall be carried out until a remediation strategy detailing how the unsuspected contamination should be dealt with.
- (f) 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 smallscale 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/3128/17/OL

Report Author:

William Tysterman
Telephone Number:

Planning Project Officer
01954 712933
