

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 7 February 2018
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2927/17/FL

Parish(es): Litlington

Proposal: Demolition of Existing Farmhouse and Associated Outbuildings and Development of Total of 22 Dwellings including 11 Affordable Dwellings, Associated Green Space and External Works

Site address: Sheen Farm, Royston Road, Litlington

Applicant(s): Greater Cambridgeshire Housing Development Agency

Recommendation: Approval on the Basis that Development would be Sustainable and the Impact on the Setting of Neighbouring Listed and Unlisted Heritage Assets would Not Outweigh the Delivery of a Significant Amount of New Housing, including Affordable Housing

Key material considerations: Five Year Supply of Housing Land
Principle of Development
Sustainability of the Location
Density
Affordable Housing
Design
Character of Village Edge & Surrounding Landscape
Highway Safety
Residential Amenity
Surface & Foul Water Drainage
Formal & Informal Open Space
Section 106 Contributions

Committee Site Visit: 6 February 2018

Departure Application: Yes. (advertised on 30 January 2018)

Presenting Officer: John Koch, Team Leader

Application brought to Committee because: The application represents a significant departure from the development plan

Date by which decision due: 22 November 2017

Executive Summary

1. The application site is located partly inside but largely outside, the Litlington village

framework. Litlington is designated as an Infill village. Full planning permission is sought for the erection of 22 dwellings (including 50% affordable). A revised layout plan submitted with the application demonstrates that 22 units could be provided on the site, within adequately sized plots without having an undue adverse impact on existing residents.

2. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. Neither are there objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency. All of the matters raised can be secured by appropriately worded conditions.
3. Whilst Litlington itself does have limited facilities, the strict application of the existing settlement hierarchy and a blanket restriction on the amount of development would continue to significantly restrain housing delivery and frustrate the aim of boosting housing supply.
4. The development will however adversely impact on the setting of the Grade II listed cottages on the opposite side of the road known as 1, 2, 3, 4 & 5 The Cottages contrary to policy CH/4 of the Development Control Policies DPD. The level of harm arising is considered to be 'less than substantial'. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the decision maker to have special regard to the desirability of preserving the setting of listed buildings or any features of special architectural or historic interest which they possess. Any level of harm to a listed building, including harm arising by development in its setting, must be afforded considerable importance and weight in the planning balance..
5. However, officers are of the view that, in this instance, the substantial public benefits of the scheme in the form of much needed housing, including affordable housing, outweighs the harm to the heritage assets and the other identified limited harm. It is considered that the proposal achieves the definition of sustainable development as set out in paragraph 14 of the National Planning Policy Framework.

Planning History

6. None Relevant

Planning Policies

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

Development Plan Policies

8. The extent to which any policies that are out-of-date will be identified in the report and the weight which can be attached to these explained at the appropriate point in the report.
9. **South Cambridgeshire LDF Core Strategy DPD, 2007**

ST/2 Housing
ST/7 Infill Villages
10. **South Cambridgeshire LDF Development Control Policies DPD, 2007**

DP/1 Sustainable Development
 DP/2 Design of New Development
 DP/3 Development Criteria
 DP/4 Infrastructure & New Developments
 DP/7 Development Frameworks
 HG/1 Housing Density
 HG/2 Housing Mix
 HG/3 Affordable Housing
 NE/1 Energy Efficiency
 NE/3 Renewable Energy Technologies in New Development
 NE/4 Landscape Character Areas
 NE/6 Biodiversity
 NE/8 Groundwater
 NE/9 Water & Drainage Infrastructure
 ME/11 Flood Risk
 NE/12 Water Conservation
 NE/14 Lighting Proposals
 NE/15 Noise Pollution
 NE/17 Protecting High Quality Agricultural Land
 CH/2 Archaeological Sites
 CH/4 Listed Buildings
 CH/5 Conservation Areas
 SF/10 Outdoor Play Space, Informal Open Space & New Developments
 SF/11 Open Space Standards
 TR/1 Planning for More Sustainable Travel
 TR/2 Car & Cycle Parking Standards
 TR/3 Mitigating Travel Impact

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

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

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

S/1 Vision
 S/2 Objectives of the Local Plan
 S/3 Presumption in Favour of Sustainable Development
 S/5 Provision of New Jobs and Homes
 S/7 Development Frameworks
 S/11 Infill Villages
 HQ/1 Design Principles
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 NH/2 Protecting and Enhancing Landscape Character
 NH/3 Protecting Agricultural Land
 NH/4 Biodiversity
 NH/14 Heritage Assets
 CC/1 Mitigation & Adaptation to Climate Change
 CC/3 Renewable and Low Carbon Energy in New Developments
 CC/4 Sustainable Design and Construction
 CC/6 Construction Methods

CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
SC/2 Health Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Play-Space, Informal Open-Space and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

13. **Litlington Parish Council** - Objects to the proposal as originally submitted (9 affordable units) on the following grounds:
- loss of light to the two neighbouring Grade II listed cottages known as “Roycot” and “Langley”;
 - adverse visual impact arising from loss of the rural feel to the location given by the existing farmyard and barns;
 - the development would be out-of-character with the ribbon nature of existing development on Royston Road;
 - Sheen Farm is an exceptions site, originally identified for 16 houses (4 market & 12 affordable units). The current proposal has fewer affordable units (9) and too many market houses. The proposed 40/60 affordable/market housing mix equates to 34.5%/65.5% by floor-area and should be improved to help outweigh some of the adverse aspects of the proposal.
14. Following revision of the application to increase the amount of affordable housing to 11 units (50%) (from 9 originally proposed) the Parish Council no longer objects to the development, subject to the following:
- the 3 houses proposed on the Royston Road frontage of the site being “treated sympathetically”; and
 - the 11 “affordable” houses remaining as “affordable” in perpetuity, unless the Parish Council agrees otherwise, with 9 of the units being reserved for persons with local village connections.
15. **SCDC Landscape Officer** - The response of the Council’s Landscape Officer to the scheme as originally submitted raised concerns in regard to two matters: the sensitive boundary of the site with the open countryside beyond; and the provision of visitor parking.
- Her view was that attention needed to be given to:
- the provision of new trees, other soft landscaping and hedgerows in the site that follow the lines of the footpaths into the site, with sufficient space provided within the development for planting within both the street and gardens;
 - the creation of a significant green buffer, based on native hedgerows, on the boundary of the site with the countryside beyond; and
 - the provision of visitor parking through the development;

- the reduction in the visual impact of parking within the development;
 - the use of permeable hard-surfacing within the development;
 - careful attention being paid to the treatment of boundaries to the street, including the use of flint walls, brick detail, railings, picket-fencing and hedgerows as appropriate
16. In relation to the revised scheme to be determined, her comments are that no objections are raised to the scheme, subject to any planning permission being granted subject to conditions relating to the following:
- the submission to and approval by the LPA of a scheme of hard and soft landscaping of the site;
 - development being undertaken in accordance with the approved hard and soft landscaping details;
 - the submission to and approval by the LPA of the details of all boundary treatments (including their position, design, type and construction materials to be erected/used across the development. All boundaries fronting the street to be enclosed by flint walls of an appropriate height, simple decorative railings, picket-fencing or hedging, detail to be submitted and agreed by the LPA;
 - the submission to and approval by the LPA of a detailed sustainable drainage scheme for the site, which shall, inter alia, include the use of permeable paving, swales and/or attenuation ponds as appropriate.
17. **SCDC Sustainability Officer** - No objections. The proposal would involve the use a 10.5kWp solar photovoltaic array that would meet the requirement under Local Plan Submission Policy CC/3 for a 10% carbon emissions reduction.
18. **SCDC Heritage/ Conservation Officer** - Objects to the proposal on the grounds that it would cause harm to the setting of the Grade II listed terrace of cottages on the opposite side of the road (nos 1,2,3,4,5 “The Cottages”) and the non-designated heritage asset next door known as the “The Chestnuts”.
19. The site is in the setting of these heritage assets. No Heritage Statement has been submitted with the application, describing the significance of the heritage assets affected, including the contribution made by their setting. Brief mention is made of the listed cottages in the Design & Access Statement when it is stated that the proposed roadside units will be finished in similar palate to the cottages but there is no attempt to describe the assets, their setting or the contribution made by their setting, which is indubitably affected by the proposal.
20. The Heritage/Conservation Officer considers that the listed cottages opposite and the unlisted heritage asset next door form an historical group that are part of the early non-contiguous linear development along Royston Road, that includes the Malthouse and the windmill to the south. They retain their historical connection to the rural and agricultural surroundings through the undeveloped field associated with Sheen Farm opposite.
21. The proposal is not only for the infill of this gap, which would itself divorce the heritage assets from their historically significant setting but would introduce a depth of development which is not sympathetic to the linear character of existing development along Royston Road and would compound their separation from their agricultural surroundings.
22. As part of the proposal a new road is also to be positioned opposite the heritage

assets, in addition to the formation of two driveways serving the two new houses proposed on the Royston Road frontage. Currently, the setting allows the listed buildings to be understood as an early element of linear development within agricultural surroundings. Under the proposed scheme of development, the setting of the heritage assets would be at and would comprise a junction with a new residential road, surrounded by modern and 20th century development, without a connection to the rural environment.

23. Introducing the proposed development would, therefore, detrimentally affect, through its obliteration, the remaining open and agricultural setting of the listed buildings and non-designated heritage asset, eroding the legibility of all six properties and harming their significance. The proposal would, therefore, be contrary to adopted LDF policy CH/4 and paragraphs 128, 134, 135 of the NPPF and Section 66 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.
24. The harm to the listed buildings would, to apply the terminology of the NPPF, be “less than substantial”. However, when undertaking the balancing exercise that measures harm (to the heritage assets affected) against the public benefits, the decision-maker is reminded of the statutory duty to have special regard to the desirability of preserving listed buildings and their setting; also that the identified harm carries substantial weight against a proposal.
25. **SCDC Ecology Officer** - No objections subject to any planning permission being granted with conditions relating to the following:
 - no development (including demolition, groundworks, vegetation clearance) to take place until a Construction Environmental Management Plan (CEMP:Biodiversity) has been submitted to and approved in writing by the LPA, the Plan to cover a range of specified matters;
 - prior to commencement of the development, a scheme of ecology/biodiversity enhancement to be submitted to and agreed in writing by the LPA, the agreed scheme to be fully implemented within an agreed time-scale, unless otherwise agreed in writing by the LPA
26. **SCDC Tree Officer** - No objections.
27. **SCDC Environmental Health Officer (Noise/Vibration/Lighting/Health Impact/Air-Quality)** - No objections subject to any planning permission being granted with conditions relating to the following:
 - control over the hours between which demolition, construction and deliveries may take place;
 - control over piling operations, in accordance with a Method Statement to be submitted to and agreed by the LPA;
 - the spread of airborne dust, including provision for wheel washing and dust suppression;
 - control over pre-construction, construction and demolition operations;
 - no bonfires or burning of waste on site without prior approval;
 - protection of the proposed dwellings from excessive road noise intrusion in accordance with a noise insulation scheme to be submitted to and agreed by the LPA;
 - control over any external lighting, including street-lighting, flood-lighting, security/residential lighting to protect residential properties on and off the site;
 - consideration of the impact on and improvement of health of local people by way

of the submission to and agreement by the LPA of a Health Impact Statement;

28. **SCDC Environmental Health Officer (Waste)** - The applicant will be required to complete a Waste Design Toolkit in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. This detail can be secured by condition. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer would be secured by means of the Section 106 agreement, if planning permission was to be granted.
29. **SCDC Environmental Health (Contaminated Land)** - No objections in principle. However, the site does have the potential to be affected by contamination. A Phase 1 Environmental Desk Study has been undertaken, which confirms this, and points towards the need for a Phase 2 Site Investigation, which is accepted and which needs to be extended to include (a) precautionary testing over the north and east parts of the site, to determine if the site is suitable for residential development, in particular, to establish if the quality of the soils in the proposed garden areas are suitable to serve as domestic gardens, and (b) investigation for the presence of asbestos across the site generally, particularly in the area of the yard. Any planning permission to be subject to conditions relating to the following:
- the carrying-out of a detailed investigation of the site to identify the nature of any contamination present;
 - the submission to and approval in writing by the LPA of a detailed scheme of remediation (the Remediation Method Statement) that shall set-out proposals for the removal, containment or otherwise rendering harmless of any contamination identified;
 - the carrying-out of the agreed works set-out in the Remediation Method Statement and the submission to and agreement in writing by the LPA of a Verification Report that demonstrates that the agreed remediation works have been undertaken satisfactorily;
 - the notification to the LPA of any additional contamination not previously identified in the Remediation Method Statement and the measures proposed to render harmless the additional contamination, such details to be agreed in writing by the LPA and undertaken satisfactorily prior to first commencement of the development,
30. **SCDC Affordable Housing Officer:** The mix of affordable housing proposed has been negotiated directly with the Council's Affordable Housing Officer and the mix proposed meets the Council's current requirements
31. **SCDC Section 106 Officer:** Developer contributions required as follows:

Public Open Space

- **Formal Sports** in the form of an off-site contribution of £21,288.71 in order to fund the erection of new changing rooms serving the adjoining village recreation ground;
- **Formal Children's Play Space** in the form of an off-site contribution of £27,650.08 to fund new and replacement play equipment;
- **Informal Children's Play Space** in the form of on-site space provision;
- **Informal Open Space** in the form of on-site space provision.

Footpath Contribution

- Provision of a new footpath from the development to the children's play area at Litlington recreation ground and beyond to the Litlington Recreation Centre in the form of a contribution of £30,000

Indoor Community Space - in the form of on an off-site contribution of £9,665.08, to be put towards the funding of improvements to the Litlington Village Hall;

Household Waste Receptacles - £73.50 per dwelling

Monitoring Fees - £500 contribution.

32. **SCDC Drainage Officer** - No objections, subject to any planning permission being subject to a condition that requires submission to and approval by the LPA of a scheme of surface water drainage works and the approved scheme being satisfactorily implemented.
33. **Cambridge County Council Growth & Development Team** - No developer contributions area required for the expansion of education services at any level or for library facilities.
34. **Cambridgeshire County Council (Local Highway Authority)** - No objections, subject to any planning permission granted being subject to conditions relating to the following:
- the submission to and agreement in writing by the LPA of the Traffic Management Plan;
 - provision being made for contractor parking within the site;
 - the control of movements by delivery vehicles (all loading and unloading to take place within the site);
 - the control over dust, mud and debris on, over and otherwise affecting the highway;
 - the provision of pedestrian visibility splays;
 - driveways to be constructed with levels and falls to prevent private water from draining across or onto the adopted public highway;
 - construction of the access road and all private driveways in a bound material.

In addition, a number of informatives are required.

35. **Cambridgeshire County Council (Archaeology)** - No objections, subject to any planning permission being granted with a condition that requires, before any demolition/development takes place, an investigation of the site for its potential archaeological interest to be undertaken in accordance with a previously agreed written scheme of investigation.
36. **Cambridgeshire County Council (Lead Flood Authority)** - No response.
37. **Cambridgeshire County Council Fire & Rescue** - Any planning permission to be subject to a condition and/or Section 106 Agreement that requires the position and number of fire-hydrants to be agreed in writing by the LPA (and installed satisfactorily) prior to first occupation of the development.
38. **Environment Agency** - No objections, subject to any planning permission being granted with conditions that require :

- investigation to be undertaken to identify (i) if the site and groundwater are contaminated, (ii) if they are, the potential for development to be affected, (iii) the remediation necessary to make development and occupation of the site safe (to be agreed in submitted to and agreed in writing by the LPA), (iv) the carrying-out of the development in accordance with the agreed remediation, details of which shall previously have been submitted to and agreed in writing by the LPA, and confirmation that this has been undertaken satisfactorily as set-out in a Verification Report that has previously been submitted to and agreed in writing by the LPA;
- any additional contamination that may be identified being subject to further remediation as necessary, details of which shall previously have been submitted to and agreed in writing by the LPA;
- the development being undertaken and not being occupied until a surface-water drainage system has been implemented satisfactorily in accordance with details that shall previously have been submitted to and agreed in writing by the LPA;
- no piling or investigation boreholes using penetrative methods to be undertaken without the express permission in writing of the LPA. In the event that such permission is granted, this work shall only be undertaken in accordance with the terms of that permission.

39. **Anglian Water** - No response.

40. **Natural England** - No comments. Proposal not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. LPA to assess impact on the extent of compliance with national and local policies for the natural environment and on protected species, based on specialist ecological or other environmental advice.

41. **Cambridgeshire Police Constabulary** - No objections. Acceptable layout, which if built to the (illustrative) plans submitted should be able to achieve the Secured by Design accreditation.

Representations

42. Six letters of representation have been received.

43. Four of these raise objections to the scheme as originally submitted (40% affordable housing) on the following grounds:

- Litlington is an infill village where no more than 2 houses are allowed to be built in the space between existing buildings but where, in exceptional circumstances, a maximum of 8 houses may be permitted. There are no exceptional circumstances that justify either the 8 houses mentioned under policy or the 22 houses now proposed. To permit 22 houses as sought would be "...contemptuous of the democratic process to openly flout the infill village criteria";
- there are not enough services and facilities in the village to serve another 22 houses and public transport is extremely poor. This means that residents have no option but to travel outside the village for daily needs and will lead to greater use of the dangerous Litlington/A505 junction. A development of the scale sought would, therefore, generate a disproportionate number of journeys outside the village;

- this is self-serving, parasitic development that brings no benefit to the local community, will result in the removal of green fields and will add further to the difficulties of already stretched local services;
- recent appeal decisions indicate that failure to demonstrate a 5 year housing supply does not mean that development that is unsustainable should be allowed by default;
- there is no guarantee that the “social housing” would be available for local people;
- the proposal is likely to be phase 1 of a much larger development;
- Litlington is an “infill” village and the least appropriate category of village to accommodate new development, due to a lack of infrastructure;
- existing speeding and congestion problems on Royston Road will worsen significantly as a result of the development;
- traffic emerging onto Royston Road from existing access points is already hazardous, because of poor visibility and speeding traffic. 22 new properties can only add to the existing hazard on what is already a busy road;
- significant numbers of heavy vehicles will be generated when the development is constructed, which will enter and leave the site opposite the access serving “The Cottages”, creating further inconvenience for residents there and adding to the existing hazard;
- construction traffic is likely to impact on the foundations of “The Cottages” opposite the site, which are Grade II listed;
- the proposal would have a negative aesthetic impact on the setting of “The Cottages” and on the character of the village as a whole;
- a number of wildlife habitats would be lost as a result of the development;
- it is believed that large quantities of asbestos have been buried in the fields (comprising or in the vicinity of the site) and steps will need to be taken to ensure its safe removal prior to the commencement of works;
- the development will place additional demands on local infrastructure provision (health, education, transport and broadband), which will need to be satisfied.

44. The fifth and sixth letters are from the same resident, who does not raise objections to the principle of development but raises a number of issues relating to boundaries, fences, their driveway and the ownership and registration of land to be conveyed. Their first letter objects to the development on non-planning grounds, whilst their second letter withdraws their objection because their concerns have been satisfactorily addressed in their discussions with the applicant.

Site and Surroundings

45. This 0.998 ha L-shaped site lies on the southern side of the village of Litlington on the eastern side of Royston Road, which at this point runs in a north-north-west to south-south-east direction. It has a frontage to Royston Road where the existing farmhouse and its curtilage sit, while to the rear and forming part of the application site are two sizeable farm buildings and the farmyard. Beyond these and extending round the farmhouse and farmyard is open agricultural land that is also part of the application site.
46. To the north-west, north-east and south-east of the site is open countryside, whilst the recreation ground adjoins its northern corner. The site extends behind and alongside established residential development fronting Royston Road. Opposite the entrance into the site on the south-western side of Royston Road there is also established residential development, including the Grade II listed buildings known as nos 1,2,3,4 and 5 The Cottages and the dwelling known as The Chestnuts, which is a non-

designated heritage asset.

47. The site lies partly within the village development framework - that is, the part that contains the farmhouse and its curtilage - whilst the remaining and larger part of the site lies outside the framework boundary.

Proposal

48. The application seeks full planning permission for 22 dwellings, including 50% affordable housing (11 units). For the most part, the proposal would take the form of a back-land development sited behind existing frontage development to Royston Road; the exception to this would be 2 of the 3 no four bedroom detached houses, which would be sited one each on either side of the access road into the site, which would be re-positioned slightly further to the south of the existing farm access. The new road would largely run behind and roughly parallel with the rear of dwellings fronting Royston Road and would have a 5.5m carriageway width, with 1.8m wide footways on either side.
49. The housing mix would consist of:
- market housing - 3 x 4 bed 7 person detached houses, 2 x 3 bed 5 person detached houses, 2 x 3 bed 4 person semi-detached houses, 2 x 2 bed 4 person semi-detached houses, 2 x 2 bed 4 person detached bungalows;
 - affordable housing - 2 x 3 bed 5 person semi-detached houses, 4 x 2 bed 4 person semi-detached houses, 1 x 2 bed 4 person detached house, 4 x 1 bed 2 person semi-detached houses.
50. Two of the 3 detached market houses, each with double garages, would be located on the Royston Road frontage (from which access would be taken), one each on either side of the entrance road into the site. Of the remaining units, most would take the form of frontage development to the new road, served by in-curtilage parking accessed directly off the highway. Two of the units would have rear parking. There would be two shared surface "off-shoots" from the main road serving 9 of the units.
51. The development would be served by a Local Equipped Area of Play (LEAP) and an area for Informal Play, located towards the northern end of the site, through which a new pedestrian link into the recreation ground beyond would run.
52. The north-eastern boundary of the site with the countryside beyond would be marked by new hedgerow planting and a buffer strip given over to meadow-grass planting.

Planning Assessment

53. Issues for consideration include:
- the acceptability of development in principle, in the context of the Council not having a five-year supply of land for housing;
 - the extent to which the proposal may be regarded as sustainable development within the meaning of paragraph 14 of the NPPF ;
 - the impact on the character and appearance of this part of the village and on the surrounding landscape;
 - the highway impact;
 - the impact on the amenity of neighbouring residential properties;

- the extent of compliance with Council’s adopted standards for parking and the provision of formal and informal play-space and other open-space;
- Section 106 developer contributions.

Principle of Development

Five year 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 polic ST/7 but as a logical consequence of the decision ths 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 Supreme Court decision is to narrow the range of policies which fall to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF. The term “relevant policies for the supply of housing” has been held by the Supreme Court to be limited to “housing supply policies” rather than more being interpreted more broadly so as to include any policies which “affect” the supply of housing, as was held in substance by the Court of Appeal.
58. The effect of the Supreme Court’s judgement is that policies ST/7 (Infill Villages), DP/1(a) and DP/7, which apply in this case, 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 further 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 housing supply policies do remain out-of-date, albeit that 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. The NPPF places very considerable weight on the need to boost the supply of housing, especially 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. 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 policies ST/7, DP/1(a) and DP/7 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.
62. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
63. As part of the case for the applicant relies on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that as this is a full application, the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
64. The applicant has also indicated that they own the site, have vacant possession of the existing farmhouse to be demolished, are committed to securing early delivery of the scheme and anticipate a start on site within 2 years.

Policy Background

65. Litlington is an Infill Village under both the LDF Core Strategy (policy ST/7) and the emerging new Local Plan (policy S/11).
66. The site is partly within the Litlington development framework (which includes the farmhouse, which is proposed to be demolished, and its curtilage) and partly outside the development framework (which includes the greater part of the site and takes in the backland part of the site and includes the farm buildings, the farmyard and the field extending behind the existing frontage development to Royston Road).
67. LDF Policy DP/7 and Draft Local Plan Policy S/7 state that, outside development frameworks only development for agriculture, horticulture, forestry, outdoor recreation

and other uses which need to be located in the countryside will be permitted.

68. Within the village development framework of Infill Villages such as Litlington LDF Policy ST/7 and Draft Local Plan Policy S/11 development will normally be limited to proposals up to an indicative maximum of 2 dwellings or, in exceptional cases, up to about 8 dwellings, where development would lead to sustainable recycling of a brownfield site bringing positive overall benefit to the village.
69. LDF policies DP/7 and ST/7 and Draft Local Plan policies S/7 and S/11 are, arguably, out-of-date insofar as they limit the delivery of new housing, against the background of the Council not having a 5 year deliverable supply of land for housing. Nonetheless, the planning objectives behind these policies remain valid and consistent with the NPPF presumption in favour of sustainable development. This is because they limit the scale of development in the less sustainable rural settlements that have only a limited range of services to meet the needs of new residents, who would need to travel to other higher order settlements to access services there, which is contrary to the principles of sustainability.
70. Turning to the specifics of this proposal, there is no policy objection to the two houses on the Royston Road frontage of the site, because they would be within the Village Development Framework and
71. However, the scheme is for a total of 22 dwellings, most of which (20) would be on land outside the development framework and would, in principle, be contrary to LDF policy ST/7 and Draft Local Plan policy S/11.
72. On the other hand, the NPPF presumes in favour of sustainable development, subject to impact and there being no conflict with other NPPF policies. The question, therefore, arises as to whether, notwithstanding to designation of Litlington as an “Infill Village”, which by definition is not able to accommodate significant new development, because of the limited range of services it offers, the proposal can nonetheless be regarded as sustainable development within the meaning of the NPPF.
73. In reaching a view on this matter, it is pertinent to refer to recent appeal decisions in the Over (55 dwellings, land west of Mill Road, APP/W0530/W/16/3148949, S/2870/15/OL - 18 01 2017), Caldecote (58 dwellings, land off Grafton Drive, APP/W0530/W/17/3172541, S/2764/16/OL - 20 December 2017) and Swavesey (99 dwellings, land south of Fen Drayton Road, APP/W0530/W/17/3172405, S/1027/16/OL - 21 December 2017). All 3 villages subject of these appeals are Group Villages, whereas Litlington is an Infill village. Group villages can, by definition, accommodate greater amounts of new development than the Infill Villages, because of the greater number of services they provided. The significance and relevance of these appeal decisions, however, lies in the fact that all 3 decisions granted permission for significant amounts of new residential development over and above the policy limits applicable. Moreover, the comments of the different Inspectors all point towards the need for flexibility in the application of settlement policy when considering proposals for development in or on the edge of settlements because to not do so would significantly restrain the delivery of new housing against the background of the Council not being able to demonstrate a 5 year deliverable supply of land for housing.
74. Most specifically, the Inspector in the Over decision commented that “...*the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery...this would frustrate the aim of boosting housing supply.*” Although these comments were made in the context of a proposal for housing development on the edge of a Group village, they

clearly apply with equal weight in the context of the current proposal for significant new housing development on the edge of Litlington, which is an Infill village. This is because the 5 year housing land supply deficit applies to the District as a whole.

75. Moreover, the Inspector in the Caldecote decision comments that “...*South Cambridgeshire is primarily a rural district, which means many areas within it have restricted access to public transport and limited facilities*” and “...*because much of the district is predominantly rural in character...this inevitably means that residents are generally more likely to be reliant on private transport*” and “*residents of the appeal development would be in no different position to many other existing residents in the village...*”
76. In light of the above, it is clearly no longer appropriate to attach the same weight to LDF Policy DP/7 and DP/1(a) in the ‘blanket’ way. The proposal cannot, therefore, be rejected as a matter of principle simply because it would mostly lie beyond the village development framework and proposes a level of development beyond policy limits. Rather, it is necessary to consider the circumstances of each village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development. Similarly, each planning application must be assessed on its own merits.
77. In reaching a decision on this matter, it is, therefore, now necessary to assess the proposal against the social, economic and environmental elements of the definition of sustainable development, as set-out in the NPPF.

Social Sustainability

78. Paragraph 7 of the NPPF defines the social role of sustainable development as “...*supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being...*”
79. Paragraph 55 goes on to seek to promote sustainable development in rural areas advising ‘*housing should be located where it will enhance or maintain the vitality of rural communities*’, and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

Delivery of Housing

80. A key component in the assessment of the social sustainability of a development is the issue of housing delivery.
81. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of an additional 22 residential dwellings. 50% of these units will be affordable (11 units). The affordable housing will be secured through a Section 106 Agreement.
82. Adopted LDF Policy HG/2, which has statutory status, requires the mix of market dwellings within developments to be split 40% 1 or 2 bed units, approximately 25% as 3 bed units and 25% as 4 or more bed units.
83. Policy H/8 of the emerging Local Plan - which does not have statutory status - is, however, being given significant weight in the determination of planning applications

today, due to the limited nature of the unresolved objections to the policy, in accordance with the guidance contained within paragraph 216 of the NPPF. This policy requires a minimum of 30% of each of the three size thresholds to be provided, with the remaining 10% allocated flexibly across developments.

84. The housing mix proposed would consist of:
- market housing (11 units) - 3 x 4 bed 7 person detached houses, 2 x 3 bed 5 person detached houses, 2 x 3 bed 4 person semi-detached houses, 2 x 2 bed 4 person semi-detached houses, 2 x 2 bed 4 person detached bungalows;
 - affordable housing (11 units) - 2 x 3 bed 5 person semi-detached houses, 4 x 2 bed 4 person semi-detached houses, 1 x 2 bed 4 person detached house, 4 x 1 bed 2 person semi-detached houses.
85. Regarding the *market housing*, the 2 and 3 bed units would each comprise 36% of the total market housing and the 4 bed units 28%. This mix is broadly in-line with the requirements of emerging Local Plan policy H/8 and, although there is, arguably, a slight under-provision of 4 bed units and a slight over-provision of 2 and 3 bed units in terms of the percentages, this is not considered to be significant.
86. As to the market housing requirements applicable under adopted LDF policy HG/2, there would be no significant deviation from the percentage provision suggested there either. The policy requires 40% provision as 1 and 2 bed units, whereas actual provision in this size category (there would be no 1 bed units) would be about 36%, which in the view of officers would not be a significant shortfall. Provision for 3 bed market dwellings would at 36% be higher than the 25% sought under adopted policy but, given that this would not be greatly higher than the 30% sought under emerging Local Plan policy HG/2, this is not considered excessive. and the proposal would still provide a good mix of housing, from 2 to 4 bedrooms (as set-out above) it is not considered the mix suggested would be unacceptable. Provision for 4 or more bed market dwellings would at 28% be roughly in line with adopted policy HG/2 requirements, which seek as a guide 25%. Overall, the proposal would still provide a good mix of market housing, from 2 to 4 bedrooms (as set-out above), and it is not considered what is sought would be unacceptable. It should also be noted that the application is outline only and layout and mix will only be determined at reserved matters stage. The purpose of the layout submitted is to solely show that 22 dwellings can be accommodated satisfactorily.
87. The NPPF at paragraph 50 requires planning authorities to “plan for a mix of houses based on current and future demographic trends and the needs for different groups in the community” and to “identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”. Emerging local plan policy HG/2 can be regarded as up-to-date reflection of need and demand in this regard.
88. Regarding *affordable housing*, what is proposed equates to 50% provision of the total, which is 10% more than the minimum required under both the adopted LDF (policy HG/3) and the emerging Local Plan (policy H/9). The mix of affordable housing, is acceptable and has been negotiated directly with the Council’s Affordable Housing Officer, reflecting identified local need. Both in terms of the percentage provision, the proposed mix and tenure split, the provision for affordable housing gives no cause for concern. The provision and delivery of the affordable housing, according to the agreed mix, will need to be secured through by planning obligation in the Section 106 Agreement, if planning permission is required.
89. In summary, therefore, such conflicts as there are, in terms of both adopted LDF and

emerging local plan housing-mix policies, are considered to be relatively minor and insignificant; overall, officers take the view that the provision of 22 additional dwellings, including affordable housing at a level in excess of policy requirements, will deliver a beneficial amount of new housing in a mix that satisfies an important aspect of the social element of the NPPF's definition of sustainable development and should be accorded significant weight in the decision-making process.

90. Other aspects of social sustainability include the creation of a high quality environment with accessible local services, as per the definition of sustainability provided in the NPPF. It is, therefore, necessary to consider *availability and range of services and facilities* that will provide for the need of residents. This includes the availability of shops, banking and post-office facilities, health care provision (including doctors and dentists), schools, community facilities and public transport.

Services & Facilities

91. Litlington is designated as an "Infill Village" in the settlement hierarchy, which generally are the smallest settlements in the District, enjoying only a poor range of local services that necessitates residents travelling outside the village to meet their daily needs.
92. More specifically, Litlington has no primary or secondary school, no doctor or dentist. It does have a small general-purpose shop, with post-office, but no other shops. It also has a village hall, an equipped recreation ground (including children's play area) and a pub. Most of the critical facilities required by residents are, however, only available in the neighbouring villages of Bassingbourn and Ashwell, which lie at a distance of about 1 to 2 miles and is at the limit of, or beyond what for most able-bodied people is a comfortable walking distance, not least because the walking route is unlit and does not have footpaths. Bassingbourn is the higher order neighbouring village to which most residents will travel to access services and facilities.
93. Facilities in Bassingbourn include primary and secondary schools, GP and dental surgeries, a sports centre and a number of shops, including a SPAR food/general store (that also includes a post-office), a bakery, a pharmacy, a hairdressers and a coffee shop. Both villages contain pubs, churches, a village hall/community centre, equipped children's play-areas and facilities for outdoor sport but, in the case of Litlington, the range of services in the village to meet day-to-day needs is poor. Both villages are served by the no 27 bus-service to Cambridge but this service is infrequent, with one service to Cambridge in the morning and another back to the villages in the afternoon. They are also served by the 2 hourly no 127 bus-service to and from Royston but, although this service is more frequent than the no 27 bus-service to Cambridge, the last no 127 bus from Royston arrives back in the villages before 7.00 PM, which is too early to be useful to many commuters.
94. Litlington is, therefore, poorly served in terms of the essential services that residents are able to access in the village. Many of the services required day-to-day- including schools, doctor and dentist - are only available outside the village, mostly in the nearby village of Bassingbourn. Access to a car to reach these is, therefore, essential for most residents. The addition of another 22 dwellings as sought can only add to the number of movements by vehicles in and out of the village, which is contrary to the principles of sustainability on which both the NPPF and the Council's settlement policies are based.
95. This aspect weighs therefore against the proposal.
96. On the other hand, the Council does not currently have a 5 year supply of land for housing and the NPPF places considerable weight on the delivery of new housing.

97. In reaching a decision on whether the lack of services in the village amounts to grounds to reject the proposals for development, it is pertinent to return to recent appeal decisions which address this matter, most notably the Caldecote and Over decisions referred to above under *Policy Background*, because they provide guidance on the decision to be made in the current case.
98. In the Caldecote decision the Inspector uses the fact that South Cambridge is a rural area where public transport is poor and access to services for those living in its villages depends on residents having private transport as justification to permit another 58 dwellings in Caldecote because this would be no different for the new residents in the village.
99. The situation with regard to the availability of services in Litlington is broadly similar to that in Caldecote which, although it is a Group Village, similarly, has no medical or dental services in the village, limited employment opportunities, no secondary school, but - distinct from Litlington - does have a primary school. Again public transport is poor. There is a limited range of essential shops (more than in Litlington, which has just one shop/post-office) and other services. Residents there are, therefore, obliged to have access to a private car to travel further afield for shops, services and employment.
100. Moreover, in the Over decision the Inspector there sees the Council's settlement policies (adopted LDF policies DP/1(a) and DP/7) as out-of-date because their effect is to restrain the delivery of housing against the background of the Council not having a 5 year deliverable supply of housing land. He, therefore, goes on to conclude that he can only attach limited weight to these policies. More particularly, he also comments that the strict application of the settlement hierarchy and the blanket restriction they apply on development outside development framework boundaries would significantly restrain the delivery of new housing (contrary to government policy as contained in the NPPF). He, then, goes on to grant permission for another 55 dwellings in the village, commenting on that "*...any adverse effects of granting planning permission would not significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the Framework taken as a whole*" and the harm that would result from reliance on the use of the private motor-car to access shops has to be set against the social benefits of addressing the under-supply of housing in the District, to which he attaches significant weight.
101. Officers take the view that these appeal decisions need to be treated as material considerations in the decision to be taken in this case because they are recent (December 2017) and are an up-to-date interpretation of government policy as set-out in the NPPF.
102. Both appeal decisions are highly relevant. Notwithstanding the shortcomings of both the appeal proposals, in terms of their sustainability credentials, both Inspectors nonetheless went on to grant planning permission because they attached significant weight to the social benefit of the delivery of new housing that, in their view and in line with government policy, outweighed their disbenefits.
103. Whilst all proposals fall to be considered on their merits, the Council is nonetheless obliged to have regard to the implications of these appeal decisions. Officers, therefore, take the view that, notwithstanding the sustainability shortcomings of the proposal, there are sufficient similarities between the circumstances of the Litlington proposal and what applies in Caldecote, where the Inspector granted permission for another 58 dwellings, to accept the principle of development in Litlington too in terms of the availability of services and the need to travel outside the village. Existing residents in Litlington

undoubtedly have to travel to neighbouring villages to access essential services and occupiers of the 22 houses now proposed would likewise do so.

Open-Space

104. Adopted Policy SF/11 (Open Space Standards) of the Council's Development Control Policies DPD and the Council's "Open Space in New Developments" SPD state that the minimum standard for outdoor play and informal open-space is as follows:

12.8 hectares per 1,000 people comprising:

- Outdoor Sport - 1.6 ha per 1,000 people;
- Children's Play-Space - 0.8 ha per 1,000 people;
- Informal Open-Space - 0.4 ha per 1,000 people.

105. In this case, this triggers open space-related planning obligations as follows:

- **Formal Sports** in the form of an off-site contribution of £21,288.71 in order to fund the erection of new changing rooms serving the adjoining village recreation ground;
- **Formal Children's Play Space** in the form of an off-site contribution of £27,650.08 to fund new and replacement play equipment;
- **Informal Children's Play Space** in the form of on-site space provision;
- **Informal Open Space** in the form of on-site space provision;
- **Indoor Community Space** in the form of on an off-site contribution of £9,665.08, to be put towards the funding of improvements to the Litlington Village Hall.

106. Both children's informal play-space and informal open-space generally needs to be provided within the site, which can be accommodated.

107. The layout shows an L-shaped area for open-space at the northern end of the site amounting to about 486 square metres (0.486 ha). Based on 46 residents living at the development and the occupancy multipliers set-out in the SPD, this gives a requirement for a total of 0.055 ha of open-space, comprising 0.0368 ha children's play area and 0.0184 ha for informal open-space. The size of the area to be provided would, therefore, exceed what is required under policy and the SPD; informal general open-space and a children's informal play-space can, therefore, be amply provided. The area to be provided is also of a useable regular shape.

108. The layout plan shows a Local Equipped Area of Play (LEAP) as being provided. However, there is insufficient space to provide a LEAP but ample space for a LAP (Local Area of Play), which in South Cambridgeshire would not normally be equipped with play equipment. There is also space for informal children's play-space. Moreover, it is clear from the Design & Access Statement that no children's play equipment is, in fact, proposed, regardless of the fact the layout plan shows a LEAP and there is insufficient space for this to be provided.

109. That being the case, it is appropriate that the developer be required to pay an off-site contribution towards the provision of additional/replacement play-equipment at the Recreation Ground Play-Area and internal modifications to the Litlington Recreation Centre, as set-out above.

Permeability

110. The application also includes the provision of a hard-surfaced footpath link through the area of open-space in the northern end of the site, linking into the recreation ground. This is a useful facility that would be of benefit to both occupiers of the development and residents in the wider village, by shortening and improving access to the recreation centre and ground from development to the south of the site and from the north of the site to areas to the south.
111. The Parish Council has suggested that the role of the footpath would be enhanced if it was to be extended from the development site to the recreation centre, via the play-area, rather than it finishing at the boundary of the recreation ground. This would improve access to the recreation-centre and the play-area and would further enhance the permeability of the recreation ground site and the area generally, to the benefit of the village as a whole. The applicant is agreeable to the provision and funding of this footpath, both within the application site and beyond as suggested by the Parish Council. This would need to be secured with the Section 106 Agreement.

Education

112. The Local Education Authority (Cambridge CC) has indicated that it does not require any developer contributions to expand local education provision at any level because there is sufficient capacity within existing facilities.

Libraries & Lifelong Learning

113. The County Council has indicated that it does not require any developer contributions to expand the provision of libraries and life-long learning facilities. There is no library in the village. There is, however, a library in the neighbouring village of Bassingbourn, which is open on a part-time basis 3 times per week, and it does have a monthly mobile library service.

Recycling

114. The County Council has indicated that it does not require any contributions towards the Thriplow Recycling Centre for household waste because it has already received 5 pooled Section 106 contributions and is, therefore, prevented from seeking any further Section 106 Strategic Waste contributions.

Health Impact

115. NHS England has been consulted (in case there is a need for developer contributions towards the expansion of primary health care facilities in either Bassingbourn or Ashwell). No response has been received, which is their normal practice when considering proposals for fewer than 50 dwellings. The development is likely to result in an expansion of the local population by 46 persons (based on the multipliers used in the Council's Open Space SPD). Officers have, therefore, contacted the Ashwell surgery, from which the two practices in Bassingbourn and Ashwell are managed to understand what the local GP capacity is. Both surgeries area still taking new patients and have the capacity to accommodate the additional demand likely to be generated by the development.
116. There are, therefore, no health impact concerns.

Heritage Impact

117. The NPPF definition of Social Sustainability refers to the creation of a high quality built environment that, inter alia, supports its cultural well-being. The proposal raises the issue of its impact on the setting of neighbouring heritage assets and it is, therefore, appropriate to also discuss this matter under Social Sustainability heading.
118. The principal issue here is the impact on the setting of the Grade II listed cottages on the opposite side of the road known as 1,2,3,4, & 5 The Cottages and the separate cottage adjacent to these known as “The Chestnuts”, which is a non-designated heritage asset. The views of the Council’s Heritage/Conservation Officer are set-out above in full. In summary, her view is the development would result in the loss of the historical connection these buildings have to their rural and agricultural surroundings, which would be divorced from their historically significant setting as a result of the development. The development would also introduce modern urban-style development and the creation of a new road and two new driveways, which would also be harmful to the setting of the buildings.
119. The conclusion is, therefore, reached that the development would cause harm to the setting of the buildings but this would, to use the terminology applied by paragraph 134 of the NPPF, amount to “less than substantial harm”.
120. Because of the legal position with regard to the protection of the setting of listed buildings, it is necessary to consider the impacts very carefully, in terms of their implications for the case for allowing development, which needs to be framed in terms of planning law, case law and government policy as set-out in the NPPF.
121. Section 66(1) of the Town & Country Planning Listed Buildings & Conservation Areas Act 1990 imposes on the local authority a duty to “...have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
122. Government policy for the preservation and conservation of heritage assets is set-out in paragraphs 126 to 141 of the NPPF. The two key paragraphs of relevance in this case are paragraphs 133 and 134, which are discussed below in terms of the tests that apply in assessing the weight to be given to the impacts on heritage assets that arise here.
123. Recent case law relating to the interpretation of Section 66(1) has concluded two main points:
- That “preservation” within this context means “doing no harm”, so if a development does harm to a listed building or its setting then there is a strong presumption against granting planning permission for it;
 - That the requirement to have “special regard” is not a material consideration against which a Local Planning Authority can attach such weight as it sees fit. It must give “considerable importance and weight” to the desirability of preserving the setting of a listing building when carrying-out this balancing exercise.
124. Additionally, the NPPF states at paragraph 132 that “great weight” should be given to the objective of conserving designated heritage assets and the more important the asset, the greater the weight that should be given to the asset’s conservation.
125. In this case, the impact is on the setting of listed and non-listed heritage assets on the opposite side of the road from the application site, which is a significant part of their setting.

126. NPPF paragraph 132 also states, inter alia, *“The more important the asset, the greater the weight should be given to the asset’s conservation.”* It also states that *Significance can be harmed or lost.....development in its setting*; in addition that *“As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.”*
127. Paragraphs 132 to 134 refer to the degrees of harm to heritage assets to which regard needs to be had in considering the impact of development.
128. Of particular relevance in this case is the advice in para 134 where it is stated *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...”*
129. The NPPF defines the setting of a heritage asset as: *“The surroundings in which the heritage asset is experienced - its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral”*.
130. Clearly, the concept of setting defies a precise definition. It, therefore, becomes a matter of judgement whether a development proposal is likely to have a material impact or not. Accordingly, in considering the significance of a building and its setting, it is important to have regard to the particular characteristics that contribute to how it is understood and experienced.
131. It is the view of the Heritage/Conservation Officer that, although there would be harm to the setting of the buildings, this would - to use the terminology applied in the NPPF - be *“less than substantial”*, which can include a wide range of harm, from slight to serious.
132. Nonetheless - even “less than substantial” harm - is still harm and paragraph 134 of the NPPF requires the Local Planning Authority to undertake a “balanced judgement” - in which the public benefits that may accrue from a site’s development are weighed against the harm that would be caused to the significance of the heritage asset.

Economic Sustainability

133. The provision of 22 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Environmental Sustainability

Density

134. The proposed density of the development would be 22 dwellings per hectare (site area is 0.998 ha).
135. Policies HG/1 of the current LDF and H/7 of the emerging Local Plan require new residential development to achieve a minimum of 30 dwellings per hectare within Minor Rural Centres and other villages within the settlement hierarchy. Policy HG/1 states that higher densities should be achieved in more sustainable locations

However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the

application site is located on the edge of the settlement and that neighbouring development is of low density, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Agricultural Land, Character of the Village Edge & Surrounding Landscape

136. The application site comprises a combination of previously developed land and Grade 2 agricultural land. Paragraph 112 of the NPPF states that *“Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poor quality land in preference to that of higher quality.”*
137. LDF policy NE/17 states that the planning permission will not be granted for development which would lead to the irreversible loss of grade 2 (in this case) agricultural land unless (A) the land is allocated for development in the Local Development Framework and (B) sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
138. There would clearly be conflict with policy NE/17. However, if the view is taken that this is a sustainable location for residential development, in view of recent appeal decisions, and the given that the Council cannot demonstrate a five year supply of housing land, then the need for housing overrides the need to retain this relatively small area of agricultural land.

Landscape Impact/Trees

139. The site is fairly flat and featureless. It is enclosed on two sides by existing residential development and has two sensitive boundaries to open countryside beyond, which are partly enclosed by hedgerows and partly open. The frontage of the farmhouse to Royston Road is marked by a line of dense conifer trees of no merit, which is to be removed, along with the farmhouse.
140. Existing residential development on the north-west and south-west boundaries will substantially screen the development from view from those directions. Development to the south of the site will also provide some screening from that direction. It is the boundaries to the open countryside to the east and south of the site that are particularly sensitive and need to be handled carefully to achieve the most suitable transition from the development to the countryside.
141. Existing hedgerows would be replaced by new hedgerows, the detail and composition of which would need to be covered by a planning condition that requires these matters to be agreed in writing by the Local Planning Authority. These could include standard trees to replace trees in the existing hedgerows to be removed. The Council’s Arboricultural Officer raises no objections to the removal of those trees proposed to be removed because these are mostly hedgerow trees that are in poor condition that might be better replaced with new as part of a comprehensive landscaping scheme for the site.
142. The layout shows new hedgerow planting across the site varying between the heights of 750mm and 1800mm.
143. The view of the Council’s Landscape/Urban Design Officer is basically positive, subject to any planning permission being granted with a number of conditions relating to hard and soft landscaping and boundary treatments, including a requirement for boundaries fronting the street to be enclosed by high flint walls, with brick detail, simple decorative

railings, picket-fencing or hedging as appropriate.

144. An important point made by the Landscape Officer is that the hedgerows proposed on the eastern and southern boundaries with the open countryside should be at least 2.5m wide to create a substantial buffer between the development and countryside beyond. This is supported. This requirement can be included within an appropriate planning condition.
145. The proposal also includes the creation of an area of meadow extending part-way along the site's eastern boundary, width about 10m. This will serve to add to the buffer effect of the proposed hedgerow planting and will help to ease the transition between built development and the countryside. This area is also shown on the layout plan as the location of underground sustainable drainage measures. A sustainable drainage scheme for the site will be required and will need to be the subject of an appropriate planning condition but, whilst the detail of this remains to be determined, it should be said here that there may be more environmentally appropriate ways of providing for this than underground facilities - for instance, by the provision of attenuation ponds that would add to biodiversity by providing new habitat. The detail of this will need to be carefully handled to secure the most appropriate and environmentally beneficial result.
146. Subject to careful attention to detail, pursuant to appropriate planning conditions, it is considered that the landscape impact of the development can be satisfactorily contained, particularly on sensitive boundaries to the countryside beyond the site.

Design

147. The development would consist of a mix of house types of various sizes, mostly of two-storey flank gabled design; two of the units would be bungalows, also of flank gabled design, whilst another would be a two-storey front gabled design. There would be a mix of detached and semi-detached properties which would be built on a building-line varying in depth between about 6m to 10m, relative to their front boundaries. Parking would be to or beyond the Council's standards and would be provided in-curtilage to the front or to the side of individual properties. Many of the properties would have garages though not the affordable units and two of the market units. Rear garden sizes would all satisfy the Council's requirement for gardens of at least 80 square metres for units with 3 bedrooms or more and 50 square metres for 1 and 2 bedroom units.
148. The dwellings would mostly front the new road in the conventional way. There would be some modulation in the building-line, giving visual interest, which combined with the mix of house-types and materials and finishes, plus landscaping throughout the development, should result in a development of acceptable appearance.
149. The two detached properties on the Royston Road frontage would broadly respect the existing building-line to Royston Road, which on this side consists overall of a mix of house-types, both bungalows and two storey development. The existing farmhouse to be demolished is conventional two storeys. An acceptable appearance would likewise result.
150. The Council's Urban Design Officer has raised the fact that there is no separate visitor parking provision, other than what might be available in-curtilage, but the Highway Authority has indicated that they do not wish to see this because, in practice, visitor parking is little used because it is often remote from the houses being visited and drivers tend to park on the road in the vicinity of the property they are visiting.
151. No concerns, therefore, arise in relation to design and layout proposed, subject to the

requirements of the various conditions relating to landscaping, boundary and surface treatments and external finishing materials being adhered to.

Trees

152. The application is supported by an Arboricultural Survey that indicates which trees would be removed.
153. There are few trees on the site and most of these are growing within existing hedgerows. Existing hedgerows would for the most part be removed, which means that trees growing within them would be lost. However, none of these are of any merit and, with the exception of one, all are either Category B or C trees; one is categorised U. The Council's Arboricultural Officer confirms that none is of any merit justifying retention.
154. The opportunity is, therefore, being taken to replace the existing hedgerows with new, which can include the planting of appropriate new trees of better quality that will be more beneficial to the landscape, ecology and biodiversity in the long run. New trees can be sought under the landscaping conditions proposed.

Ecology

155. A Preliminary Ecological Scoping & Roost Assessment Survey was undertaken in March 2017. The site was found to contain features, including trees and ivy around various structures, which have the potential to provide roosting habitat for bats. The field was also considered to provide suitable habitat for nesting birds such as skylarks and lapwings.
156. Based on this, the applicant proposes the provision of nest boxes, bat boxes, a hibernaculum and swift boxes (built into the new houses).
157. A bat survey was conducted in June 2017, following the initial survey, which confirmed the presence of commuting and foraging bats, but there was no evidence of roosting.
158. It is, therefore, proposed to minimise lighting generally and to use lights with little or no UV content or warm light sources to minimise the potential for light spread beyond the site.
159. The Council's Ecology Officer raises no objections to development, subject to any planning permission being granted with two conditions: the first requiring the submission and approval of a Construction Environmental Management Plan (CEMP: Biodiversity) and the carrying out of the development in accordance with the approved Plan; and the second requiring the submission and approval of an Ecology/Biodiversity Enhancement Plan that sets out how the biodiversity enhancements suggested will be implemented. Such conditions are considered reasonable and necessary.

Impact on Character of Village

160. The site is located on the edge of the village and, apart from the two detached houses fronting onto Royston Road, would be a backland development that extends behind existing frontage development to the street. Development on Royston Road is linear in nature, one dwelling in depth. Objection has been raised that the proposal would be out-of-character with the linear nature of existing development.
161. Whilst existing development is, indeed, linear in character, it is also the case that the site is wholly enclosed on two sides by existing residential development - and to a lesser

extent on a third side too. The north-east and south-east boundaries of the site. The site is, therefore, substantially enclosed by existing development. Where the site is not enclosed by existing development, those remaining boundaries will be enclosed by substantial hedgerows 2.5m wide, as required by condition, and a substantial area of meadow grass planting more than 9m deep and extending more than 58m along the north-eastern boundary and part of the south-east boundary.

162. The combination of existing development and the proposed planting will substantially screen the new development from view and provide it with a generous degree of enclosure, such that its impact in its surroundings and the wider village would be within acceptable tolerances and the existing village character would largely be protected.

Residential Amenity

163. The main impact in this regard would be on existing residential development enclosing the site. However, the relationship and orientation of the new development relative to existing development and the generous separation distances from the proposed buildings to existing would ensure that its impact on the levels of privacy and aspect enjoyed by existing residents would be within acceptable tolerances.
164. The development would also introduce activity and vehicles into an area that has previously been relatively quiet. However, given that there will have been the movements of farm vehicles and activity in the farmyard, there could at times have been significant levels of noise and activity in the area. Residential development is not, in any event, an inherently noisy, bad-neighbour use that causes nuisance and, overall, it is not considered that there would be any unacceptable impact on residential amenity, in terms of the levels of noise and activity enjoyed by residents.
165. Overall, therefore, no significant concerns arise in terms of the impact on residential amenity.

Section 106 Contributions & Provisions

166. The open-space related developer contributions referred to above under “*Open Space*” need to be secured through the 106 Agreement. For ease of reference, these are restated here as follows:
- **Formal Sports** in the form of an off-site contribution of £21,288.71 in order to fund the erection of new changing rooms serving the adjoining village recreation ground;
 - **Formal Children’s Play Space** in the form of an off-site contribution of £27,650.08 to fund new and replacement play equipment at the Recreation Ground Play Area;
 - **Informal Children’s Play Space** in the form of on-site space provision, as shown on approved layout plan;
 - **Informal Open Space** in the form of on-site space provision, as shown on approved layout plan;
 - **Indoor Community Space** in the form of a £9,655.08 contribution towards improvements to the village hall, including replacement windows and fascias (£7,550) and improvements to the kitchen area (£2,000);
 - **Monitoring Fees** of £500.

Contributions are also required towards the provision of **Household Waste Receptacles**, which are charged at £73.50 per dwelling

167. In addition, the **footpath extension** from the application site to the recreation centre, via the existing recreation-ground play-area, which the Parish Council has suggested and which the applicant has agreed to fund, needs to be secured through the Section 106 Agreement. The cost of this work is estimated to be £30,000 and the Section 106 Agreement needs to secure the payment of this sum, to be passed on to the Parish Council to cover the cost of this work being undertaken.
168. The **50% affordable housing** being offered (referred to above under *Delivery of Housing*) will also need to be secured through the Section 106 agreement.

Other Matters

169. *Archaeology*: The application is not supported by full archaeological assessment at this stage and simply acknowledges that detailed investigation will be required.
170. The County Archaeological advisor raises no objections to development but mentions the fact that the site lies in an “area of archaeological potential”, with there being abundant local evidence of Pre-Historic, Iron Age and Roman occupation. It is, therefore, recommended that any planning permission be granted with a condition that requires investigation of the site’s potential archaeological interest, prior to commencement of development, in accordance with a written scheme of investigation to be submitted to and agreed in writing by the Local Planning Authority.

Environmental Health

171. Various elements fall to be considered in this regard, including air-quality, land contamination, noise, vibration, dust, waste, renewable energy. The views provided by environmental health consultees are set out above.
172. Residential development does not in itself pose an environmental health risk. The main impact to be addressed relates to the construction phase, when there is the potential for noise, dust, vibration and damage to air-quality; there may also be harm to amenity as a result of the location of parking and the receipt and storage of materials and equipment, which need to be carefully located relative to existing residential properties . Careful control, therefore, needs to be applied over these matters, through the requirement for a Construction Environmental Management Plan/Dust Management Plan to be submitted to and approved by the Local Planning Authority and then strictly adhered throughout the implementation of the development. The Environment Agency is also seeking (for environmental protection reasons) a condition that applies control over any piling that may be necessary; this can also amount to a significant nuisance whilst it is being undertaken and a suitable condition is considered reasonable, for both environmental protection and amenity reasons.
173. There is also reason to believe that the site could be affected by contamination, including from asbestos that may have been buried there when former agricultural buildings at the site were demolished; existing farm-buildings at the site also contain asbestos, which it is important be handled properly. An appropriate condition that applies control over any contamination is, therefore, reasonable.

Highway Impact/Parking

174. The development involves closing-off the two existing access points into the site and replacing these with one new access in a slightly different position, opposite no 5 The Cottages.

175. The Highway Authority raises no concerns to the development on highway grounds in terms of highway design and the capacity of the local highway network to accommodate the additional traffic that will be generated.
176. It does, however, require a number of conditions and informatives to be applied to any planning permission. These are summarised above under “*Consultations*” and are set-out below.
177. Parking to or beyond the Council’s adopted standards would be provided across the development. No visitor parking is proposed but the Highway Authority does not wish see this provided because this is often remote from the houses being visited and, regardless of whether visitor parking is provided, drivers tend to parking on the highway in the vicinity of the dwelling being visited.

Flood Risk & Surface Water Drainage

178. The site is in Flood Zone 1, which means the site is at the lowest level of risk from flooding. This, plus the fact that the site is below the 1 ha threshold above, means that the application does not need to be the subject of a Flood Risk Assessment
179. Nonetheless, the Lead Local Flood Authority (LLFA) (Cambridge County Council) was still consulted on the application, though no response has been received.
180. Separately, it is understood that the applicant sought pre-application advice from the LLFA to inform their preparation of a surface Water Drainage Strategy for the site and make themselves aware of the range of flood-risk related that could still apply, even if a formal Flood Risk Assessment is not required. That pre-application consultation is understood to have revealed that, although the site is not considered to be at high risk of fluvial or coastal flooding, there may still be a risk of flooding from other sources, for instance, ground or surface water. The LLFA, therefore, advised that a check be made against the local authority Strategic Flood Risk Assessment (SFRA). This has revealed that there is a low risk of surface water flows from off-site running along the southern boundary of the application site. Mitigation against this risk will, therefore, be taken through the provision of an overland flow route and any properties adjacent to the route being raised above the predicted flood depth. Provision for this has been made through the Surface Water Drainage Strategy and control applied through the Surface Water Drainage Strategy condition suggested below.

Foul Water Drainage

181. Anglian Water has been consulted on the application but no response has been received. Nonetheless the requirement by condition, as set-out below, for the submission of a Foul Water Drainage Strategy is considered necessary

Planning Balance

182. The proposed development would be contrary to Core Strategy Policy ST/7, Development Control Policy DP/7 and some elements of DCP Policy DP/1 and to Policy DP/7 and Policy S/11 of the Draft Local Plan, but would accord with other policies of the Development Plan, including Development Control Policies DP/3 and HG/3.
183. Whilst none of these policies are policies for the supply of housing and they are not out-of-date in the terms set-out under the NPPF, this does not mean they can be applied regardless of the position in relation to the Council’s 5 year supply of land for housing,

which is still deficient against that target. The lack of a 5 year supply of deliverable housing land remains an issue to which the NPPF and recent appeal decisions attach considerable weight. This, in turn, triggers the operation of the tilted balance in the presumption in favour of sustainable development set-out in the fourth bullet point of paragraph 14 of the NPPF.

184. The NPPF states that sustainable development has 3 dimensions that must be considered together; social, economic and environmental.
184. Firstly, the development would provide economic benefits during the construction period. This aspect should be given limited weight. Residents would support local services once the new dwellings are occupied. This aspect should be given moderate weight.
185. Secondly, the proposal would provide a social benefit in the delivery of new houses in the area, including affordable housing at levels in excess of policy requirements, and in the benefit to local facilities that would result from the Section 106 contributions and the improved access that will be provided to the recreation ground, including the recreation-centre and play-area, from parts of the village that presently do not have good access. This aspect should be given significant weight.
186. Thirdly, environmental benefits that would be delivered by way of the provision of additional open-space that would be publicly available. This aspect should also be given significant weight.
187. The only area where there is conflict between the delivery of new housing and the sustainability of the development is in terms of the impact on the setting of the listed and unlisted heritage assets. There would “less than substantial harm” to the setting of listed and unlisted heritage assets and under NPPF paragraph 134 the Local Planning Authority is required to weigh the harm against the public benefits of the proposal.
188. This is a matter of judgement. Nonetheless, officers consider that, on balance, although the views afforded across the application site are the last remaining views and visual linkages from/between the listed and unlisted heritage assets on the opposite side of the road and the countryside to which they are historically related, it is also the case that the eastern side of Royston Road is already substantially built-up, albeit fairly sparsely so. In turn, it could be argued that the views to be had and the visual linkages to the countryside beyond are already significantly impaired and such further impact as arises would not be so significant as to justify the refusal of planning permission on these grounds, against the background of the Council not having a 5 year supply of land for housing, to which the NPPF and recent appeal decisions attach significant weight.
189. It is a question of identifying where the balance of public advantage lies and officers take the view that this must lie with the delivery of a worthwhile amount of new housing, including the delivery of affordable housing, which at 50% is in excess of policy requirements. It is also important to note that the parish is generally supportive of the proposal.

Conclusion

190. It is, accordingly, recommended that planning permission be granted, subject to the conditions set-out below and the completion of a Section 106 agreement covering the developer contributions and other matters outlined above.

Recommendation

191. Delegated approval subject to:

Legal Agreement

Contributions to be secured by way of a Section 106 (or other appropriate) legal agreement as set out below, final wording to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission. The contributions are as set out in appendix 1 attached to this report.

Conditions and Informatives

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) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:
- (c) No development above base course level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (d) 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.)
- (e) 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.)

- (f) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (g) No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
- (h) Prior to the commencement of development, details of the design and location within the development of secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be completed before any of the dwellings are occupied, in accordance with the approved scheme and shall thereafter be retained.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
- (i) Prior to the commencement of development, a scheme for the siting and design of the screened storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for each dwelling shall be completed before any of the dwellings are occupied, in accordance with the approved scheme and shall thereafter be retained.
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (j) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- (k) Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify run-off sub-catchments, SuDS components, control structure, flow routes and outfalls. In addition the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
(Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of

the National Planning Policy Framework 2012.)

- (l) 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.)

- (j) No development approved by this permission shall be commenced until:
- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
 - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
 - c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
 - d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

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

- (k) Prior to occupation of the first dwelling hereby permitted a detailed noise mitigation scheme for the residential units, to protect existing and future occupants internally and externally from noise from the roads within and adjoining the development, shall be submitted to and approved in writing by the Local Planning Authority. The noise attenuation scheme shall be retained thereafter and not altered without prior approval.
(Reason - To ensure that sufficient noise attenuation / mitigation is provided to all residential properties to protect existing and future occupiers externally and internally from the impact of playing field noise and safeguard the health, amenity and quality of life of future residents in accordance with paragraphs 109, 123 of the National Planning Policy Framework March 2012 and Policy NE/15- Noise Pollution of the adopted Local Development Framework 2007.)

- (l) No development including demolition or enabling works shall take place until a

Site Waste Management Plan for the construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.

(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007.)

- (m) No demolition or construction works shall commence on site until a traffic and construction management plan has been agreed with the Local Planning. The principle areas of concern that should be addressed are:
- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
 - (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street
 - (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
 - (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway
- Development shall commence in accordance with the approved details.
(Reason - In the interest of highway safety and residential amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (n) The development hereby permitted shall not be occupied until vehicular and pedestrian visibility splays have been provided as shown on drawing numbers [to be inserted]. The visibility splays shall be kept clear from obstruction over a height of 600mm and thereafter retained.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (o) The proposed access hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the highway and shall be constructed from a bound material for the first 10m to prevent displacement of materials onto the highway. The development shall be retained as such thereafter.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (p) During the period of construction, no power operated machinery shall be operated on the site, and there shall be no construction related deliveries taken at or dispatched from the site, before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (q) No development above ground level shall commence until a scheme detailing how a minimum of 10% of the energy needs generated by the development shall be achieved through renewable energy sources has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the anticipated energy needs of the scheme, the specific renewable technologies to be incorporated, details of noise levels emitted (compared to background noise level) and how much of the overall energy needs these will

meet and plans indicating the location of any external installations within the development. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007 and the NPPF)

- (r) No development above ground level shall commence until an electronic vehicle charging infrastructure strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the location of charging points to be installed within the site and how the use of electric cars shall be promoted through the Travel Plan for the site. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

(Reason - To ensure an energy efficient and sustainable development in accordance with Policy DP/1 of the adopted Local Development Framework 2007 and the NPPF)

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

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

- (t) No external lighting shall be provided or installed until a scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security lighting, has been submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details.

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

- (u) 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 Policy NE/15, NE/16 and DP/6- Construction Methods of the adopted Local Development Framework 2007.)

- (v) No dwelling shall be occupied 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.
(Reason - To ensure an adequate water supply is available for emergency use.)

Informatives

Environmental Health, Highway Authority & Environment Agency informatives as per the report.

Background Papers:

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: (These documents need to be available for public inspection.)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author:

John Koch

Telephone Number:

Team Leader (West)

01954 713268