

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

24 April 2018

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/4548/17/OL

Parish(es): Cottenham

Proposal: Outline planning permission for the erection of up to 23 residential units, including affordable housing provision, public open space and associated access, infrastructure and landscaping with all matters reserved except for access

Site address: Land at Oakington Road, Cottenham

Applicant(s): Gabriel Lau

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

Key material considerations: Housing Land Supply
Principle of Development
Density
Housing Mix
Affordable Housing
Impact on landscape and local character
Ecology, trees and hedging
Design Considerations
Biodiversity
Highway Safety and Sustainable Travel
Flood Risk
Archaeology
Neighbour Amenity
Contamination
Renewable Energy
Heritage Assets
Impact on services and facilities-Developer Contributions

Committee Site Visit: 23 April 2018

Departure Application: Yes – Advertised 10 January 2018 (Major, Departure)

Presenting Officer: Karen Pell-Coggins, Senior Planning Officer

Application brought to Committee because: The officer recommendation of approval conflicts with the recommendation of Cottenham Parish Council and represents a significant departure from the development plan

Date by which decision due: 4 May 2018 (Extension of Time agreed)

Executive Summary

1. The proposal, as amended, seeks permission for a residential development of up to 23 dwellings including 9 affordable dwellings outside the Cottenham village framework and in the countryside. The development would not normally be considered acceptable in principle. However, the Council acknowledges at present it cannot currently demonstrate a five-year housing land supply.
2. Given that the Council cannot demonstrate currently a five year housing land supply, its “housing supply policies” remain out of date (albeit “housing supply policies” do not now include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court in the *Hopkins Homes* appeal, paragraph 14 of the NPPF is engaged and planning permission for housing development should be granted, inter alia, “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of [the] Framework taken as a whole ...”.
3. A balancing exercise needs therefore to be carried out. As part of that balance, considerable weight and importance should be attached to the benefit which a proposal brings in terms of delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including, where engaged, ST/5, DP/1(a) and DP/7, which seek to direct development to the most sustainable locations – is so great in the context of a particular application as to “significantly and demonstrably outweigh” the benefit of the proposal in terms of deliver of new homes, that planning permission should be refused. This approach reflects the decision of the Supreme Court.
4. The development would involve the loss of grade 1 agricultural land and have some impact upon the character and appearance of the countryside, highway safety and infrastructure in the village. However, these impacts are considered to be limited and apart from the loss of the agricultural use of the land, can be successfully mitigated through conditions or a legal agreement subject of any planning consent.
5. The benefits from the development are set out below: -
 - i) The provision of up to 23 dwellings towards housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - ii) The provision of 9 affordable dwellings towards the identified need across the district.
 - iii) The provision of a children’s playspace within the development.
 - iv) Developer contributions towards traffic schemes, education, sport space, open space, community facilities, community transport and burial grounds.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
6. These benefits must be weighed against the following adverse impacts of the development: -
 - i) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Impact upon the character and appearance of the countryside.
 - iii) Impact upon highway safety.
7. In this case, the adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. On balance, planning permission should

therefore be approved.

Planning History

Site

8. None.

Adjacent Sites

Oakington Road

9. S/1606/16/OL - Outline planning permission for the erection of up to 126 dwellings, formation of a new vehicular & pedestrian access onto Oakington Road and associated infrastructure and works (All matters reserved apart from access) at Land at Oakington Road – Approved
10. S/1952/15/OL - Outline application for the demolition of existing barn and construction of up to 50 dwellings with all matters reserved except for access at Land at Oakington Road - Approved

Rampton Road

11. S/2413/17/OL - Outline application for the erection of up to 200 residential dwellings (including up to 40% affordable housing) and up to 70 apartments with care (C2), demolition of no.117 Rampton Road, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access points from Rampton Road and associated ancillary works. All matters reserved with the exception of the main site accesses – Approved
12. S/1411/16/OL - Outline application for the erection of up to 200 residential dwellings (including up to 40% affordable housing) and up to 70 apartments with care (C2), demolition of No. 117 Rampton Road, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access points from Rampton Road and associated ancillary works. All matters reserved with the exception of the main site accesses - Approved (Decision Quashed)
13. S/1818/15/OL - Outline application for the erection of up to 225 residential dwellings (including up to 40% affordable housing) and up to 70 apartments with care (C2), demolition of No. 117 Rampton Road, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access points from Rampton Road and associated ancillary works. All matters reserved with the exception of the main site accesses - Refused (Appeal Withdrawn)
14. S/2876/16/OL- Outline Planning Application for residential development comprising 154 dwellings including matters of access with all other matters reserved - Refused (Appeal Decision Pending)
15. S/3551/17/OL- Outline Planning Application for residential development comprising 125 dwellings including matters of access with all other matters reserved – Withdrawn

Environmental Impact Assessment

16. The application does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and would not exceed the criteria of 150 dwellings or site area of 5 hectares set out in section 10b of Schedule 2 of the regulations that would require the development to be screened.

National Guidance

17. National Planning Policy Framework 2012
National Planning Practice Guidance

Development Plan Policies

18. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres

19. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/4 Landscape Character Areas
CH/2 Archaeological Sites
CH/4 Development within the curtilage or Setting of a Listed Building
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Lighting Proposals
NE/15 Noise Pollution
NE/16 Emissions
NE/17 Protecting High Quality Agricultural Land
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

20. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

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

S/3 Presumption in Favour of Sustainable Development
 S/5 Provision of New Jobs and Homes
 S/7 Development Frameworks
 S/8 Rural Centres
 HQ/1 Design Principles
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 NH/2 Protecting and Enhancing Landscape Character
 NH/3 Protecting Agricultural Land
 NH/4 Biodiversity
 NH/14 Heritage Assets
 CC/3 Renewable and Low Carbon Energy in New Developments
 CC/4 Sustainable Design and Construction
 CC/9 Managing Flood Risk
 SC/6 Indoor Community Facilities
 SC/7 Outdoor Playspace, Informal Open Space, and New Developments
 SC/8 Open Space Standards
 SC/10 Lighting Proposals
 SC/11 Noise Pollution
 SC/12 Contaminated Land
 SC/13 Air Quality
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/8 Infrastructure and New Developments

Consultation

22. **Cottenham Parish Council** – Recommends refusal of this proposal which is outside the Cottenham development framework in an area noted for drainage difficulties and some distance from the village centre. Increased traffic and the scale of recent planning permissions will make the development difficult to assimilate into the established settlement.
23. Cottenham has a zero allocation of housing in the emerging Local Plan due to housing being preferentially allocated to strategic sites such as Northstowe. Even under an assessment carried out recently for Cottenham's Neighbourhood Plan in accordance with NPPF principles (attributing only 50% weight to the emerging Local Plan and 50% across DCLG predictions of district housing needs, the SHMA assessment of need carried out for the Local Plan and new Standard Method for Assessing Housing Need) Cottenham's "unconstrained" housing need up to 2031 is only 329. Taking account market signals to allow for the vibrance of the Cambridge economy, the number might increase by 18% to 388. However, there have recently been permissions granted for 376 houses in the village; so with windfalls etc, Cottenham's unconstrained housing need, including its share of district need up to 2031, has been more than met.
24. Although Cottenham is classified ST/5 in SCDC's adopted Local Plan, as a Minor Rural Centre capable of sustaining development of this scale within the development framework, this application is outside the development framework and is almost twice easy walking distance from the village centre. The adverse impacts, particularly the consequences of traffic increase and incapacity of the local road network NPPF 32, flood risk NPPF 100-103 and loss of agricultural land NPPF 112, significantly outweigh the benefits of up to 23 homes (40% affordable) and represents grounds for refusal according to NPPF 14. In particular, rather than improving the quality of the

built environment as per NPPF 9, it will have a significant negative effect on both the Cottenham community and the community within this detached estate NPPF 61.

25. a) We have grave misgiving about the access on to Oakington Road, an increasingly important link with the Cambridge Guided Busway. This is a busy road with no segregated cycle path, feeding traffic to the rest of the village and beyond via very busy roundabouts. Those roundabouts, especially the one at the junction of Oakington Road and Rampton Road, are acknowledged to operate at, or beyond, capacity already. If this or other nearby developments proceed, there will be serious pollution, safety and traffic management issues in this area of the village and beyond. Given Cottenham's role in the local traffic network with west Cambridge bound traffic converging from Ely and East Cambridgeshire in the north, Willingham and Rampton in the west and Landbeach and Waterbeach in the east, these effects will spread as queue lengths increase in and beyond neighbouring villages unless and until the A10 capacity is improved significantly. The anticipated queue lengths and the related exhaust pollution are unsustainable economically, environmentally and socially. This is contrary to adopted SCDC policy TR/3 mitigating travel impact of the development control policies DPD and must be regarded as severe in the context of NPPF 32.
26. b) Viewed from Oakington Road, the effect of extending the ridge line of the built environment of Cottenham village into open countryside would result in demonstrable and significant harm to the landscape character unless tree planting efforts are made to screen the village edge at least partially. This conflicts with the requirements of NPPF 59 and 61, policies DP/3 development criteria, and NE/4 landscape character areas of the development control policies DPD, the adopted District Design Guide SPD and policies NH/2 Protecting and Enhancing landscape Character of the emerging Local Plan. In the recent survey conducted as part of the Neighbourhood Plan development, 90% of the 973 respondents considered that preserving the character of Cottenham is important. This very real perception of residents and the need for protection is supported by NPPF 109 and 113.
27. c) In conflict with NPPF 100-103, the proposed development will expose Cottenham and neighbouring villages to a serious flood threat. Cottenham relies on the Cottenham Lode to carry surface water from the village, neighbouring farmland and indeed neighbouring villages to the south east including Northstowe under heavy rain conditions. However, due to the low lying land, that excess surface water has to be pumped by the Old West Internal Drainage Board from the drainage ditches into the embanked Cottenham Lode, whose embankments are already below the 1 in 100 year flood risk. The development will reduce the site permeability but the surface water retention and dispersion appear insufficient to bring run-off levels down to that which can be safely managed by the pumps of the Old West Drainage Board whenever the retention pond's capacity is exceeded and excess flows into the roadside ditch along Oakington Road. A flood event in this scenario would have devastating consequences for Cottenham environmentally, economically and socially. The Old West Internal Drainage Board has a clearly stated acceptable run-off rate of 1.1 litres/second per hectare and their approval must be necessary for the development to proceed. The time needed to achieve an acceptable design could compromise the scheme's delivery timescales, limiting the schemes ability to contribute to closing the 5 year housing land supply, if that still exists.
28. Apart from non-compliance with national planning policy and SCDC's adopted Local Plan, the proposal is in conflict with Cottenham emerging Neighbourhood Plan which demonstrates that recent planning permissions have already met Cottenham's housing need, including a "fair share" of district need up to 20131. Once the SCDC Local Plan is adopted, with its focus on more sustainable settlements such as

Northstowe, those permissions will far exceed the allocated share of district housing need.

29. The proposal is in open countryside outside the village framework. Taking into account the cumulative impact of recent permissions in Cottenham, the distance from the centre of the village (DP/1b minimise the need to travel and reduce car dependency and NPPF 34 and 35) and the increased flood risk to the neighbouring area, the development is not sustainable and should be refused.
30. Cottenham Parish Council has reviewed the additional material provided recently and retains its objection to this development with the following additional comments:
Travel Plan - As can be seen in Appendix 3 of the Travel Plan, very little of the village is within "easy walking distance" (the 800 metre / 10 minute isochrone according to the Chartered Institute of Highways & Transport Infrastructure) of the proposed development. A 25 minute walk (2 km) each way to access village facilities does not equate with "easy walking distance" which is more usually associated with distances less than 800 metres. This long walking distance considerably reduces sustainable travel options for many potential residents and will pre-dispose residents towards use of some form of assisted transportation which, for anyone with access to a car, will increase car dependency.
Drainage - The information provided seems only to highlight issues regarding proper handling of increased flows of both foul and surface water from the site with no proposed remedies.
31. **Landscape Design Officer** – Has no objections subject to mitigation measures to minimise the landscape and visual adverse effects of the development in the form of a 5 metre woodland belt as a landscape buffer to the northern and south western boundaries to form a strong defensible boundary, setting back housing from Oakington Road behind existing planting that will be reinforced with new planting to respect the road character and sensitive edge abutting the Green Belt, planting within the development including street planting, the provision of an area of open space including Local Area of Play and protection of the majority of existing trees along the boundaries.
32. To reduce the visual harm further, it is suggested that the scheme incorporates an orchard with fruit bearing trees, protection of the existing ditch outside the southern boundary, protection of the low lying land and extensive vistas by restricting building heights to 2.5 storeys with lower one storey development closer to the perimeter and houses set back 10 metres from Oakington Road are
33. Requires conditions in relation to landscaping, boundary treatments, LAP planting, building heights, building distance from Oakington Road, cycle parking, bin storage and SUDs.
34. **Trees and Landscapes Officer** – Has no objections subject to a condition that the development is carried out in accordance with the Arboricultural Implications Assessment and Method Statement. Suggests some changes to the Landscape Strategy in relation to tree species.
35. **Ecology Officer** – Has no objections. Comments that the site comprises an area of farmland with semi-improved grass margins, semi-improved grassland, wooded boundaries and a few areas of tall ruderal shrubs. There are limited species records from the immediate area which consist of farmland birds and badgers. Lack of further species records is likely due to lack of survey effort rather than lack of species present.

36. The application does fall within the impact zone of a SSSI but does not meet the criteria for consultation with Natural England.
37. The Preliminary Ecological Assessment and Phase 2 reptile surveys submitted with the application have provided evidence that the probable ecological constraints are breeding birds and possible foraging badgers. No evidence of common reptiles was found. The avoidance and mitigation strategies during the construction phase are satisfactory and their implementation is required to be a condition of any consent. Further suggestions to enhance the site are acceptable and precise detail of an enhancement strategy are required to be a condition of any consent.
38. **Urban Design Officer** – Comments that the site is on the edge of the village and adjacent to the Green Belt. To limit the impacts of the development upon the views and support the character of Cottenham, where buildings are generally one and two storey in height, buildings visible from the wider landscape or Oakington Road should be no more than two storeys in height. The 5 metre wide landscape buffers are welcomed.
39. The site has poor connections to the adjacent site on which there is a LEAP. There is an opportunity to link the site with the adjacent site through the provision of a pedestrian link across the land to the north that is under the same ownership. The large area of rear parking to flats and rear boundaries at the edge of the settlement is not ideal. The development should face outwards to avoid backs along landscape edges. The small private drive to Plots 9 to 13 is dominated by frontage parking. Parking should be in-between dwellings.
40. The development should have a lower density at the edge of the settlement with significant spaces between buildings to break up the skyline. The site is remote from the village and until the adjacent sites are developed, the site could appear isolated with poor connections to the village and facilities. The parameter plan indicates 2.5 storeys of development across the whole site which could have adverse impacts upon views and character. The indicative layout for 23 dwellings appears cramped and the access to the site does not facilitate a better arrangement of dwellings.
41. **Environmental Health Officer** – Has no objections subject to conditions in relation to the hours of use of construction related deliveries, plant/machinery and noisy works, pile foundations, measures to minimise the spread of airborne dust, a construction programme, noise protection for dwellings fronting Oakington Road, external lighting and a noise impact assessment of renewable energy provision such as air source heat pumps. Request an informative in relation to noise insulation and references the District Design Guide Chapter 10. Comments that the road layout may not be sufficient to accommodate waste vehicles but this is a detailed design matter.
42. **Contaminated Land Officer** – Has no objections subject to an informative in relation to a remediation strategy for any contamination found during works.
43. **Drainage Officer** – No comments received
44. **Affordable Housing Officer** – Comments that if the proposal is considered a 5 year supply site, the development comprises 40% affordable housing that is 9 affordable properties. The tenure mix comprises 70% affordable/social rented and 30% intermediate/shared ownership properties that is 6 affordable/social rented and 3 intermediate/shared ownership properties. The first 8 homes will go towards applicants with a local connection with the remaining property a district connection. If

there are no applicants with a local connection, the properties will be made available on a cascade basis looking next at adjoining parishes and then the need in the wider district. There is a local need in Cottenham for 98 properties. There are 2000 applicants on the housing register in the district (affordable/ social rented). The greatest need locally and district wide is for one and two bed properties. There are 800 applicants on the Home to Buy register (intermediate/shared ownership). The highest demand is three bed properties. The preferred mix is 2 x one bed houses and 4 x two bed houses affordable/social rented and 1 x two bed house and 2 x three bed houses shared intermediate/shared ownership properties. The houses should be built to DCLG technical and Nationally Described Space Standards.

45. **Section 106 Officer** – Requires contributions in relation to formal sports space, formal children’s playspace, indoor community space, waste receptacles and monitoring. Informal children’s play space and informal open space would be provided on site.
46. **Local Highways Authority** – Has no objections as amended subject to conditions in relation to the access being constructed from bound materials, the access to fall away from the public highway, details of the proposed arrangements for future management and maintenance of the proposed streets within the development, a traffic management plan, link to the existing footway and cycle parking within the village. Also requests an informative with regards to works to the public highway.
47. **Cambridgeshire County Council Transport Assessment Team** – Has no objections as amended subject to conditions in relation to the provision of 2 metres wide footway along the northern side of Oakington Road between the site access and existing footway on the western side of The Rowells and a Travel Plan Welcome Pack. Also requires a contribution of £20,000 towards pedestrian safety and amenity improvements on the High Street in Cottenham through a Section 106 agreement.
48. **Cambridgeshire County Council Historic Environment Team** – Comments that the site lies in an area of high archaeological potential. Has no objections but requires a condition for an archaeological investigation of the site.
49. **Cambridgeshire County Council Flood and Water Team** – Has no objections as amended subject to a condition in relation to surface water drainage. Comments that since the original objection, the proposal have been discussed with the applicants drainage consultant and two possible options for surface water disposal and outline details of the infiltration SuDS have been provided.
50. **Old West Internal Drainage Board** – Comments that the site is outside the Old West internal Drainage District.
51. **Environment Agency** – Has no objections in principle but comments that infiltration drainage including soakaways will only be acceptable where it has been demonstrated that the land is uncontaminated and further discussion is required in relation to foul drainage. Requests a condition in relation to foul drainage and informatives in relation to surface water drainage, foul water drainage, pollution prevention, conservation and contaminated land.
52. **Anglian Water** – No comments received
53. **Cambridgeshire County Council Waste Team** – Comments that the development lies within the Cambridge and Northstowe Household Recycling Centre catchment area. There is insufficient capacity to accommodate the development. However, an

extension is planned that has already pooled five developer contributions. No further contributions are therefore considered necessary.

54. **Cambridgeshire County Council Education Team** – Comments that there is insufficient early year's provision and primary school provision in the village to accommodate the development and contributions are therefore sought to mitigate the impact. A scheme for expansion of the existing primary school through a full form of entry is has been put forward along with an adjoining one class early years facility. There is adequate secondary school provision.
55. **Cambridgeshire County Council Libraries Team** – Comments that the development along with other developments in the area would put severe pressure on the library and life long learning service in the village. Therefore, a contribution is required towards a scheme to increase the capacity of the existing library. There have not been 5 contributions pooled towards this project.
56. **Cambridgeshire Fire and Rescue Service** – Requires adequate provision for fire hydrants through a condition of any consent.
57. **Huntingdonshire Sustainability Team** – Comments that there is a good understanding of what is required through local energy and carbon reduction policies through orientation and daylighting, improved fabric, renewable energy technologies and how the development will incorporate water conservation measures such as low flow fittings. Suggests conditions to ensure the proposal would comply with Policies NE/3 and NE/12 of the adopted Local Development Framework.
58. **Cottenham Village Design Group** – Has not responded.
59. **Natural England** – Has no objections.

Representations

60. The adjacent landowner of the track to the north east and field to the north west has concerns regarding drainage from the field to the roadside ditch, the impact upon the roots of trees along the track and the impact upon horses in the field.

Site and Surroundings

61. The site is located to the south west of the village of Cottenham and outside the village framework and in the countryside. It lies opposite the Green Belt. The site measures approximately 0.9 of a hectare in area and currently comprises grade 1 arable land and grassland. It is fairly flat in topography. A row of young trees lies just beyond the north eastern boundary. Landscaping in the form of hedges and aligns part of the south eastern and south western boundaries. A post and rail fence aligns the north western boundary. The site lies in flood zone 1 (low risk).

Proposal

62. The proposal, as amended, seeks outline planning permission for a residential development of up to 23 dwellings including affordable housing provision, public open space, infrastructure and landscaping. The access forms part of the application.
63. The access point would be to the north of Oakington Road on the western part of the site. It would measure 5.5 metres in width and include a footway to link to the footway approved as part of the application on the adjacent site.

64. The dwellings would be two storeys to two and a half storeys in height and include dwellings along the Oakington Road frontage.
65. 700 square metres of open space would be provided on the site that would include a Local Area of Play (LAP) and informal open space.
66. The south western and southern eastern boundaries would comprise a 5 metre wide landscape buffer to include trees and woodland planting. There would also be planting along the Oakington Road frontage.
67. Surface water drainage would be via infiltration methods. A pumping station would be provided in the south western corner.

Planning Assessment

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

Principle of Development

69. The site is located outside the Cottenham village framework and in the countryside where only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
70. The erection of a residential development of up to 23 dwellings is not considered acceptable in principle in this location.
71. The proposal would therefore be contrary to Policy DP/7 of the LDF.
72. Cottenham is currently identified as a Minor Rural Centre in the adopted LDF where there is a good range of services and facilities and residential developments of up to 30 dwellings are supported in village frameworks in policy terms. The village is proposed to be upgraded to a Rural Centre in the emerging Local Plan where there is no size limit on residential developments within village frameworks.
73. The erection of a residential development of up to 23 dwellings is not considered acceptable in principle in this location.
74. The proposal would therefore be contrary to Policy ST/5 of the LDF and S/8 of the emerging Local Plan.
75. However, the above policies are considered out of date and the application needs to be considered in the context of the lack of a 5 housing land supply.

Housing Land Supply

76. 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.
77. The Council accepts that it cannot currently demonstrate a five year housing land

supply in the district as required by the NPPF, having a 4.8 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 19,000 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 December 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.

78. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policy ST/6 but as a logical consequence of the decision this should also be considered a policy "for the supply of housing".
79. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' has emerged via the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF. The term "relevant policies for the supply of housing" has been held by the Supreme Court to be limited to "housing supply policies" rather than more being interpreted more broadly so as to include any policies which "affect" the supply of housing, as was held in substance by the Court of Appeal.
80. The effect of the Supreme Court's judgement is that policies ST/5, DP/1(a) and DP/7 are no longer to be considered as "relevant policies for the supply of housing". They are therefore not "out of date" by reason of paragraph 49 of the NPPF. None of these adopted policies are "housing supply policies" nor are they policies by which "acceptable housing sites are to be identified". Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policy ST/5, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
82. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date "albeit housing supply policies" do not now include policies ST/5, 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 ..."
83. 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/5, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms

of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/4, 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.

84. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/4, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.

Sustainable Development

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

Economic Aspects

86. The provision of up to 23 new dwellings will give rise to some employment during the construction phase of the development and would have the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy in the short term.

Social Aspects

Provision of Housing

87. The development would provide a significant benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 23 dwellings. This would include 9 affordable dwellings.

Housing Delivery

88. The agent has stated that a development company has the site under contract of the applicant to deliver homes following the grant of consent in the soonest possible time. The company has previous experience of delivering schemes of a similar scale within the district.
89. There are no constraints to the site that could affect delivery of the site within the 5 year period. Given the scale of the development, it is considered reasonable to require the applicants to submit the last of the ‘reserved matters’ application within 2 years from the grant of outline consent.

Scale of Development, Cumulative Impact and Services

90. This proposal for up to 23 dwellings along with the proposals approved in the village under planning application references S/1952/15/OL for 50 dwellings, S/2413/16/OL for 200 dwellings and 70 apartments with care and S/1606/16/OL for 126 dwellings, would result in a total of 399 new dwellings plus 70 apartments with care within the village of Cottenham. In addition, an appeal is currently under consideration for 154 dwellings under reference S/2876/16/OL that would result in a total of 553 dwellings plus 70 apartments with care if all schemes were approved. It therefore needs to be determined whether the scale of the development is acceptable for this location in terms of the size of the village and the sustainability of the location.
91. The Services and Facilities Study 2013 states that in mid 2012 Cottenham had an estimated population of 6100 and a dwelling stock of 2,540. It is one of the larger villages in the district. An additional 399 dwellings plus 70 apartments with care would increase the number of dwellings by 16%. If the other developments were also approved, this would increase the number of dwellings by 23%. This is a significant figure but is not considered to be out of scale and character with the size of the village and its services and facilities.
92. Whilst it is acknowledged that the most preferable location for development is first on the edge of the city of Cambridge and secondly in Rural Centres, it is difficult to state that Cottenham is not a sustainable location in principle for increased housing development. The status of the village is due to be upgraded to a Rural Centre in the emerging Local Plan and the Services and Facilities Study 2013 identifies a wide range of services and facilities in the village that include a secondary school, primary school, children's nurseries, two doctors surgeries, dentist, a large food store, post office, butchers, bakers, pharmacy, village store, newsagents, hairdressers, four public houses, a village hall, sports pavilion and library. There is also a bus service to and from Cambridge every 20 minutes Mondays to Saturdays until 1900 hours and hourly thereafter, and every 30 minutes on Sundays until 1800 hours. The service takes approximately 40 minutes. A further bus service runs to and from Ely Mondays to Saturdays with approximately 6 buses throughout the day.
93. The village is ranked joint 4th in the Village Classification Report 2012 in the District in terms of access to transport, secondary education, village services and facilities and employment. It falls slightly below Sawston, Histon & Impington and Cambourne that are all Rural Centres hence it's proposed upgrading in the emerging Local Plan. It also ranks above Fulbourn that is currently a Rural Centre.
94. The majority of the services and facilities are located on the High Street. The site is situated on the edge of the village at a distance of approximately 1270 metres from the High Street. However, the primary school and village hall are located closer on Lambs Lane at a distance of 1080 metres and the secondary school is located on The Green at a distance of 890 metres. The nearest bus stop is on Lambs Lane at a distance of 530 metres. A distance of 1200 metres equates to a walking time of 15 minutes. Most of the above distances exceed the 800 m isochrones distance as referred to in the parish council's objection and this weighs against the proposal to some extent
95. Nonetheless, given the above assessment, the future occupiers of the development would not be wholly dependent upon the private car to meet their day-to-day and the majority of their wider needs. Cottenham is therefore considered a sustainable location for a development of this scale and the location of the site is close enough to village services and amenities to encourage travel modes other than just by the private car.

96. Whilst the comments of Cottenham Parish Council in relation to the assessment of housing need in the village are noted, the Neighbourhood Plan can only be given limited weight at the current time as it has not yet been formally consulted upon.

Housing Density

97. The overall site measures approximately 0.9 of a hectare in area. The net developable site area measures 0.7 of a hectare. The erection of up to 23 dwellings would equate to a maximum density of 33 dwellings per hectare across the whole of the site. This density would not comply with the requirement of at least 40 dwellings per hectare for sustainable villages such as Cottenham, it is considered acceptable given the sensitive location of the site on the edge of the village and the need to provide sufficient landscaping as set out below.
98. The proposal would therefore comply with Policy HG/1 of the LDF.

Affordable Housing

9. 9 of the 23 dwellings (40%) would be affordable to meet local needs. 6 (67%) would be affordable/social rented and 3 (33%) would be intermediate/ shared ownership that would comply with the required tenure mix. An indicative mix of 2 x one bed houses, 5 x two bed houses and 2 x three bed houses has been provided that is acceptable. However, given that the application is currently at outline stage only, it is considered that the exact mix could be defined at the reserved matters stage in agreement with the Council's Affordable Housing Officer. The first 8 dwellings would be available to applicants that have a local connection with the remaining dwelling being available to applicants across the whole district.
9. The first 8 dwellings would be available to applicants that have a local connection with the remaining dwelling being available to applicants across the whole district.
100. The proposal would therefore comply with Policy HG/3 of the LDF.

Market Housing Mix

101. The development would provide a range of dwelling types and sizes that range from one and two bedroom homes to larger family homes. An indicative mix of 4 x two bed houses, 5 x three bed houses and 5 x four/five bed houses has been provided that is likely to be acceptable. However, Given that the application is currently at outline stage only, it is considered that the exact mix of the market dwellings could be agreed at the reserved matters stage. A condition would be attached to any consent to ensure that the mix is policy compliant.
102. The proposal would therefore comply with Policy HG/2 of the LDF.

Developer Contributions

103. Development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.

Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and,
- iii) Fairly and reasonably related in scale and kind to the development.

Open Space

Formal Sports

104. The Recreation and Open Space Study 2013, forming part of the Local Plan submission, showed that Cottenham needed 9.92 ha of sports space but had 4.66 ha i.e. a deficit of 5.26 ha.
105. Since that time, 3.4 hectares of land has been leased adjacent to the existing recreation ground. However, this may be lost to a development or the provision of educational facilities. In addition, 400 new dwellings have been granted permission.
106. Therefore, if the leased land is lost, the village would need somewhere in the region of 11.52 hectares of outdoor sports space but only have 4.66 hectares (i.e. a deficit of 6.86 ha).
107. Cottenham has a single recreation ground with three senior football pitches, a mini soccer pitch, bowls green, play area and pavilion built in 2015 for approximately £700,000. There is one cricket pitch in shared use by juniors and seniors. A new pavilion was provided in 2007 at a total cost of £400,000 at Cottenham Village College, where there are currently six senior football teams, eight junior football teams, three cricket teams and a women's football team using the facilities. Two junior football teams use the primary school football pitch and four colts' cricket teams and a senior team use Cottenham Village College.
108. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
109. The Parish Council is desperately seeking to buy or lease additional land adjacent to the current Recreation Ground so as to add at least one additional football pitch and provide space for a 3-court MUGA and pavilion. This land is subject to an undetermined appeal on this land. If the appeal is dismissed Cottenham Parish Council would look to purchase and equip some of this land for sports purposes.
110. If the appeal is allowed then Cottenham Parish Council would look to fund a number of other unspecified projects including a new sports pavilion, additional cricket squares, pitch drainage, floodlights and additional land. As an estimate the development would be required to pay in the region of £25,000 in accordance with the policy.

Informal and Formal Children's Playspace

111. The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Cottenham needed 4.96 ha of play space whereas it had 0.26 ha, i.e. a deficit of 4.70 ha.
112. Based on a possible housing mix the development would be required to provide 196 m² of formal play space and 196 m² of informal play space.
113. Cottenham is served by a single play area at the recreation ground. This comprises a number of items for 2-8 year olds as well as a modest sized skate park. The approved developments along Rampton Road and Oakington Road will be required to provide equipped play areas which (though likely to be privately maintained) will be accessible for residents of this development.

114. The applicant is proposing providing a Local Area of Play which would contribute towards mitigating the impact of the development. In addition, the developer would need to make provide a financial contribution towards providing play equipment for 8-14 year olds. Cottenham Parish Council has a number of projects that would provide play facilities for this age. Such projects include a street snooker table, skate park extension and MUGA. As an estimate the development would be required to pay in the region of £33,000 in accordance with the emerging policy.

Informal Open Space

115. The Recreation and Open Space Study July 2013, forming part of the local plan submission, showed that Cottenham needed 2.48 ha of informal open space but had 4.00 ha, i.e. a surplus of 2.48 ha.
116. Based on an indicative housing mix the development is required to provide 212 of informal open space. This has been provided on site.
117. It is the Local Planning Authority's preference that the public open space is offered to Cottenham Parish Council for adoption. If this is not accepted, a management company will be responsible for its maintenance and management.

Community Facilities

118. The Community Facilities Audit 2009 states that Cottenham has a need for 677 square metres of indoor meeting space but had 294 square metres, i.e. a deficit of 383 square metres.
119. Based on the submitted housing mix an area of circa 6 m² is required.
120. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.
121. Cottenham is served by a number of small buildings with limited space including Cottenham Village Hall (120 sqm), Cottenham Community Centre (144 sqm), Cottenham Salvation Army Hall (125 sqm), All Saints Church Hall and Cottenham Club.
122. Based on feedback received during Neighbourhood Plan consultations Cottenham Parish Council has said that in order to meet the needs of future residents a replacement to the existing community centre is needed. However, this project has potentially pooled five contributions.
123. Therefore, on the basis that this application is the smallest of the applications/appeal, it is recommended that the indoor meeting space contribution arising from this development is instead directed towards improving facilities at Cottenham Community Centre.
124. Cottenham Community Centre is a charity run facility which mainly consists of (a) a Coffee Shop (b) a Main Hall and (c) a Studio. There are a number of projects planned to improve the Centre. At the moment the charity is raising funds currently to enable a significant upgrade for Community Hall Users. This upgrade (as listed below) will make the rear kitchen and toilet areas much more attractive and practical for users.
- i) Replacement of the flat roof structure to improve insulation.
 - ii) Larger roof lights to provide more natural light and a more open feel.
 - iii) Full refit of the kitchen with new units, fitted fridge, dishwasher and cooker.

- iv) Merging of the two small toilet areas to create one family-friendly unisex toilet.
- v) Retention and updating of the disabled toilet facility.
- vi) Improved air extraction, heating and lighting.
- vii) Extensive tiling and full re-decoration.
- viii) Replacement windows, rear of hall.

125. The total cost of this work is £74,805. This will be paid for from a combination of Community Centre surplus monies, a developer community contribution, grants (applications pending) and specific fundraising. The Centre is awaiting a final decision from CCF/Amey Community Fund (landfill tax credits) which, if decided in their favour, will see this project fully funded. If unsuccessful, the funding will be short by this amount.

126. Beyond this, the Centre expects to go ahead with other improvement projects in the future, the largest being to refurbish the studio space to improve insulation/comfort. The Centre haven't costed this yet but anticipate something like £50,000 to cover roofing, insulation, windows, external cladding, heating, air conditioning etc. Longer term, the Centre would also like to make some smaller upgrades to flooring and have some re-pointing and stonework to attend to. All of this could go ahead within a 5 years time window tying in with this outline application.

127. A contribution in the region of £11,000 is required based upon the indicative housing mix.

Waste Receptacles

128. The RECAP Waste Management Design Guide requires household waste receptacles to be provided for the development. Off-site contributions are required towards the provision to comply with Policy DP/4 of the LDF. The contribution would be £73.50 per dwelling and £150 per flat.

Monitoring

129. To ensure the provision and usage of on-site infrastructure, a monitoring fee of £500 is required.

Education

130. The development is expected to generate a net increase of 7 early year's children, of which 6 are entitled to free provision. In terms of early years' provision, there are three childcare providers in Cottenham - the Ladybird pre school and two childminders. There is insufficient capacity in the area to accommodate the places being generated by this development. Therefore, a contribution of £28,796 towards early years provision is required.

131. The development is expected to generate a net increase of 10 primary aged children. The catchment school is Cottenham Primary School. There is insufficient capacity in the school to accommodate the places being generated by the development.

132. The Council has recently completed refurbishment of the primary school in response to growing demand in the village. It is a three form of entry primary school.

133. An additional full form of entry would need to be provided to expand the existing primary school together with a one class early years facility. The project is for a stand alone building on land adjacent to the existing primary school owned by the County

Council. The total cost is estimated at £6.2 million. To mitigate the impact of this development, a contribution of £71,990 towards primary provision is required.

134. The development is expected to generate a net increase of 6 secondary school places. The catchment school is Cottenham Village College. There is sufficient capacity in the area to accommodate the places being generated by this development. Therefore no contribution for secondary education is required.

Libraries and Life Long Learning

135. The proposed increase in population from this development (23 dwellings x 2.5 average household size = 57.5 new residents) will put pressure on the library and lifelong learning service in the village. Cottenham library has an operational space of 128 square metres. A contribution of £3,451.50 (£60.02 per head x 57.5 residents) is required to address the increase in demand that would go towards the modification of the library to create more library space and provide more shelving and resources.

Strategic Waste

136. This development falls within the Cambridge and Northstowe Household Recycling Centre catchment area for which there is currently insufficient capacity. The development would not require a contribution towards the project to expand capacity as 5 schemes have already been pooled towards this project.

Summary

137. Appendix 1 provides details of the developer contributions required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF. It is considered that all of the requested contributions to date meet the CIL tests and would be secured via a Section 106 agreement. The applicants have agreed these contributions.

Environmental Aspects

Character and Appearance of the Area

138. The site is situated within The Bedfordshire and Cambridgeshire National Landscape Character Area but is close to and influenced by the Fens Landscape Character Area to the north and east. The local landscape comprises open land with hedgerows and few trees. The site lies beyond a row of tall Poplar trees and is highly visible and sensitive on the edge of the village. It has a rural character and appearance due to the surrounding open fen landscape including Green Belt land opposite.
139. The development would result in the permanent loss of grade 1 agricultural land. While the loss of grade 1 land is regrettable, this is considered acceptable in this instance given the wider sustainability considerations and the need for the development. The proposal would therefore comply with Policy NE/17 of the LDF.
140. The development would result in a small extension to the south of the village beyond the residential developments previously approved and a subsequent loss of openness to the countryside. This would result in adverse visual landscape and visual effects that would require mitigation.
141. The Landscape and Visual Impact Assessment proposes mitigation measures in the form of a 5 metre wide woodland landscape buffer along the north western and south

western boundaries along with dwellings set back behind planting along the south eastern boundary with Oakington Road and adjacent to the Green Belt and retention of existing landscaping. In addition, landscaping would be provided within the site along within an area of public open space. These measures are welcomed but it is suggested that further measures in the form of orchard or fruit bearing trees, the protection of the ditch and a restriction to two and half storey height dwellings are incorporated into the scheme to ensure that the development would not result in material harm to the landscape character and views from the wider area. These measures would be conditions of any consent.

142. The development would therefore comply with Policies NE/4 and DP/3 of the LDF.

Design Considerations

143. The application is currently at outline stage only, with means of access included as part of the application. All other matters in terms of the layout of the site, scale, external appearance and landscaping are reserved for later approval.
144. One vehicular access points would be provided to the site from Rampton Road. This access would incorporate a footway to link to the footway approved as part of the development on the adjacent site.
145. The indicative layout plan shows one primary route through the site and secondary routes off the main road. A footpath link to the adjacent site will be investigated further as part of any reserved matters application.
146. The Design and Access Statement asserts that a wide range of sizes and types of dwellings would be provided within the scheme. The maximum height of the dwellings would be two and a half storeys. These should be at key vistas and focal points within the development with the majority of dwelling being two storey specifically on the edges of the site closest to the open countryside. The buildings would follow the existing pattern of development in the area. The form and design would be simple and the materials would comprise a limited soft palette to reflect the context and built vernacular of the village.
147. The development would provide a total 700 square metres of open space. A LAP would be provided fairly centrally within the site with surveillance by nearby dwellings but adjacent to open countryside to the rear to break up the mass of development.
148. While the Urban Design officer has commented that the indicative layout for 23 dwellings appears cramped, the submitted layout is indicative only and the precise details of the development would be agreed at the reserved matters stage. There is no overriding concern that the scale of development proposed would not be able to be accommodated on the site as the overall density is 33 dwellings per hectare. This is similar to the density agreed on the adjacent site.
149. The proposal therefore has the potential comply with Policies DP/2 and DP/3 of the LDF.

Trees/ Landscaping

150. The proposal would not result in the loss of any trees that make a significant positive contribution to the visual amenity of the area. The existing trees on the north eastern boundary of the site would be retained and protected. However, the proposal would result in the loss of a low quality Willow tree to provide the required visibility splays

and some poor quality landscaping along the Oakington Road frontage and within the grassland.

151. The landscaping to be lost to the development would be compensated through significant planting along the south eastern, south western and north western boundaries of the site and within the development. This landscaping is considered to enhance the quality of the development, assimilate the development into its surroundings and add to biodiversity.
152. The landscaping details would be a condition of any consent along with tree protection strategy and arboricultural method statement.
153. The proposal would therefore comply with Policy NE/4 of the LDF.

Biodiversity

154. The Preliminary Ecological Appraisal has identified habitats on the site that include arable land, semi-improved grassland, scrub, scattered trees and landscaping.
155. The semi-improved grassland and scrub on the site provides a suitable habitat for Great Crested Newts in their terrestrial stage. However, there are no ponds or watercourses that were not dry within 500 metres of the site so their presence on site is considered negligible.
156. The semi-improved grassland on the site provides a habitat for common reptiles. The likelihood of the site to support reptiles is moderate.
157. The site contains suitable bird breeding habitats in the form of scattered trees, scrub and arable land. The area contains a high number of bird species but the site is not considered to form an appropriate habitat for important or protected species.
158. The grassland, scrub and trees may provide foraging opportunities for bats but the commuting value is considered low.
159. No evidence of badgers was found on site although a sett is known to exist 500 metres to the north east. The grassland provides a good foraging habitat although it does not provide a suitable habitat to support setts.
160. As a result of the potential for reptiles, a Phase 2 Reptile survey has been submitted. No reptiles were found so that does not present any constraint to development.
161. Conditions would be attached to any consent to secure mitigation for the avoidance and protection of species as per the recommendations within the Preliminary Ecological Appraisal along with a scheme of biodiversity enhancement.
162. The proposal would therefore comply with Policy NE/6 of the LDF.

Heritage Assets

163. The nearest listed buildings (grade II) to the site are the Almshouses at the junction of Rampton Road and Oakington Road.
164. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall 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.

165. The development is not considered to result in significant traffic movements that would harm the setting or character and appearance of this heritage asset.
166. The proposal would therefore comply with Policies CH/3 and CH/4 of the LDF.
167. The site lies in an area of high archaeological potential. A distinctive crop marked settlement lies to the north west and was found to extend into the adjacent development plot where it has been examined in archaeological trenches. The field evaluation conducted in 2015 included a geophysical survey that also determined the southern extent of the settlement enclosure. The complex appeared to be Iron Age, possibly Roman in date and this was confirmed in the evaluation results where Middle Age remains were found to be superseded by Roman pits, postholes, ditches and a pottery manufacturing kiln. Ridge and furrow cultivation evidence extended over the rest of the development area and is likely to have extended in to the site.
168. A condition would be attached to any consent to secure a programme of investigation for the site to ensure the remains are protected.
169. The proposal would therefore accord with Policy CH/2 of the LDF.

Highway Safety and Sustainable Travel

170. Oakington Road is a busy, fairly straight through road with a speed limit of 60 miles per hour along the section of the proposed access.
171. The development would increase traffic along Oakington Road and in the surrounding area. The proposal as amended is not however considered to adversely affect the capacity and functioning of the public highway.
172. The application proposes to introduce one main access point on to Oakington Road. The design of this junction is acceptable and accords with Local Highway Authority standards in terms of their width and visibility splays. They would also have a 2 metre wide footway to the south and into the development, a three metre wide footway and cycleway to the south and 10 metre radii to allow a large vehicle to access the site.
173. Necessary mitigation in the form of improvements to pedestrian facilities in the form of a 2 metres wide footway along the northern side of Oakington Road between the site access and the existing footway to the west of The Rowells, cycle parking within the village and a Travel Plan welcome pack would be conditions of any consent.
174. The development also requires a Section 106 agreement to secure a contribution of £20,000 towards pedestrian safety and amenity improvements on the High Street in Cottenham.
175. Vehicle parking on the site would be considered at the reserved matters stage and be subject to the maximum standards set out under planning policy.
176. The submission of a Traffic Management Plan would be subject to a condition of any consent to control the route of construction vehicles.
177. The development would therefore comply with Policies TR/1 and DP/3 of the LDF.

Flood Risk

178. The site is situated within Flood Zone 1 (low risk) as identified by the Environment Agency. The proposed development is classed a more vulnerable in the NPPF. A more vulnerable development in Flood Zone 1 is considered appropriate.
179. There are no main rivers near the site. The nearest main watercourse is situated 800 metres to the north of the site although there is a ditch along the boundary with Oakington Road. Flooding from the river and watercourses is considered very low.
180. However, the site may be at risk of surface water flooding from pluvial sources due to the increase in the impermeable area of the site. Climate change may increase this risk of flooding. This source of flooding can however be mitigated to a low and acceptable level through the adoption of a surface water management strategy. The strategy should consider sustainable urban drainage schemes first in accordance with the drainage hierarchy.
181. The Flood Risk Assessment provides details of the surface water runoff rates in order to determine the surface water options and attenuation requirements for the site to ensure that provides for the 1 in 100 year (+40% climate change) storm event.
182. Infiltration is the primary option to discharge surface water. The underlying geology is considered appropriate for this method of discharge. Soakaways or other infiltration based SuDs would therefore be incorporated into the drainage design.
183. The secondary option is discharge to the watercourse along the southern boundary of the site. This watercourse could also act as an overflow for infiltration features.
184. A condition would be attached to any consent to secure the detailed surface water management strategy. The maintenance and management of the system in perpetuity would be included in the Section 106 legal agreement.
185. The proposal would therefore comply with Policy NE/11 of the LDF.

Neighbour Amenity

186. The impact of the development upon neighbours in terms of mass, light, privacy and noise and disturbance will be considered at the reserved matters stage.
187. The development is not considered to result in a significant increase in air pollution.
188. The proposal would therefore comply with Policy DP/3 of the LDF.

Other Matters

189. The development is not considered to result in a risk of contamination, providing a condition is attached to any consent to ensure remediation of any contamination identified during the development.
190. Conditions would be attached to any consent to ensure an appropriate method of foul water drainage and fire hydrants.
191. Conditions would be attached to any consent to secure renewable energy and water conservation measures to comply with Policies NE/3 and NE/12 of the LDF.

192. The cumulative impacts of the other proposed developments in the village have been considered in relation to all material planning considerations.

Planning Balance

193. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
194. The benefits from the development are set out below: -
- i) The provision of up to 23 dwellings towards housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - ii) The provision of 9 affordable dwellings towards the identified need across the district.
 - iii) The provision of open space and informal children's playspace within the development.
 - iv) Developer contributions towards highway schemes, education, sport space, open space and community facilities.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
195. Significant weight can be attached to the provision of up to 23 dwellings including 40% affordable housing to meet the lack of housing supply in the district. Significant weight can also be attached to the provision of open space and informal children's playspace within the development and contributions towards highway schemes, education, sport, open space and community facilities.
196. Moderate weight can be attached to the provision of employment during construction and the impact upon local services from the development.
197. These benefits must be weighed against the following adverse impacts of the development: -
- i) Loss of grade 1 agricultural land
 - ii) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Impact upon the character and appearance of the countryside.
 - iii) Impact upon highway safety.
198. Limited weight can be attached to the loss of the agricultural land given the allowance for this under policy NE/17. Limited weight can be attached to the location and scale of the development given the absence of a five year housing land supply and the need to balance this conflict against the significant need for housing identified in the NPPF.
199. Limited weight can be given to a number of potential adverse impacts including landscape character harm and highway safety as these can be addressed and mitigated through the use of appropriate conditions.

Conclusion

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

Recommendation

201. Delegated approval subject to:

Legal Agreement

Contributions to be secured by way of a Section 106 (or other appropriate) legal agreement with the 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 (and will be tariff based subject to the final number of dwellings and actual housing mix).

The maintenance and management of the surface water drainage system in perpetuity would be included in the Section 106 legal agreement.

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) Approval of the details of the layout of the site, the scale and appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. (Reason - The application is in outline only.)

b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission. (Reason - The application is in outline only.)

c) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved. (Reason - The application is in outline only.)

d) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing number FD 16-1438-50. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

e) The development shall not be occupied until details of a Travel Plan Welcome Pack have been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details. (Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

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

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

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

iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.
The development shall be carried out in accordance with the approved details.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

g) The development hereby permitted shall not be occupied 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.)

h) The details of hard and soft landscape works required by condition 1 above shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants, noting species, plant sizes and proposed numbers/densities and implementation programme.
(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.)

i) 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.)

j) The development shall be carried out in accordance with the Arboricultural Implications Assessment and Method Statement dated 11 December 2017 by Andrew Belson Arboricultural Consultant.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

k) All ecological measures and/or works regarding the avoidance or mitigation of protected species shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (MKA Ecology, November, 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
(Reason - To minimise disturbance, harm or potential impact upon protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and their protection under the Wildlife and Countryside Act 1981.)

l) Prior to the commencement of the development, a scheme of biodiversity enhancement including native species planting and bat and bird boxes incorporated

into the site shall be supplied to the local planning authority for its written approval. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

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

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

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

(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.)

n) No development shall begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment (FRA) prepared by RSK (ref:881304-R1(01) FRA dated November 2017 and shall also include:

- i) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- ii) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- iii) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- iv) Full details of the proposed attenuation and flow control measures;
- v) Site Investigation and test results to confirm infiltration rates;
- vi) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- vii) Full details of the maintenance/adoption of the surface water drainage system;
- viii) Measures taken to prevent pollution of the receiving groundwater and/or surface water.
- ix) A timetable for implementation.

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

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

o) 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.)

p) If during the development contamination not previously identified is found to be present at the site, such as (but not limited to) physical or visual evidence of contamination such as fuels/oils, waste/refuse or backfill or asbestos, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.

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

q) No construction work and/or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no construction works or collection / deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise approved in writing by the local planning authority.

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15, NE/16 and DP/6 of the adopted Local Development Framework 2007.)

r) 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 Policies NE/15, NE/16 and DP/6 of the adopted Local Development Framework 2007.)

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

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15, NE/16 and DP/6 of the adopted Local Development Framework 2007.)

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

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15, NE/16 and DP/6 of the adopted Local Development Framework 2007.)

u) Before any development is commenced, a scheme for protecting the proposed dwellings from noise from Oakington Road shall be submitted to and approved in writing by the local Planning Authority and all works which form part of the approved scheme shall be completed before any one of the permitted dwelling is occupied.

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

v) Prior to the commencement of the development, an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site and on the boundary of the site and at future adjacent properties, including consideration of Glare (direct source luminance / luminous intensity in the direction and height of any sensitive residential receiver) as appropriate, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011” including resultant sky glow, light intrusion / trespass, source glare / luminaire intensity and building luminance.

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.

(Reason - To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with NE/14-Lighting Proposals.)

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

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

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

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

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

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

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

(Reason - To ensure an adequate water supply is available for emergency use.)

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

(Reason - To ensure an appropriate level of housing mix, both market and affordable housing in accordance with policies H/8 and H/9 of the South Cambridgeshire Local Plan Submission March 2014.)

bb) No development shall take place until details of a scheme for the provision of a footway along the northern side of Oakington Road from the site access to the existing footway at to the west of The Rowells has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of any dwelling or in accordance with an implementation programme that has been agreed in writing by the Local Planning Authority.

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

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

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

ee) The development shall be set back 10 metres from Oakington Road and be single storey in height along the western boundary.

(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.)

ff) The accesses to the site shall be completed prior to the occupation of any dwelling.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/4548/17/OL, S/1606/16/OL, S/1952/15/OL, S/3551/17/OL, S/2876/16/OL, S/2413/17/OL, S/1411/16/OL and S/1818/15/OL

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