

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 December 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/3405/17/OL

Parish(es): Linton

Proposal: Residential Development of up to 42 Houses and not less than 0.4 hectares of Allotments with Associated Open Space and Sustainable Drainage

Site address: Land South of Horseheath Road

Applicant(s): Ely Diocesan Board of Finance

Recommendation: Delegated Approval subject to the completion of a section 106 agreement.

Key material considerations: Housing Land Supply
Principle of Development
Character and Appearance of the Area
Density
Housing Mix
Affordable Housing
Developer Contributions
Character and Appearance of the Area and Visual Impact
Design Considerations
Trees and Landscaping
Biodiversity
Highway Safety and Sustainable Travel
Flood Risk
Neighbour Amenity
Heritage Assets

Committee Site Visit: Yes

Departure Application: Yes- Advertised 25 October 2017

Presenting Officer: Karen Pell-Coggins, Senior Planning Officer

Application brought to Committee because: The Parish Council has requested the application be heard by committee and a Local Member has an involvement in the Ely Diocesan Board of Finance.

Date by which decision due: 10 January 2018

Executive Summary

1. This proposal seeks permission for a residential development of up to 42 dwellings together with allotments on not less than 0.4 hectares of land outside the Linton village framework and in the countryside. The residential element of the development would not normally be considered acceptable in principle as a result of (i) its size and (ii) its out of village framework location.
2. Given that the Council cannot demonstrate currently a five year housing land supply, its “housing supply policies” remain out of date (albeit “housing supply policies” do not now include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court in the *Hopkins Homes* appeal, para. 14 of the NPPF is engaged and planning permission for housing development 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 ...”.
3. A balancing exercise needs therefore 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 benefit which a proposal brings in terms of delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including, where engaged, ST/5, 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 as to “significantly and demonstrably outweigh” the benefit of the proposal in terms of deliver of new homes, that planning permission should be refused. This approach reflects the decision of the Supreme Court.
4. The development would conflict with Policies DP/7 and ST/5 of the LDF. However, given the Council’s lack of a 5 year housing land supply and the sustainable location of the site, it is considered that limited weight can be attached to these policies in the overall balance.
5. The original application on the site reference S/1969/15/OL was refused on the grounds of insufficient information to demonstrate that the proposal would not adversely affect features of archaeological interest on the site and insufficient information to demonstrate that the proposal would not harm the landscape and visual qualities of the area.
6. The second application on the site reference S/2553/16/OL was refused on the grounds of insufficient information to demonstrate that the proposal would not harm the landscape and visual qualities of the area.
7. The development would have an impact upon the landscape and visual amenities of the as a result of the change from open landscape to a built development. However, the site has no formal landscape designation and the existing edge to the village is fairly harsh. Therefore, it is considered that these impacts would be limited and could be mitigated through conditions of any consent.
8. This current proposal has provided additional information to address those issues and is considered to have resolved the previous concerns. The number of dwellings has been reduced by 8 and a revised indicative plan has been submitted that shows a 6 metre wide strategic buffer, additional planting, an area of public open space and allotments along a large part of the eastern and northern boundaries of the site adjacent to the open countryside and a second area of public open space to the south west and a buffer along the southern boundary. This has resulted in a more

comprehensive scheme of structured landscape planting throughout the site and represents a design led approach that is supported by the Landscape Design Officer and is considered to address the previous objections through improving the edge of the village and integrating the development into the landscape.

9. In the case of archaeology, an archaeological trial trench evaluation has been carried out on the site that has resulted in limited archaeological features of interest. Consequently, Cambridgeshire County Council Historic Environment Team has therefore removed its objection, providing a condition is attached to any consent to secure investigation, analysis and publication of the findings to include the removal of the human remains and investigation of their contextual setting.
10. The development is not considered to be detrimental to highway safety. The peak traffic flows have been reduced from the previous application that had 43 in the am peak and 34 in the pm peak with the majority towards the A1307. An assessment of the Horseheath Road junction with the A1307 has been carried out, and Cambridgeshire County Council Transport Team has no objections to the proposal subject to conditions and contributions towards a transport mitigation package in the village.
11. The proposal is not considered to increase the risk of flooding to the site and surrounding area. The Flood Risk Assessment demonstrates that infiltration is feasible on parts of the site and this is the preferred method of surface water drainage from the development that would comply with the drainage hierarchy that seeks sustainable urban drainage systems. Cambridgeshire County Council Flood and Water Team therefore has no objections to the proposal subject to a condition to agree a detailed surface water drainage strategy.
12. The proposal is not considered to have an adverse impact upon education infrastructure in the village. Cambridgeshire County Council Growth and Economy Team currently considers that there is adequate capacity at the schools in the village for early years, primary and secondary aged children generated by the development and has not therefore requested any contributions to mitigate the impact of the development.
13. The application is therefore considered to overcome all of the issues associated with the previous reasons for refusal.
14. The benefits from the development are set out below: -
 - i) The provision of up to 42 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 17 affordable dwellings towards the identified need across the district.
 - iii) The provision of a significant amount of public open space including children's playspace within the development.
 - iv) Developer contributions towards traffic schemes, education, health, sport space, open space, community facilities, community transport and burial grounds.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
15. These benefits must be weighed against the following adverse impacts of the development: -
 - 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/5

16. In this case, the adverse impacts of this development in terms of the impacts upon the landscape, highway safety and infrastructure that can be mitigated are not considered to significantly and demonstrably outweigh the benefits of the provision of a significant housing scheme, when assessed against the policies in the NPPF taken as a whole. On balance, planning permission should therefore be approved.

Planning History

Site

17. S/2553/16/OL - Residential Development of up to 50 Houses and not less than 0.45 hectares of Allotments - Refused (Appeal Public Inquiry 9 January 2018)
S/1969/15/OL- Residential Development of up to 50 Houses and 30 Allotments - Refused (Appeal Public Inquiry 9 January 2018)

Surrounding Area

18. S/1963/15/OL - Residential development for up to 55 dwellings with landscape buffer and new vehicular accesses at Bartlow Road - Approved
S/0096/17/OL - Erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access at Back Road - Refused (Appeal Public Inquiry 14 January 2018)
S/2650/17/OL - Erection of up to 65 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access at Balsham Road - Refused

Environmental Impact Assessment

19. The application does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and would not exceed the criteria in section 10b of Schedule 2 of the regulations. The application does not therefore require the submission of an Environmental Impact Assessment.

National Guidance

20. National Planning Policy Framework 2012
Planning Practice Guidance

Development Plan Policies

21. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres
22. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing

- NE/1 Energy Efficiency
- NE/3 Renewable Energy Technologies in New Development
- NE/4 Landscape Character Areas
- NE/6 Biodiversity
- NE/11 Flood Risk
- NE/12 Water Conservation
- NE/14 Lighting Proposals
- NE/15 Noise Pollution
- NE/17 Protecting High Quality Agricultural Land
- CH/2 Archaeological Sites
- 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

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

- Open Space in New Developments SPD - Adopted January 2009
- Biodiversity SPD - Adopted July 2009
- Trees & Development Sites SPD - Adopted January 2009
- Landscape in New Developments SPD - Adopted March 2010
- Affordable Housing SPD - Adopted March 2010
- District Design Guide SPD - Adopted March 2010

24. **South Cambridgeshire Local Plan Submission - March 2014**

- S/3 Presumption in Favour of Sustainable Development
- S/5 Provision of New Jobs and Homes
- S/6 The Development Strategy to 2031
- S/7 Development Frameworks
- S/9 Minor Rural Centres
- HQ/1 Design Principles
- H/7 Housing Density
- H/8 Housing Mix
- H/9 Affordable Housing
- NH/2 Protecting and Enhancing Landscape Character
- NH/3 Protecting Agricultural Land
- NH/4 Biodiversity
- NH/14 Heritage Assets
- CC/1 Mitigation and Adaptation to Climate Change
- CC/3 Renewable and Low Carbon Energy in New Developments
- CC/4 Sustainable Design and Construction
- CC/6 Construction Methods
- CC/9 Managing Flood Risk
- SC/6 Indoor Community Facilities
- SC/7 Outdoor Playspace, Informal Open Space, and New Developments
- SC/8 Open Space Standards
- SC/10 Lighting Proposals
- SC/11 Noise Pollution
- TI/2 Planning for Sustainable Travel
- TI/3 Parking Provision
- TI/8 Infrastructure and New Developments

Consultation

25. **Linton Parish Council** – Recommends refusal. Please see Appendix 1 for full comments.
26. **Affordable Housing Officer** – Comments that the site is located outside the Linton village framework and if the site is being taken forward as a 5 year housing land supply site, 40% affordable housing should be provided in accordance with development plan policies. In this case, the applicant is providing 17 affordable properties that would comply with policy. The provision of 12 affordable rented and 5 intermediate properties would be in accordance with the required tenure 70/30 tenure split. One affordable home should be accessible and adaptable to meet Building Regulations standards part M4(2) with the remainder built to meet Part M4(1). This has superseded the Lifetime Homes emerging policy. If the development is approved as a 5 year land supply site, the properties should be allocated with the first 8 towards those with a local connection and the remaining 50% with a local connection to Linton and applicants with a District-wide connection. If there are no households in the local community in housing need at the stage of selling the property and a local connection applies, it will be made available on a cascade basis. The Local Housing need for Linton is currently 83 (Housing Statistical information leaflet 2017). There are currently 2000 applicants on the housing register in the District. The highest demand in Linton and the District overall is for one and two bedroom accommodation. The greatest demand for intermediate housing is two and three bedroom accommodation. The applicants proposed mix and tenure is supported. The properties should be built in accordance with the national space standards. A registered provider should be appointed to take on the properties.
27. **Landscape Design Officer** – Comments that the principle of the development is accepted and there have been improvements to the landscape layout since the last submission S/2553/16/OL. The number of dwellings has been reduced by 8 to 42 and the position of the LEAP and open space is better. The layout of the SUDS and open space to the south west corner now appear to work better within the site. Single storey dwellings to the south and screen planting on the slope would reduce overlooking to Harefield Rise. Requires conditions in relation to landscaping, SUDS within the open space, hard surfaces, kerbs, channels, headwalls, culverts, boundary treatments, street furniture and play equipment.
28. **Trees and Landscapes Officer** – Has no objections subject to a condition in relation to a Tree and Hedgerow Protection Strategy to protect the trees along the southern and western boundaries and as much of the existing agricultural hedgerow as possible along the northern boundary and the eastern boundary with the allotments on the site.
29. **Ecology Officer** – Comments as amended that an Ecologist has been to the site to assess if there has been a significant change in ecological constraints since the original Phase 1 survey was conducted in 2015. The Ecologist has confirmed that there has been no significant change. The original report recommended that further surveys for common reptiles and badgers will be necessary along with avoidance of breeding birds for vegetation clearance. The report has also outlined a series of ecological enhancements that would compensate for the loss and establish a gain in biodiversity. Requires conditions to secure the common reptile and badger surveys prior to the commencement of development or clearance of the land, vegetation clearance outside the bird breeding season and ecological enhancement in line with the recommendations in the Phase 1 survey and the further surveys needed.

30. **Urban Design Officer** – Has no objections and comments that the general arrangement of dwellings is acceptable and in terms of connections, there is a potential footpath link to Lonsdale. The location of the public open space and allotments break up the amount of development along the countryside edge and together with proposal for a strong strategic landscape buffer, this will limit the impacts of the development on views from outside the site. It is important at reserved matters stage that the development provides and appropriate response to the edge of village location and reinforces the traditional character of Linton. Conditions should be attached to any consent to limit the height to two-storeys and submit a design/development brief in relation to the layout, form/massing, detailing, materials, parking arrangements, boundary treatments and landscaping.
31. **Local Highways Authority** – Has no objections subject to conditions in relation to vehicular visibility splays, the provision of a footway from the site access to the existing footpath in a westerly direction, the access is constructed from bound materials and so that it falls away from the public highway and a traffic management plan. Also requests an informative with regards to works to the public highway.
32. **Cambridgeshire County Council Transport Assessment Team** – Comments that having reviewed the Transport Assessment and additional information, the Team is satisfied with the information provided, and as such has no objections subject to a mitigation package to be secured through conditions and a section 106 agreement. This will need to include the installation of a footway on Horseheath Road to connect to the existing footway, the widening of the existing footway on Horseheath Road up to its termination point opposite Wheatsheaf Way, the installation of dropped crossings with tactile paving at the crossing over Horseheath Road near to Wheatsheaf Way, the installation of dropped crossings with tactile paving over Lonsdale and Wheatsheaf Way, the installation of 10 cycle stands at location in the village to be agreed by the parish Council, a contribution of £20,000 towards City Deal proposals for bus priority measures along the A1307 in Linton principally to go towards a review and recalibration of the operation of the junction of the A1307 with Linton Village College, a contribution of £10,000 towards City Deal proposals for reducing bus journey times along Linton High Street and the submission of a travel plan welcome pack.
33. **Cambridgeshire County Council Historic Environment Team** – Comments that preservation in situ would not be appropriate archaeological mitigation for this development but a programme of archaeological investigation would enable the prehistoric archaeology found during the evaluation of the trenches to be preserved by record i.e. through the publication of excavation results. Recommends a condition to secure a written scheme of investigation prior to the commencement of development to include the statement of significance and research objectives, the programme of methodology of site investigation and recording and the nomination of a competent person/organisation to undertake the agreed works and the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. The development programme should include a timetable of investigation for the agreed scheme.
34. **Cambridgeshire County Council Flood & Water Team** – Has no objections as it has been clarified that infiltration features will not cross site boundaries. Requires conditions in relation to a surface water drainage scheme based upon sustainable drainage principles and maintenance of the surface water drainage scheme.
35. **Drainage Officer** – Comments that the development is acceptable subject to a condition in relation to a detailed surface water drainage strategy by means of a

sustainable drainage system. The system should be designed such that there is no surcharging for a 1 in 30 year event and internal property flooding for a 1 in 100 year event plus 40% allowance for climate change and managed and maintained thereafter. Also requests a condition in relation to foul drainage.

36. **Environment Agency** – Has no objections subject to conditions in relation to a scheme for surface water disposal and remediation for any contamination found on site during construction. Any infiltration drainage will only be acceptable if it has been demonstrated that the land is not contaminated. Comments that although the site lies above a principal aquifer within source protection zone 2, the proposal is not considered to be high risk in relation to contamination. Requests informatives.
37. **Anglian Water** – Comments that the foul drainage from the development is in the catchment of Linton Water Recycling Centre that will have available capacity for these flows. The development may lead to an unacceptable risk of flooding downstream and a drainage strategy will need to be prepared on consultation with Anglian Water to determine mitigation measures. This can be covered by a condition of any consent to agree a foul drainage scheme. The proposed method of surface water drainage does not affect Anglian Water operated assets.
38. **Environmental Health Officer** – Has no objections subject to conditions in relation to the hours of construction works and construction related deliveries to and from the site, a programme of measures to minimise the spread of dust, a construction programme of activities, external lighting and a noise assessment for any renewable energy provision such as air source heat pumps or wind turbines (previous application comments).
39. **Contaminated Land Officer** – Comments that the site is agricultural and the proposed end use is sensitive. Requires a condition in relation to a contamination investigation.
40. **Air Quality Officer** – Has no objections subject to conditions in relation to electric vehicle charging points and infrastructure, low NOx boilers and low NOx combined heat and power plants.
41. **Designing Out Crime Officer** – Comments that Linton is of medium vulnerability to crime and that Secured by Design measures should be considered to reduce the vulnerability to crime as the application progresses to reserved matters.
42. **Cambridgeshire Fire and Rescue Service** – Requests a condition in relation to the adequate provision of fire hydrants (previous application comments).
43. **Section 106 Officer** – Comments that a Local Equipped Area of Play, open space and allotments have been provided on site to address the need for children's play space and informal open space. Off-site contributions are required towards outdoor sports and indoor community space projects as identified by Linton Parish Council, waste receptacles and monitoring.
44. **Cambridgeshire County Council Growth Team** – Comments that, in isolation, there are sufficient early years, primary and secondary education places available to accommodate the development. However, the early years and primary places are dependent upon when the other schemes currently at appeal in the village come forward. If this site comes forward before those schemes, contributions will not be required.
An obligation is required for libraries and life long learning contribution towards the

reorganisation of the layout of Linton library to enable extra shelving and resources to serve the additional residents. Requires a strategic waste contribution towards an expansion in the capacity of the Thriplow Household Recycling Centre if 5 contributions have not been pooled.

45. **NHS England** – Comments that there is currently GP capacity in the Linton locality and is not requesting any contributions towards health (previous application comments).

Representations

46. **16 letters of objection have been received from local residents** in relation to the application. They raise the following concerns: -
- i) Outside village envelope and in the countryside
 - ii) Adverse impact upon landscape setting of village due to level changes in area.
 - iii) Visual impact on view approaching the village from the east.
 - iv) Impact upon historic character of village.
 - v) Increase in traffic on to the A1307 at a dangerous junction.
 - vi) Access point on to Horseheath Road where traffic speeds are high.
 - vii) Safety of pedestrians along footways in village.
 - viii) Distance from services in village and parking congestion in village.
 - ix) Flood risk.
 - x) Impact upon sewers.
 - xi) Loss of agricultural land.
 - xii) Village infrastructure inadequate- schools, health centre, shops, public transport, employment.
 - xiii) Neighbour amenity issues in relation to a loss of privacy, outlook and light.
 - xiv) Traffic and pollution.
 - xv) Preservation of archaeology.
 - xvi) Allotment size inadequate
 - xvii) Out of date surveys.
 - xviii) Electric generation and renewable energy.
 - xix) Reduction in value of properties.
 - xx) Profit at expense of local community.

Site and Surroundings

47. The site is located outside of the Linton village framework and in the countryside. It is situated to the north east of the village and is an “L” shaped parcel of arable land that measures approximately 2.88 hectares in area. There is existing landscape planting along the majority of the northern, western and southern boundaries. The eastern boundary is partly open. Residential developments lie to the south and west. A dwelling lies to the north. A hedge and public footpath lie to the east with open agricultural land and the A1307 road beyond.
48. The site is situated within the East Anglian Chalk Landscape Character Area on grade 3 (good to moderate) agricultural land. The site lies within Flood Zone 1 (low risk). No. 28 Horseheath Road is a grade II listed building, which lies approximately 150 metres to the west of the site. The Linton Conservation Area is situated 500 metres to the west.

Proposal

49. The proposal seeks outline permission for a residential development on the site of up to 42 dwellings and allotments on not less than 0.4 hectares of land. The access,

layout, design and external appearance, and landscaping are matters reserved for later approval.

50. 17 of the dwellings would be affordable in nature. The proposed mix is 2 x one bedroom houses, 8 x two bedroom houses and 7 x three bedroom houses. The tenure mix would be approximately 70% social rented and 30% intermediate. The remaining 25 dwellings would be available for sale on the open market. The proposed mix is 4 x two bedroom houses, 9 x three bedroom houses and 12 x four bedroom houses.
51. The development is intended to be predominantly two-storeys in height with a small number of single storey bungalows along the southern boundary. There would be a range of detached and semi-detached properties arranged around a main spine road, with small developments offset. A Local Equipped Area of Play and open space has been provided within the central part of the development, a public open space and SUDS along part of the western boundary and 0.4 hectares of allotments to the south east.
52. The allotments would be for community use to respond to local need identified by the Parish Council. They would be managed and controlled by the Parish Council.

Planning Assessment

53. The key issues to consider in the determination of this application relate to housing land supply, the principle of the development, housing density, housing mix, affordable housing, developer contributions and the impacts of the development upon the character and appearance of the area, highway safety, ecology, trees and landscaping, flood risk, foul drainage, heritage assets and neighbour amenity.

Housing Land Supply

54. 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.
55. 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.
56. 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”.

57. 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”.
58. 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.
59. 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 ...”
60. 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.
61. 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.
62. 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. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.

Principle of Development

- 63. The site is located outside the Linton village framework and in the countryside where 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 up to 42 dwellings would not fall under any of the uses considered appropriate in the countryside.
- 64. The development would not therefore comply with Policy DP/7 of the LDF.
- 65. Linton is identified as a Minor Rural Centre where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are supported in policy terms in village frameworks. The erection of up to 42 dwellings on the site would not be located within the village framework and would exceed the limit on the scale of new developments allowed in Minor Rural centres.
- 66. The development would not therefore accord with Policy ST/5 of the LDF.

Sustainable Development

- 67. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental.

Economic Aspects

- 68. The provision of up to 42 new dwellings will give rise to employment during the construction phase of the development and would have the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social Aspects

Housing Delivery

- 69. The development would provide a benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 42 dwellings. The applicants own the site and it is available for development now subject to securing the necessary planning consents. It is intended that construction work could commence in 2018 with the residential element being complete within 5 years of the outline consent. A report has been submitted with the application that shows the rate of construction for medium term residential developments being 20 to 35 per annum. This would result in the development being completed within approximately 2 years.

Scale of Development and Services

- 70. The Services and Facilities Study 2013 states that in mid-2012 Linton had an estimated population of 4,530 and a dwelling stock of 1,870. It is one of the larger villages in the District. An additional 42 dwellings would increase the number of dwellings in the village by 2%. The cumulative impact of the proposed development with the approved Bartlow Road development of 55 dwellings under application S/1963/15/OL would be 97 dwellings, which would represent an increase of 5%. This is considered acceptable and would not be out of scale and character with the size of the village. Although it is noted that the Back Road development for up to 95 dwellings and the development on the same site for 50 dwellings are currently at appeal, these

are not set to be determined until after the public inquiries that are set for January 2018.

71. Whilst it is acknowledged that the most preferable location for development is first on the edge of the city of Cambridge and secondly in Rural Centres, it is considered that Linton is a reasonably sustainable location to accommodate increased housing development. The Services and Facilities Study 2013 identifies a wide range of services and facilities in the village that include a secondary school, junior school, infant school, health centre, dentist, post office, 4 food stores plus a small supermarket, other services such as hairdressers, florists etc., 3 public houses, a village hall and 3 other community centres, a recreation ground and a bus route to Cambridge and Haverhill with a service every 30 minutes during the day Mondays to Saturdays and hourly on Sundays.
72. The majority of the services and facilities are located on the High Street. The site is situated on the edge of the village at a distance of approximately 800 metres from the shops and 600 metres from the nearest bus stop. There is an existing public footway up to the western boundary of the site that would ensure that there is reasonable accessibility by walking and cycling to the centre of the village.
73. The village is ranked jointly No. 6 in the Village Classification Report 2012 in terms of access to transport, secondary education, village services and facilities and employment. It only falls below the Rural Centres which have slightly better accessibility to public transport. Given the above assessment, the future occupiers of the development would not be wholly dependent upon the private car to meet their day-to-day needs and wider demands could be served by public transport.

Housing Density

74. The site measures 1.9 hectares in area (net). The erection of up to 42 dwellings would equate to a maximum of 22 dwellings per hectare. Whilst this density would be below the requirement of at least 40 dwellings per hectare for sustainable villages such as Linton under Policy HG1 of the LDF, it is considered appropriate in this case given the sensitive nature of the site on the edge of the village and the need for a comprehensive strategic landscape scheme and design led approach to the development to minimise the visual impact upon the character and appearance of the countryside.

Affordable Housing

75. 17 of the 42 dwellings would be affordable to meet local needs. This would comply with the requirement for 40% of the development to be affordable housing to assist with meeting the identified local housing need across the District. The proposed mix of dwellings sizes and tenures are satisfactory.
76. The first 8 affordable dwellings would be secured with a local connection with the remaining 9 split between a local connection (5) and district connection (4). The affordable housing along would be secured via a Section 106 agreement.
77. The development would therefore comply with Policy HG/3 of the LDF.

Market Housing Mix

78. 25 of the 42 dwellings would be available for sale on the open market. The proposed mix of 4 x two bedroom houses, 9 x 3 bedroom houses and 12 x 4 bedroom houses

would provide accommodation in a range of types, sizes and affordability, to meet local needs.

79. The development would therefore comply with Policy HG/2 of the LDF.

Developer Contributions

80. 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.
81. 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.

Open Space

82. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 4.19 hectares of sports space. Linton has one recreation ground with a senior football pitch and a cricket pitch with the cricket square next to the football goal area and a bowl green. The pavilion is in very good condition with home and away changing, a bar area and kitchen. There is a need for an additional football pitch to meet local need and improved drainage at the existing facility. The cricket club also require an additional pitch to meet the demand for additional junior teams. The 2013 study did not take account of the facilities at Linton Village College, which although at the current time are available for public hire, are not guaranteed through a community access agreement.
83. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
84. Linton Parish Council highlights the lack of infrastructure in the village to cope with the development and comments that it ideally requires additional land to provide the facilities required for the village but states that this is not possible at present as no landowner would be prepared to sell for agricultural rates, while the Council does not have a 5 year housing land supply. It has therefore put forward projects for formal sports activities that would be located on the recreation ground. These include a BMX/skate park, climbing wall and replacement of bowls area with a multi-use games area, and trim trail on the recreation ground. The contribution required would be tariff based contribution of approximately £44,000.
85. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 3.41 hectares of children's play space. The development would be located approximately 1.8km from the nearest play area and therefore it is paramount that a formal play area is provided on the site. A Local Equipped Area of Play would be provided within the development.
86. No off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
87. The Recreation and Open Space Study 2013 identified that Linton had a surplus of 0.27 hectares of informal open space. The development would provide informal public

open space within the centre of the development. In addition, allotments would be provided for the village on not less than 0.4 hectares of land.

88. No off-site contributions are therefore required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF. However, contributions are required for maintenance of the space if adopted by the Parish Council.

Community Facilities

89. The Community Facilities Audit 2009 states that Linton is served by Linton Village Hall, which is run by a charity and can accommodate 170 persons seated and 200 standing. It holds an entertainment licence but no alcohol license, public dances, disabled access and toilets. There is only a basic kitchen but no food preparation area. Linton Village Hall is not considered to satisfy the Council's indoor facilities standard in terms of quantity of space and quality of space.
90. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.
91. Linton Parish Council again highlights the lack of infrastructure in the village to cope with the development. It has therefore put forward a project for improvements to the Village Hall to include renovation/modernisation of the kitchen, refurbishment of the WC's and a redesign of the front façade and entrance foyer. Alternatively, the funds could go towards a new multi-purpose community centre with a focus aimed at young people and which will be available for hire by scouts, guides, brownies and other users. This would also need to be funded by other sources but at present these have not been identified. The contribution required would be tariff based contribution of approximately £20,000.
92. 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 LDF. The contribution would be £73.50 per dwelling and £150 per flat.
93. To ensure the provision and usage of on-site infrastructure, a monitoring fee of £1,500 is required.

Education

94. The development is expected to generate a net increase of 13 early years aged children, of which 11 are liable for contributions. In terms of early years' capacity, County Education Officers have confirmed that 11 children could be accommodated and there is sufficient capacity if taken in isolation, but that this is dependent upon the outcome of the application at Back Road currently at appeal and when this decision is made. Given that this decision is due prior to the Back Road appeal being heard at the public inquiry, a contribution is not required.
95. The development is expected to generate a net increase of 15 primary school places. The catchment school is Linton Infant & Linton Heights Junior schools. In terms of primary school capacity, County Education officers have confirmed that 15 children could be accommodated and there is sufficient capacity if taken in isolation, but that this is dependent upon the outcome of the application at Back Road currently at appeal and when this decision is made. Given that this decision is due prior to the Back Road appeal being heard at the public inquiry, a contribution is not required.

96. The development is expected to generate a net increase of 9 secondary school places. The catchment school is Linton Village College. County Education Officers have confirmed that there is sufficient capacity in the area to accommodate the places being generated by this development. Should the other developments come to fruition, there should be capacity at the Village College through efficient place planning. Therefore no contribution for secondary education is required.
97. Cambridgeshire County Council Growth Team has advised that in-catchment demand indicates there is sufficient capacity to accommodate new development at the current time. In effect the schools fill with out-of-catchment pupils, who in future would be accommodated in their local catchment. The Council would have no basis on which to seek education contributions that would be CIL compliant. In addition, the condition of temporary buildings at the schools is an existing issue that would not change as a result of the development. Contributions towards upgrading these buildings would therefore also not be CIL compliant. It is the statutory duty of the Local Education Authority to ensure that the buildings meet health and safety regulations so any urgent need for replacements, could be secured outside this process.

Libraries and Lifelong Learning

98. The proposed increase in population from this development (42 dwellings x 2.5 average household size = 105 new residents) will put pressure on the library and lifelong learning service in the village. Linton library already serves a population of nearly 5,000 including the villages of Linton, Hildersham and Horseheath. A contribution of £42.12 per increasing population for enhancement to the library in Linton, a total of £4,423 (105 new residents X £42.12). This contribution would be used towards the reorganisation of the layout of Linton Library including the remodelling of the existing library counter, to enable extra shelving units and appropriate resources (both Adult and Junior) to be installed in the library to serve the additional residents.

Strategic Waste

99. This development falls within the Thriplow Household Recycling Centre catchment area for which there is currently insufficient capacity. The development would require a contribution of £461.45 (£8.39 x 55) towards the project to expand capacity unless 5 schemes have been pooled towards this project.

Healthcare

100. NHS England considers there is sufficient GP capacity to support the development. Therefore no contributions are required towards health facilities.

Conclusion

101. Appendix 2 provides details of the developer contributions required to make the development acceptable in planning terms. It is considered that all of the requested contributions to date meet the CIL tests and would be secured via a Section 106 agreement. The applicants have confirmed agreement to these contributions.
102. The development would therefore comply with Policies DP/4 and SF/10 of the LDF.

Environmental Aspects

Character and Appearance of the Area

103. The site is currently a piece of arable land located outside the Linton village framework and in the countryside. It forms part of the landscape setting to the village.
104. The site is situated within the East Anglian Chalk Landscape Character Area and the landscape character of the site and its immediate surrounding are typical of East Anglian Chalk comprising large agricultural fields separated by clipped hedges, set in an open and gently rolling landscape, with long views available both over lower land and to hills featuring wooded tops.
105. The proposal would result in the introduction of development in an area that is currently undeveloped. Given the site characteristics and landscape setting, development of the scale proposed has the potential to result in some loss of openness to the countryside and visual harm to the setting of the village.
106. Following the reasons for refusal in relation to adverse impact upon the landscape and visual amenities of the village with regards to application references S/2553/16/OL and S/1969/15/OL for up to 50 dwellings, the applicants have worked to address members concerns. The development has now been reduced in size by 8 dwellings and a revised indicative plan has been submitted that shows a 6 metre wide strategic buffer and additional planting along the eastern boundary and the northern boundary of the site adjacent to the allotments together with an area of public open space including a LEAP and allotments adjacent to the eastern boundary and part of the northern boundary. There is also a second area of public open space to the south west and a buffer along the southern boundary. This has resulted in a network of green spaces throughout the development that has substantially reduced the impact of the development upon the open countryside.
107. The scheme is now considered to have a more comprehensive scheme of structured landscape planting and represent a design led approach that would address the previous objections through improving the edge of the village and better integrating the development into the landscape. It is therefore considered that up to 42 dwellings could be accommodated on the site that would not result in harm to the character and appearance of the area given the existing harsh edge, density and layout of surrounding development.
108. A section 106 agreement would secure the maintenance and management of strategic landscaping throughout the site.
109. The development would therefore accord with Policies DP/3 and NE/4 of the LDF.

Design Considerations

110. The application is currently at outline stage only. All matters in terms of access to the site, the layout of the site, scale, external appearance and landscaping are reserved for later approval.
111. The indicative layout shows an “L” shaped cul-de-sac development with a linear pattern of dwellings together with small groups of dwellings arranged around shared driveways on the western part of the site.
112. The general siting, arrangement and density of the development is acceptable in

relation to the context of the site. The dwellings would have a maximum height of two storeys to ensure that the development is in keeping with the character and appearance of the area. A number of bungalows would be included to provide a variety of different types of dwellings. The form, design and materials of the development would reflect those found in the village.

- 113. A condition would be attached to any consent to secure a design brief for the site to achieve the above.
- 114. The siting of the allotments and public open space centrally but close to the boundaries with the open countryside is considered acceptable. The potential pedestrian connection to Lonsale is welcomed.
- 115. The development would therefore have the potential to accord with Policy DP/2 of the LDF.

Trees/ Landscaping

The proposal would not result in the loss of any important trees and hedges that significantly contribute towards the visual amenity of the area and the wider countryside. The majority of the trees and hedges along the northern, southern and western boundaries of the site that are in a good condition would be retained and protected, and new landscape planting would be provided to create a buffer to the countryside and to enhance the development. The only hedge to be removed would be along the northern boundary of the site with Horseheath Road to accommodate the access but replacement landscaping would be provided to mitigate this loss.

- 116. The development would therefore comply with Policy NE/6 of the LDF.

Biodiversity

- 117. The site is dominated by arable land and is surrounded by species poor hedgerows/trees and grass margins. It is considered to have a low ecological value but the margins could provide habitats for reptiles and badgers and the trees could have bat roosts. Conditions would be attached to any consent for resurveying the site for reptiles and badgers prior to the commencement of any development or site clearance, removal of vegetation outside the bird breeding season and ecological enhancements such as bird and bat boxes in accordance with the recommendations of the submitted report and any further reports.
- 118. The development would therefore accord with Policy NE/6 of the LDF.

Highway Safety and Sustainable Travel

- 119. Horseheath Road leads from the centre of the village to the A1307 (Cambridge to Haverhill Road). It has a speed limit of 30 miles per hour from the village to the point at the entrance to the site, where it changes to 60 miles per hour.
- 120. The previous development for 50 dwellings would have resulted in an increase in the level of traffic in the area. The peak traffic flows based upon TRICS analysis and census data would be 43 in the am peak and 34 in the pm peak. The majority of vehicles would travel towards the A1307. This is considered a robust assessment and has been agreed. The junction impact assessment of the Horseheath Road junction with the A1307 is accepted. Given that the current proposal reduces the number of dwellings, no objections have been raised by Cambridgeshire County Council

Transport Assessment Team in relation to the impact of the development upon the capacity and functioning of the public highway subject to a mitigation package proportionate to the development to be secured through a Section 106 agreement or conditions. The proposal would not therefore be detrimental to highway safety.

121. The 5.5 metre access width into the site would accommodate two-way traffic into the site and would be acceptable. The 2.0 metre footpaths on each side are adequate and would provide safe pedestrian movements. The proposed vehicular visibility splays of 2.4 metres x 90 metres to the west and 2.4 x 215 to the west are acceptable. The access would therefore accord with Local Highways Authority standards.
122. There is a bus stop on the High Street approximately 600 metres to the west of the site. This gives direct public transport access to Cambridge and Haverhill by way of a 30 minute service Monday to Saturdays and is accessible by walking via a public footpath along the southern and northern side of Horseheath Road. It is also accessible by cycling. A contribution of £10,000 is sought towards City Deal proposals for reducing bus journey times along the High Street and £20,000 is sought towards City Deal proposals for bus priority measures along the A1307 in Linton principally towards the recalibration of the operation of the junction with Linton Village College to mitigate the impact of the development. This would need to be secured by a legal agreement. In addition, conditions would be attached to any consent to secure a 2 metre wide footway along the south side of Horseheath Road to connect to the existing footpath and an improvement of the footway provision to the High Street to include the widening the footway in the vicinity of Lonsdale to 2 metres wide, the installation of dropped crossings with tactile paving at the crossing over Horsheath Road near to Wheatsheaf Way, the installation of dropped crossings with tactile paving over Lonsdale and Wheatsheaf Way, and further cycle parking in the village. This would encourage travel by more sustainable modes and is considered proportionate to the development. A Park and Ride is not required to mitigate the impact of the development.
123. The submitted Transport Statement commits to the provision of a Travel Plan to encourage the use of alternative modes of transport other than the private motor vehicle for occupiers of the new dwellings prior to occupation. Measures include the appointment of a travel plan co-ordinator and the provision of information packs to new residents. However, further details are required. This would be a condition of any consent.
124. The development would therefore comply with Policies DP/3, DP/4, TR/1, TR/2 and TR/3 of the LDF.

Flood Risk

125. The site is located within Flood Zone 1 (low risk). The River Granta is the most significant watercourse in the area that is located 350 metres to the south of the site. There are no other notable watercourses within the vicinity of the site. A small part of the south western corner of the site is subject to surface water flooding (low risk).
126. The Flood Risk Assessment demonstrates there would be a small bank within the inside of edge of the landscape buffer along the eastern boundary to control overland flows from the east of the site so that they would be directed to run towards the open space. In addition, a swale would be provided for infiltration. A small bank would also be provided within the inside edge of the landscape buffer along the southern boundary to protect residents at a lower ground level in Harefield Rise. Infiltration is feasible on parts of the site through surface water storage areas such as a large

infiltration trench and a highway linked soakaway system within the open space to the south west that would also be surrounded by a small bank. In addition, infiltration trenches and stone filled infiltration blankets are proposed under gardens and driveways. This is the preferred surface water drainage system to accommodate surface water from a 1 in 100 year storm event plus 40% climate change. This would comply with the NPPF that seeks sustainable urban drainage systems at the top of the hierarchy and therefore Cambridgeshire County Council Flood Team and Anglian Water have raised no objections providing the detailed design of the surface water drainage system is agreed through a condition attached to any consent. The management and maintenance of the system in perpetuity would need to be secured through a Section 106 agreement rather than a condition.

127. The development would therefore accord with Policy NE/11 of the LDF.

Neighbour Amenity

128. Whilst it is acknowledged that there would be a change in the use of the land from an open field to residential dwellings, the development is not considered to result in a significant level of noise and disturbance that would adversely affect the amenities of neighbours.
129. The impact of the development itself on neighbours in terms of mass, light and overlooking will be considered at the reserved matters stage.
130. However, although the current layout is indicative only, given members previous concerns in relation to the impact upon neighbours the applicants have redesigned the scheme. One of the key objectives of the development as set out in the Design and Access Statement is to respond to the position of neighbouring dwellings. Therefore, a 3 metre wide buffer protection zone has now been provided along the southern boundary along with bungalows closest to the boundary to ensure that the proposal would not have an adverse impact upon the bungalows in Harefield Rise that are set at a lower ground level. An area of open space has also been provided adjacent to some of the dwellings closet to the boundary in Lonsdale to minimise the impact.
131. A condition would be attached to any consent in relation to the hours of use of power operated machinery during construction, noisy works and construction related deliveries and piling to minimise the noise impact upon neighbours. Conditions would also be attached in relation to a construction management plan and dust suppression to protect neighbours.
132. The proposal would therefore comply with Policy DP/3 of the LDF.

Heritage Assets

133. Further to issues raised within the previous reason for refusal on the site under application reference S/1969/15/OL, a trial trench evaluation has been carried out on the site to investigate whether the proposal would result in the loss of any significant features of archaeological interest.
134. 32 trenches were excavated across the site with 13 based upon geophysical survey anomalies. The fieldwork confirmed the presence of a Bronze Age barrow on the site. Furthermore, a crouched burial was uncovered in the centre of the barrow. Two further parallel linear geophysical anomalies, interpreted as possible agricultural remains, proved to be the remnants of a Neolithic cursus. A small number of other

ditches, not identified in the geophysical survey, were also revealed across the site.

135. Given that the site has now been investigated, the development is acceptable subject to a condition being attached to any consent to agree a written scheme of investigation to include the statement of significance and research objectives, the programme of methodology of site investigation and recording, and the nomination of a competent person/organisation to undertake the agreed works and the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. The development programme should include a timetable of investigation for the agreed scheme.
136. The proposal would therefore comply with Policy CH/2 of the LDF.
137. The site is located 150 metres from the nearest listed building at No. 28 Horseheath Road. The development is not considered to harm the setting of the listed building as it is limited to its immediate surroundings of existing residential development.
138. The site is located 500 metres from the boundary with the conservation area. The development is considered to preserve the setting of the conservation area given that there are no views of the site from the conservation area or views from the site to the conservation area and the increase in traffic through the village is not considered significant when taking into consideration the size of the village.
139. Thus the statutory requirements in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respect of listed buildings and conservation areas would be met as would compliance with adopted plan policies CH/4 and CH/5.

Other Matters

140. The development is not considered to result in a risk of contamination providing a condition is attached to secure investigation and remediation of any contamination found in order to protect the occupiers of the development and groundwaters.
141. A condition would be attached to any consent to agree an appropriate method of foul drainage for the site in consultation with Anglian Water.
142. Conditions would be attached to any consent in relation to electric vehicle charging, low NOx boilers and low NOx heat and power plants to reduce emissions. The neighbour's comments in relation to the impact upon the electrical infrastructure are noted but the requirement is limited and could be controlled through the condition via consultation with the National Grid.
143. Conditions would be attached to any consent to secure a renewable energy statement that provides 10% of the energy requirements of the development through renewable sources to reduce energy consumption and a water conservation strategy to provide efficient measures to protect water resources. The development would therefore comply with Policies NE/3 and NE/12 of the LDF.
144. The site is located on grade 3 (good to moderate) agricultural land. The development would result in the permanent loss of this agricultural land contrary to policy NE/17. However, this policy does not apply where land is allocated for development in the LDF or sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural use of the land. In this case, this is considered satisfactory given the absence of up-to-date policies for the supply of

housing in the district.

145. The lack of any employment within the proposal is not a planning consideration in this particular case as the site is not located within any designated employment area.
146. Whilst the need for allotments in the village is noted, there is no specific policy requirement for the provision of allotments within developments as this can be included within the open space. The provision of allotments on not less than 0.4 hectares of land would result in 16 allotments based upon the size of 250 square metres per allotment (the size of a double tennis court) as set out by the National Allotment Society. However, there is no defined size for allotments and it normally depends upon the needs of the user. The provision of this amount of land for allotments is considered to make a positive contribution to the identified need in the village. These will be secured by a 99 year lease at peppercorn rent to the Civil Parish. Any application for development of the allotments in the future would be determined upon its own merits.
147. The documents submitted with the application as amended are sufficient to determine the application. A Heritage Statement is not required as the development is not considered to affect the setting of the conservation area or listed buildings. Detailed archaeological reports have been submitted. A summary of public consultation is satisfactory.
148. The ownership of the land is not a planning consideration that can be taken into account in the determination of the application.

Balance

149. Given that the Council cannot demonstrate currently a five year housing land supply, its "housing supply policies" remain out of date (albeit "housing supply policies" do not now include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court in the *Hopkins Homes* appeal, para. 14 of the NPPF is engaged and planning permission for housing development 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 ...".
150. The development would conflict with Policies DP/7 and ST/5 of the LDF. However, given the Council's lack of a 5 year housing land supply and the sustainable location of the site, it is considered that limited weight can be attached to these policies in the overall balance.
151. The original application on the site reference S/1969/15/OL was refused on the grounds of insufficient information to demonstrate that the proposal would not adversely affect features of archaeological interest on the site and insufficient information to demonstrate that the proposal would not harm the landscape and visual qualities of the area.
152. The second application on the site reference S/2553/16/OL was refused on the grounds of insufficient information to demonstrate that the proposal would not harm the landscape and visual qualities of the area.
153. The development would have an impact upon the landscape and visual amenities of the as a result of the change from open landscape to a built development. However, the site has no formal landscape designation and the existing edge to the village is

fairly harsh. Therefore, it is considered that these impacts would be limited and could be mitigated through conditions of any consent.

154. This current proposal has provided additional information to address those issues and is considered to have resolved all these concerns. The number of dwellings has been reduced by 8 together and a revised indicative plan has been submitted that shows a 6 metre wide strategic buffer, additional planting, an area of public open space and allotments along a large part of the eastern and northern boundaries of the site adjacent to the open countryside, a second area of public open space to the south west and a buffer along the southern boundary. This has resulted in a more comprehensive scheme of structured landscape planting throughout the site and represents a design led approach that is supported by the Landscape Design Officer and is considered to address the previous objections through improving the edge of the village and integrating the development into the landscape.
155. In the case of archaeology, an archaeological trial trench evaluation has been carried out on the site that has resulted in limited archaeological features of interest. Consequently, Cambridgeshire County Council Historic Environment Team has therefore removed its objection, providing a condition is attached to any consent to secure investigation, analysis and publication of the findings to include the removal of the human remains and investigation of their contextual setting.
156. The development is not considered to be detrimental to highway safety. The peak traffic flows have been reduced from the previous application that had 43 in the am peak and 34 in the pm peak with the majority towards the A1307. An assessment of the Horseheath Road junction with the A1307 has been carried out, and Cambridgeshire County Council Transport Team has no objections to the proposal subject to conditions and contributions towards a transport mitigation package in the village.
157. The proposal is not considered to increase the risk of flooding to the site and surrounding area. The Flood Risk Assessment demonstrates that infiltration may be feasible on parts of the site and this is the preferred method of surface water drainage from the development that would comply with the drainage hierarchy that seeks sustainable urban drainage systems. Cambridgeshire County Council Flood and Water Team therefore has no objections to the proposal subject to a condition to agree a detailed surface water drainage strategy.
158. The proposal is not considered to have an adverse impact upon education infrastructure in the village. Cambridgeshire County Council Growth and Economy Team currently considers that there is adequate capacity at the schools in the village for early years, primary and secondary aged children generated by the development and has not therefore requested any contributions to mitigate the impact of the development.
159. The application is therefore considered to overcome all of the issues associated with the previous reasons for refusal.
160. The benefits from the development are set out below: -
 - i) The provision of up to 42 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 17 affordable dwellings towards the identified need across the district.
 - iii) The provision of a significant amount of public open space including children's play space within the development.

- iv) Developer contributions towards traffic schemes, education, health, sport space, open space, community facilities, community transport and burial grounds.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
161. These benefits must be weighed against the following adverse impacts of the development: -
- 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/5.

Conclusion

162. In this case, the limited adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole, which aim to boost significantly the supply of housing and establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Therefore, it is considered that, on balance, planning permission should, be granted.

Recommendation

163. Delegated approval subject to:

Legal Agreement

164. Contributions to be secured by way of a Section 106 legal agreement as set in Appendix 2 – final wording to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission;

Conditions and Informatives

165. 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 means of access to the site, 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.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 - e) The indicative masterplan is specifically excluded from this consent.

(Reason - The application is in outline only.)

f) The development shall not be occupied until a Travel Plan Welcome Pack has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

g) No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall be carried out in accordance with the approved details. The principle areas of concern that should be addressed are:

i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)

ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.

iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)

iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

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

h) No development above base course level 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.)

i) No development shall take place until full details of both hard and soft landscape works 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, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

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

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) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the first occupation of the dwellings hereby approved.

i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.

ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of 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.)

l) Prior to the commencement of the development or site clearance, badger and common reptile surveys shall be carried out within the site by a licensed ecologist. Reports of the findings including suitable mitigation strategies if required, should either species be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.

(Reason - To minimise disturbance, harm or potential impact on protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and the Wildlife and Countryside Act 1981 (as amended)).

m) No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants if appropriate or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

n) No development shall commence until a scheme for ecological enhancement consistent with the recommendations of the *Updated Phase 1 Habitat Survey* (James Blake Associates, May 2015) and the recommendations of any further surveys including a location plan, specification and management schedule for native planting has been provided to and agreed by the Local Planning Authority. This shall also include in-built features for bats and nesting birds and measures for hedgehogs. The measures shall be implemented in accordance with the agreed scheme.

(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.)

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

- i) The statement of significance and research objectives;
- ii) The programme and methodology of site investigation and recording and
- iii) The nomination of a competent person(s) or organisation to undertake the agreed works;
- iv) The programme for post-investigation 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.)

p) No development approved by this permission shall be commenced, unless otherwise agreed, until:

i) The application site has been subject to a detailed desk study, including site walkover and preliminary Conceptual Site Model, to be submitted to and approved by the Local Planning Authority.

ii) 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.

iii) 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.

iv) 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.

v) If, during remediation and/or construction 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).

q) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed surface water drainage strategy prepared by Thomas Consulting (ref: 4760) and shall also include:

- i) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events
- ii) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance

- for urban creep, together with an assessment of system performance;
- iii) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers
 - iv) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
 - v) Measures taken to prevent pollution of the receiving groundwater and/or surface water;

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

(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.)

- r) 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.)

- s) No site or plant machinery shall be operated, no noisy works shall be carried out and no construction related deliveries shall be taken or dispatched from the site except between 0800 hours and 1800 hours Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Bank Holidays.

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

- t) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15-Noise Pollution, NE/16- Emissions & DP/6- Construction Methods.)

- u) No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing.

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control

Policies 2007, Policy NE/15-Noise Pollution, NE/16- Emissions & DP/6- Construction Methods.)

v) No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority in writing. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing by the Local Planning Authority.

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15-Noise Pollution, NE/16- Emissions & DP/6- Construction Methods.)

w) Before the development hereby permitted is commenced, an assessment of the noise impact of plant and or equipment including any renewable energy provision sources such as any air source heat pump or wind turbine on the proposed and existing residential premises and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the local planning authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15.)

x) No development shall commence until a renewable energy statement has been submitted to and approved in writing by the Local planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/3 of the adopted Local Development Framework 2007.)

y) No development shall commence until a water conservation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

(Reason - To ensure a water efficient and sustainable development in accordance with Policies NE/12 of the adopted Local Development Framework 2007.)

z) Prior to commencement of works on the development, a comprehensive EV Charging Plan should be submitted to and approved in writing by the Local Planning Authority (LPA). The Plan should include the details of the number, location, installation and management of EV charging points having regard to parking associated with various planning class uses and the provision of cabling infrastructure.

Prior to occupation of the development, the evidence of the implemented charging points should be submitted to and approved in writing by the LPA.

(Reason - In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), Policies NE/1, NE/2 and NE/3 - and TR/1-4).

aa) Prior to commencement of works on the development, details of the boilers shall

be submitted to the local planning authority for approval.

Prior to occupation of the development, the manufacturers NO_x emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority.

(Reason: In the interest of reducing nitrogen dioxide and particulate matter emissions, in accordance with National Planning Policy Framework (NPPF), and South Cambridgeshire Development Control Policy (DPD 2007) Policy NE/16. This requirement will align with BREEAM sustainable building certification.)

bb) Prior to commencement of works on the development, details of the boilers shall be submitted to the local planning authority for approval.

Prior to occupation of the development and following installation, emissions certificates shall be provided to the council to verify CHP and boiler emissions. This should be approved in writing by the LPA.

(Reason: In the interest of reducing nitrogen dioxide and particulate matter emissions, in accordance with National Planning Policy Framework (NPPF), and South Cambridgeshire Development Control Policy (DPD 2007) Policy NE/16. This requirement will align with BREEAM sustainable building certification.)

cc) No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

dd) No development shall take place until details of a scheme for the provision of a footway along the south side of Horseheath Road to the existing footpath has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of any dwelling or in accordance with an implementation programme that has been agreed in writing by the Local Planning Authority.

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

ee) No development shall take place until details of a scheme for the improvement of the footway provision from Horseheath Road to the High Street has been submitted to and approved in writing by the Local Planning Authority. The improvements shall include the widening the footway in the vicinity of Lonsdale to 2 metres wide, the installation of dropped crossings with tactile paving at the crossing over Horseheath Road near to Wheatsheaf Way and the installation of dropped crossings with tactile paving over Lonsdale and Wheatsheaf Way. Development shall be carried out in accordance with the approved details prior to first occupation of any dwelling or in accordance with an implementation programme that has been agreed in writing by the Local Planning Authority.

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

ff) No development shall take place until details of a scheme for the provision of cycle stands in the village at locations to be agreed with the Parish Council has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of any dwelling or in accordance with an implementation programme that has been agreed in writing by the Local Planning Authority.

(Reason - To reduce car dependency and to promote alternative modes of travel in

accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

gg) 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 Submission March 2014.)

hh) A Design Code and parameter plan with full landscape details shall be provided with the submission of any reserved matters application.

(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.)

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/2553/16/OL, S/1969/15/OL, S/1963/15/OL and S/0096/17/OL.

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