

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

16 August 2018

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/3865/17/FL

Parish(es): Waterbeach

Proposal: Demolition of existing buildings and redevelopment for a 345 sqm convenience store, 10 apartments and 6 houses, together with associated car and cycle parking and landscaping

Site address: Land at the corner of Capper and Cody Ro, Lancaster & Walmington House, Capper Road, Waterbeach, CB25 9LY

Applicant(s): Cambridge and County Developments

Recommendation: Delegated approval subject to S106 agreement

Key material considerations: Principal of development
Impact to surrounding residential amenity
Impact on the character and appearance of the area

Committee Site Visit: 16 August 2018

Departure Application: Yes (advertised 21 November 2017)

Presenting Officer: Rebecca Ward, Principal Planning Officer

Application brought to Committee because: Significant public interest

Date by which decision due: 18 August 2018

Executive Summary

1. This full application seeks planning permission for the demolition of the existing buildings, including office unit and a community centre and seeks to construct a new convenience store and 16 new dwellings (including flats and housing).
2. As the site sits outside the Development Framework, the development would be contrary to adopted policies DP/7 and emerging policy S/7. However, the site is surrounded by built development and is brownfield land such that it is a contained site. There would be no harm caused to the main aims of these policies in terms of encroachment into the countryside or an unsustainable form of the development.
3. The proposal would not cause an unacceptable reduction in the level of community or service provision in the locality given the prescience of similar buildings nearby. In

addition regard has also been given to the significant level of support for the provision of a new local convenience store at this end of Waterbeach.

4. Officers note there are also a number of local objections to the proposal, particularly in respect of highway safety, noise and impact to the amenity of the nursey and residential units. However, during the consultation process amendments have been made to the application to overcome these local concerns whereby officers now consider the scheme to comply with the national and local development policies.
5. There are no outstanding objections from consultees on these grounds subject to the imposition of restricted conditions to control hours of deliveries etc. On balance officers consider the site could be developed without resulting in an adverse impact in respect of these matters.

Site and Surroundings

6. The site is located on the corner of Capper Road and Cody Road. The site is within an existing area of housing that previously formed part of Waterbeach Barracks, but has now been returned to private ownership following the decommissioning of the barracks in 2013.
7. The site is located outside of Waterbeach Village Development Framework (the boundary lies roughly 200m to the south of the site). The site is outside of the Conservation Area and not within the setting of any listed buildings.
8. Two single storey buildings that were built in the mi-late 1900s for the occupants of the Barracks currently occupy the site. The 'Walmington building' was formerly used as a community centre, but since decommissioning has been let out to small businesses on short-term agreements. Lancaster House was formerly used as barracks offices but is now also let out to businesses on short-term agreements.
9. To the north of the site is the Little Stars day nursery. Beyond this is land allocated within the emerging Local Plan for a mixed-use new settlement comprising 10,000 new homes. Other boundaries to the site are shared with residential properties that line the adopted Capper and Cody Road. Further south of the Cody Road, but before Bannold Road, construction is already underway to build 343 homes.

Planning History

10. S/1695/16/FL Demolition of existing buildings and provision of 20 apartments and food store - Withdrawn concerns with layout, scale and quantum of development
S/0276/97 Alterations to provide community centre - Approved

Planning Policies

11. *National Planning Policy Framework*
National Planning Policy Framework (24 July2018)
12. *Local Development Framework*
South Cambridgeshire LDF Core Strategy DPD, 2007:

- ST/3 Re-Using Previously Developed Land and Buildings
- ST/4 Rural Centres
- ST/5 Minor Rural Centre
- ST/8 Employment Provision

Local Development Framework, Development Control Policies (Adopted July 2007):

- DP/1 Sustainable Development
- DP/2 Design of New Development
- DP/3 Development Criteria
- DP/4 Infrastructure and New Developments
- DP/6 Construction Methods
- DP/7 Development Frameworks
- HG/1 Housing Density
- HG/2 Housing Mix
- HG/3 Affordable Housing
- ET/1 Limitations on the Occupancy of New Premises in South Cambridgeshire
- ET/4 New Employment Development in Villages
- ET/6 Loss of rural employment to non employment uses
- NE/1 Energy Efficiency
- NE/3 Renewable Energy Technologies in New Development
- NE/4 Landscape Character Areas
- NE/6 Biodiversity
- NE/8 Groundwater
- NE/9 Water and Drainage Infrastructure
- NE/10 Foul Drainage – Alternative Drainage Systems
- NE/11 Flood Risk
- NE/12 Water Conservation
- NE/14 Lighting Proposals
- NE/15 Noise Pollution
- NE/16 Emissions
- TR/1 Planning for more Sustainable Travel
- TR/2 Car and Cycle Parking Standards
- TR/3 Mitigating Travel Impact

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

- Affordable Housing
- Trees and Development Sites – Adopted January 2009
- Biodiversity – Adopted July 2009
- District Design Guide – Adopted March 2010
- Landscape in New Developments – Adopted March 2010
- Health Impact Assessment – Adopted March 2011
- Cambridgeshire Flood and Water – Adopted November 2016

Draft Local Plan (submitted March 2014)

- 13. S/1 Vision
- S/2 Objectives of the Local Plan
- S/3 Presumption in favour of Sustainable Development
- S/4 Cambridge Green Belt
- S/5 Provision of New Jobs and Homes
- S/6 The Development Strategy
- S/7 Development Frameworks
- S/9 Minor Rural Centres
- S/10 Group Villages
- CC/1 Mitigation and Adaptation to Climate Change

CC/3 Renewable and Low Carbon Energy in New Developments
 CC/4 Sustainable Design and Construction
 CC/6 Construction Methods
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 HQ/1 Design Principles
 H/7 Housing Density
 H/8 Housing mix
 H/9 Affordable Housing
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity
 NH/5 Sites of Biodiversity or Geological Importance
 NH/8 Mitigating the Impact of Development in and Adjoining the Green Belt
 NH/9 Redevelopment of Previously Developed Sites and Infilling in the Green Belt
 E/12 New Employment Development in Villages
 E/13 New Employment Development on the Edges of Villages
 E/16 Expansion of Existing Businesses in the Countryside
 SC/2 Health Impact Assessment
 SC/7 Outdoor play space, informal open space and new developments
 SC/8 Open space standards
 SC/10 Lighting Proposals
 SC/11 Noise Pollution
 SC/12 Contaminated Land
 SC/13 Air Quality
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/8 Infrastructure and New Developments

Consultation

14. Waterbeach Parish Council - original comments: Waterbeach Parish Council has NO OBJECTION subject to Conditions outlined in the response to the original application (ref Planning Committee minute 17/83) and that the housing is contingent on the inclusion of a convenience store in the development.

Comments on amendments: Waterbeach Parish Council opinion has not changed on its original comments shown below but asks that the impact of the demolition is taken into consideration on the neighbours properties and surrounding businesses. The Council assumes that an asbestos survey will be carried out prior to demolition.

15. Urban Design Officer – recommendation of approval. There has been several pre-application meetings and comments provided on proposed development of this site. We previously indicated that the principle of a mixed-use scheme of residential and retail development was supported but there were issues with the layout, amenity provision and massing of the proposals.

It is considered that the submitted scheme has addressed a number of our concerns. The general arrangement of the blocks has improved and the development seems more cohesive and, subject to the appropriateness of a financial contribution for offsite provision of open space, the layout is considered generally acceptable.

Tree and hedgerow planting should be introduced along the edge of Cody Road with Capper Road that can provide screening. Conditions for details of ridge and eaves height, terraces, parapets and copings, materials and finishes, junctions between

materials, entrances and doors, boundary treatment and ground surfaces has been suggested.

16. Landscape Officer - The minor changes to the Proposed block plan have been welcomed. I have no objections with the proposed development and the development can be integrated into the local landscape without causing any significant impact to the landscape character, visual and visual amenity.
Planning conditions have been recommended to cover: covered and secure cycle parking details, boundary treatments, hard and soft landscaping works.
17. Environmental Health Officer - The EHO confirms that I have received a copy of the above application and have considered the implications of the proposals, in particular the noise impact assessment report ref: 27607 R2 and subsequent R3. The following conditions have been advised:
 - no noisy works shall be carried out and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.
 - one HGV and four LGV vehicles a day.
 - Submission of a Delivery Noise Management Plan
 - Acoustic fence to the plant enclosure
 - Lighting scheme, pile foundation details and burning of waste
18. Affordable Housing Officer - The viability assessment provided by the applicant has demonstrated that the inclusion of the commercial element within this scheme has adversely affected the viability of this scheme which, when taken together with the other planning obligations sought, is resulting in a scheme where the delivery of a policy compliant affordable housing scheme would not be viable.
19. Archaeology Officer (Cambridgeshire County Council) - Given the previous development which has occurred in this location it is unlikely that significant archaeological features remain, therefore we have no objections or requirements for the new proposals.
20. Air Quality Officer - A minimum of 5% car park spaces will have electric vehicle charge points, with provision of electrical infrastructure to facilitate the future installation of an additional 15% EV charge points. The development shall utilise low NOx boilers that meet the NOx emission rating of 40 mg/kWh.
21. Environment Agency - A sustainable scheme for the disposal of uncontaminated surface water will be required. Foul drainage from the proposed development shall be discharged to the public foul sewer unless it can be satisfactorily demonstrated that a connection is not reasonably available.
22. Drainage Officer – The development is acceptable subject to conditions for surface and foul water drainage.
23. Lead Local Flood and Water Authority – We have reviewed the revised documents which demonstrate that surface water can be dealt with on site by using permeable paving with subbase void geocellular storage. Surface water discharge rates will be restricted to provide more than 30% betterment from the existing rates for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change simulated storms. We can therefore remove our objection.
24. Contaminated Land Officer - As such, I would advise that a Phase I Environmental

Desk Study is required to determine whether the site is suitable for its proposed enduse. It is likely that some spot-check confirmatory soil sampling in any proposed garden areas should also be employed to ensure the quality of soils are suitable for modern domestic gardens. A full contaminated land condition has therefore been requested.

25. Waterbeach Internal Drainage Board - As the new development has more reduced impermeable area than the existing development, the board does not have any objections to this application.
26. Ecology Officer - The applicant has submitted a Preliminary Ecological Appraisal (PEA) which provides evidence of ecological constraints found on site. The report details that the buildings have negligible suitability for roosting bats and that the only likely constraints to works are breeding birds and the presence of small priority listed mammals (hedgehogs for example). I am in agreement with this assessment; although I would add a low likelihood of common lizards based on my local knowledge, and would recommend the informatives are included within any planning decision and a condition for a biodiversity enhancement scheme should be provided.
27. Tree Officer - No objections raised.
28. Cambridgeshire County Council Growth Team - Early years- According to County Council guidance the development is expected to generate a net increase of 2 early years aged children eligible for free child care places. In terms of early years capacity, County education officers have confirmed that there is insufficient capacity in the area in the next 3 years to accommodate the places being generated by this development. The cost per place is £18,613 (£483,939 / 26 places). Therefore a contribution of £37,226 is sought for early years mitigation from this development (£18,613 x 2 places).

Primary years - According to County Council guidance the development is expected to generate a net increase of 2 primary education aged children. This development lies within the catchment area of Waterbeach Community Primary School. County Education Officers have confirmed that there is insufficient capacity in the school in the next 5 years to accommodate the places generated by this development. Therefore a contribution will be required towards primary education provision. The primary education project that has been identified to mitigate the primary aged children arising from this development is the second phase of the 1FE expansion to Waterbeach Community Primary School. The second phase is an additional two classrooms (accommodating 60 pupils) and ancillary work, which is estimated to cost £967,878 (costs at 4Q15). The cost per place of the two additional classrooms is £16,131 (£967,878 / 60 places). Therefore a contribution of £32,262 for primary education is sought from this development (£16,131 x 2 primary aged children).

Secondary years - According to County Council guidance the development is expected to generate a net increase of 1 secondary education aged children. The catchment school is Cottenham Village College. County education officers have confirmed that in the medium term Cottenham Village College is forecast to have sufficient spare capacity to accommodate the secondary places generated by the development. Therefore no contribution is sought for secondary education.

Life long learning - The County Council provides a statutory library provision service in Waterbeach via 5 mobile library stops. This new development would result in an increase in population of 40 residents (45 x 2.35). This would place demand on the

Libraries and Lifelong Learning facilities in Waterbeach which would ordinarily require a contribution to mitigate the impact. However, as the mobile library project already has 5 S106 contributions pooled the County Council is unable to seek further S106 contributions.

Strategic Waste - This development falls within the Cambridge and Northstowe HRC catchment area for which there is currently insufficient capacity. The development would ordinarily require a contribution, however, as the HRC already has 5 S106 contributions pooled the County Council is unable to seek further S106 Strategic Waste contributions. The County Council H&CI Committee decision on 7th July 2015 to depart from the existing policy that commits the County Council to providing new sites around Cambridge and at Northstowe and instead use developer contributions to provide one new site to cover the Northstowe development and act as a replacement for Milton.

Representations

29. **Fourteen (14) letters of objection** have been received on this application. The details can be found on the website, however, in summary the following material considerations have been raised:
- Overlooking to Little Stars day nursey play area from the residential properties and safeguarding concerns
 - Overshadowing and loss of light to Little Stars day nursery
 - Loss of light to 20 Capper Road
 - Noise impact from increase in activity
 - The roads around Capper and Cody Road cannot handle large vehicles
 - Development will increase parking on-street, obstruct access to the nursery and cause conflict with children using the nursery.
 - Delivery times between 6am-11pm are unacceptable. No deliveries after 8pm should be allowed due to noise.
 - Over-development of the site - density and insufficient parking
 - Development is not in keeping with the surrounding area
 - New footway access should be provided to the side of No.16 to the nursery
 - Sale of alcohol and anti-social behaviour should be restricted
 - Signs should be erected to control the use of parking
 - Trees should not be removed until end of nesting season in September
 - Loss of community room needs to be mitigated and new community room location found. Provided many good children's parties.
 - Apartments will not be in keeping
 - Lack of affordable housing
 - Village already has 3 convenience stores not a need for another one.
 - The application does not consider the train station application that will result in peak visitors to the store based on train schedules.
 - Renewable energy should be included
 - The village has a weight limit of 7.5 tonnes limit the signs are clearly visible on the A10 and on entering the village.
 - Additional measures to mitigate fast car should be implemented
 - Existing application S/0559/17/OL by Urban & Civic PLC, which borders the subject application, includes a proposal for up to 16,500 sqm of retail uses and therefore the retail aspect of the subject application will be superfluous to providing the intended retail benefits.
 - Concerns raised in regards to vermin
30. **Seventy-six (76) letters of support** have been submitted on this application. The details can be found on the website, however, the following material considerations

have been raised:

- Shop is welcomed at this end of the village
- Improved retail offer to the local community, create jobs and provide new affordable housing
- Wider choice of local groceries with easier access
- New housing will further help lift the feel of this area
- Within walking distance and closer than the village store
- Enhance the entrance to Capper Road
- Shop is essential to support housing on Bannold Road

Planning Assessment

Principle of development

31. The site is located outside of the village development framework of Waterbeach and is therefore technically within the countryside. Residential and commercial development, such as this proposal, would therefore be contrary to policies DP/7 and S/7 of the adopted and emerging local planning policies.
32. Notwithstanding this, the site is centrally located within the former Waterbeach barracks settlement which is made up with a number of residential units and associated facilities. Whilst the barracks was decommissioned in 2012/2013, the properties are still occupation.
33. The area around the site is set to change dramatically over the next decade and it is fair to say in this instance that the site and immediate surroundings cannot be categorised as being in the 'countryside' of which policy DP/7 seeks to protect. Residential units are currently being constructed further down Cody Road. These units have infilled the gap linking the former barracks homes to the village envelope. Land to the north of Cody Road is also allocated for Waterbeach New Town under policy SS/5 of the emerging Local Plan.
34. In accordance with the adopted Core Strategy policy ST/5 Waterbeach is a Minor Rural Centre and has a good level of services and facilities. Developments of up to 30 dwellings are generally acceptable within the village frameworks given the accessibility to services and public transport options. In the emerging Local Plan Waterbeach will retain this status. Whilst the proposed site is outside of the village framework and therefore technically the core strategy policy would not apply, given the site has been found to not be in the countryside, the scale of the development (16 dwellings) would be in-kind with what would normally be permitted in this type of location.
35. In summary, whilst the proposal would be contrary to policies DP/7 and S/7, there would be no harm caused to the main aims of these policies in terms of encroachment into the countryside or an unsustainable form of the development. Other benefits of the proposal would include the redevelopment of a brownfield site, provision of a new shopping facility, affordable housing provision and other s106 contributions which would outweigh the conflict.
36. The proposal would therefore amount to a sustainable form of development in accordance with paragraph 11 of the National Planning Policy Framework. The principle of a mix-use development in this location is therefore considered to be acceptable.

Loss of Services and Facilities

37. The proposal seeks to demolish an existing community center and office building. Emerging policy SC/3 states that planning permission will be refused for proposals which would result in the loss of a village service such as community buildings and meeting places, where the loss would cause an unacceptable reduction in the level of facilitates of community and service provision. The policy includes a set of criteria to consider when determining the significance of any loss. The scheme has been considered below in accordance with the criteria of the policy:

a) Established use of the premises:

38. Since the 1990s 'Lancaster House' on the site was used as a small community centre for the residents of the barracks. Given the barracks has now decommissioned, there is little information in the submitted representations to demonstrate how valuable the facility was at that time.

39. The applicant has explained that during the time the site was part of the Waterbeach barracks access to the facility was limited to the occupants of the base and therefore was not rented or used by the wider population of Waterbeach village. Since the barracks was decommissioned this use has fallen away, however, there is no reason to believe that it could not operate again if there was the demand and willingness to supply an additional community centre in Waterbeach.

40. The Parish Council and local members have been consulted on the application and no in principle objections were raised to the loss of this facility. The building is not listed as an 'Asset of Community Value'. Only small number of representations from nearby resident has raised some concern to its loss, however, to counter this a significant number of the comments have supported the provision of a new local shop as an alternative.

b) Presence of other village services

41. There is an open and running community centre building on the barracks already. This is located roughly 0.5km from the application site. The centre is managed alongside the sports centre, tennis court and squash courts. The centre offers space for activates, rooms for meetings and kitchen area. This building also houses the Waterbeach Military Heritage Museum. There is parking and cycle racks available for public use.

42. There are also other Community Centres within the village that offer a similar space; these includes the Salvation Army Hall on Station Road, Denson Close Day Centre on Denson Close, St Johns Church Community Room on Station Road and Tilage Hall Community Centre on Cambridge Road. These venues are located between 1.2km and 1.9 km from the site and can be accessed by footways for pedestrians and cyclists.

43. Future occupiers of the development and surroundings residents will also have access to the new facilities proposed as part of the new Waterbeach town although the specific location of these facilities/amount has not yet been decided.

44. No evidence has been submitted by third parties to suggest that the other facilities have not been able to cope with displaced users since the community centre closed in 2012.

45. Despite the loss of one facility, the provision of a convenience store on the site will continue to generate community benefit. At present residents in the local area travel

into centre of the village to meet their daily needs. Given the levels of growth around The convenience store will act as both an asset where residents can engage but also be in a more convenient location to cater for their daily needs limiting the use of the car.

c) Marketing/Financial

46. No marketing or financial evidence has been submitted with the application to demonstrate that a period of marketing has been undertaken. The proposal does not therefore comply with this part of the criteria.

Conclusion

47. Given the history of the community centre directly linked to the barracks site, officers do not consider that the proposal would cause an unacceptable reduction in the level of community or service provision in the locality.
48. The local residents will continue to meet their daily needs by other centres in close proximity to the site.
49. A contribution of £6,440.56 will be provided to upgrade Waterbeach Community centre from the development and will go part way in improving existing facilities for the residents. Whilst marketing/financial evidence would have provided certainty that all uses have been explored to rule out a community center use, on balance, the benefits linked to a convenience store which is currently absent in this locality would outweigh any other harm. For these reasons, the proposed development would generally comply with the main aims of policy SC/3 of the emerging Local Plan and would not cause an unacceptable loss in provision.

Affordable housing

50. Emerging policy H/9 states that all developments which increase the net number of homes on a site by 10 or more should provide 40% affordable housing on-site. There are exceptions to this policy requirement where the level of affordable housing would make the development unviable. In which case a revised mix of affordable housing types tenures and then a lower level of affordable housing can be negotiated.
51. The viability assessment provided by the applicant has demonstrated that the inclusion of the commercial element within this scheme has adversely affected the viability which, when taken together with the other planning obligations sought, has resulted in a scheme where the delivery of a policy compliant affordable housing scheme would not be viable.
52. The viability appraisal compared two schemes to test the viability of the development. This is as follows:
- A scheme of 16 units with 6 affordable dwellings that would deliver 40% affordable housing and
 - A scheme of 16 units with 2 affordable intermediate dwellings
53. The applicant's viability appraisal (which can be found on the Council's website) shows the policy compliant scheme of 6 (40%) affordable dwellings delivers significant deficit. Whereas the scheme with 2 (13%) affordable dwellings delivers a small surplus.

54. This report has been reviewed by the Council Housing Development Officer who has concluded that the proposal would accord with the criteria in policy H/9 of the emerging Local Plan as in this instance it would be unreasonable to expect the developer to deliver a policy compliant affordable housing scheme on this site, alongside a commercial element.
55. Given the level of support locally for a commercial element and the wider public benefit it would bring to residents in this part of the village, a reduction to the affordable housing contribution is considered to be acceptable in this instance.

Housing mix and housing density

56. Emerging policy H/8 requires development to deliver a wide choice, type and mix of homes to meet the needs of different groups in the community. This policy is in compliance with the national framework. Market homes should consist of 30% 1-2 bedrooms, 30% 3 bedrooms, 30% 4 or more homes with 10% flexibility.
57. The market mix proposed seeks to introduce 8x1/2 bedroom flats, 6x3 bedroom houses. The proposal would therefore fall short of meeting demand for larger housing, however given the nature and density of the site local circumstances dictate that the proposed mix would be more suitable in this location. The proposal would therefore be in general compliance with policy H/8 that seeks to deliver a wide choice of homes.
58. The overall density if the development is an average of 53 dwellings per hectare. This is due to apartments being located above the convenience store. This density would be in accordance with emerging policy H/7 that net density on a site should be justified on local circumstances and ensuring that developers make best use of land.

Impact to the Character of the Area

59. The existing buildings on the site will be demolished. They are not of particular architectural merit and therefore there are no objections to their demolition. The proposal seeks to introduce a three-storey high mixed-use building with a retail unit on the ground floor and six flats above. Six two-storey dwellings will front onto Capper Road with their garden areas to the rear. Car parking areas will be located to the front of the properties.
60. The site is located within an existing and developing residential area with little Fen Edge landscape characteristics. The mass of the building has been broken up by stepping in the elevations as it goes up and its location central to the site. The impact of the development on the wider landscape area will be negligible.
61. In terms of the local landscape character this includes characteristics such as building lines that are set back from the road, open front gardens, road side grass verges, some parking courts filtered view due to village edge native hedgerow with a belt of mature trees.
62. As a result of the development there will be some loss of landscaping to the corner of Capper and Cody Road, whilst is an unfortunate omission from the local area, a suitable service area needed to be found to accommodate delivery vehicles. This was considered the most suitable location in highway safety terms. The built form will be set back from the roadside and would accord with the local character.
63. Additional planting will be accommodated in between parking spaces along Capper

Road to soft the impact of the parking and hedgerows/shrubs will be planted to the frontage of the housing. On this basis the development will continue to preserve the local landscape characteristics in accordance with policies DP/2 and DP/3 of the adopted DPD.

64. In terms of the overall design and appearance, the applicant has opted for more contemporary design approach which has been welcomed by officers. Whilst this will be different to those immediately around the site, the existing residential houses are of no particular merit and replicating the same design would not be encouraged. The apartments have be staggered to break up the overall mass of the building and the choice of materials can be reviewed by planning condition to also ensure they are in keeping with the area. Garden areas are located to the rear of the dwellings and are in accordance with the design guide. The flats will each have access to small private balcony/terrace areas. An area of open space is also located on the opposite side of Cody Road. A renewable energy condition will be applied to the decision notice as well to ensure the building compiles with energy standards.
65. On this basis the design of the development will continue to preserve the local area in accordance with policies DP/2 and DP/3 of the adopted DPD.

Highway safety and noise impacts

66. The application has been amended twice in order to overcome concerns raised by the Local Highways Authority to the movement of delivery vehicles. The proposal now includes a delivery/service bay alongside Capper Road to allow delivery vehicles to entre and leave in a forward gear without the need to reverse. There will be bollards at either end of the service bay to restrict its use and protect pedestrians. The LHA have welcomed this amendment and consider the movements to be acceptable.
67. There is local concern about the noise impacts that might result from the movement of large delivery vehicles. A noise report was undertaken by the applicants specialist consultant based on the revised layout. The aim of this was to asses the noise impact of the proposal in accordance with the industry standards and potential impacts on neighbouring amenity.
68. The report concludes that there will be an impact to residents of the development and surrounding residents from delivery activity, however, proceeds to state that the context of prediction should be accounted for. The report recommends that restricted daytime delivery schedules (see below table) and the enforcement of a 'Delivery Noise Management Plan' will ensure the noise impacts sits below the industry standards.

Table 2A Delivery Details and Arrangements

Delivery Type	Vehicle	Frequency	Delivery Window
Ambient, Fresh, Frozen, Milk	HGV	1 – 2 per day (each day)	7am-7pm (Mon-Fri); 8am – 6pm (Sat)
Bread		1 – 2 per day (each day)	7am-7pm (Mon-Fri); 8am – 6pm (Sat)
		2 – 4 DELIVERIES	-
Newspapers & Magazines	LGV	1 per day	6:00am-9:00am
Sandwiches		1 per day	7:00am-10:00am
		2 DELIVERIES	-

69. Given the restricted delivery times and the likely frequency of the deliveries to 4 per day, the impact to residential amenity will be limited and can be controlled to set times

by condition. The delivery vehicles will need to make the same route as the local bus service around Capper Road to avoid any reversing onto the adopted public highway. The proposed use is not uncommon to other small retail units found in residential villages. The Councils Environmental Health Team and Local Highways Authority have reviewed these details and have raised no in principle objections subject to specific planning conditions applied to the decision notice. The Highways team have come to this conclusion also having regard to the application for the new train station to the north of the site.

70. Following comments on the weighting restrictions to the village from third parties, officers have reviewed this alongside the Highways Authority. The order permits HCV's access to the village for a range of activities, including in 4 (a) i the delivery of goods to any premise accessible only by the lengths of road covered by the schedule. This situation would apply in the case of the proposed convenience store and allow for their deliveries.
71. On this basis the proposed scheme is not considered to cause an unacceptable level of noise or cause highway safety concerns that would be detrimental to surrounding residential properties and road users in accordance with DP/3, NE/15 and SC/11 of the adopted and emerging local policies.

Parking

72. The proposed layout incorporates car parking spaces for the properties. Each house has 2 car parking spaces, with one space allocated to each of the proposed apartments. A parking area is located to the front of the retail unit where 11 parking spaces including 2 disabled spaces will be provided. Appendix 1 of the DPD relating to car parking provision states that for food shops, 1 car parking space per 14 m² of gross floor area is required. This would equate to 24 spaces.
73. To provide 24 spaces would result in a development that was dominated by un-used car parking for a store of this size and in this location. The site is largely accessible on foot or by bike and as such, the proposal to provide 11 spaces would encourage local residents to travel to the store by these more sustainable methods. The local circumstances therefore suggest that this provision of parking would be acceptable and therefore would comply with Policy TR/2 of the DPD.

Impact to residential amenity and little star nursery

74. A number of third party representations have raised concerns to the overlooking impact from the first floor windows of plot 11-16 (which are three bedroom dwellings) to Little Stars Day Nursery play area. There are no guidelines with the Councils SPD or other available advice that dictates what distances should be obtained between residential units and school playgrounds in the context of overlooking. However, generally nursery and school facilities are found in such locations with general overlooking not being considered detrimental.
75. Despite this, the plans have been amended to move these properties further forward to allow for a gap of 17m between the first floor windows to the boundary with the nursery. The proposed separation would exceed the residential distances required in the Councils District Design Guide SPD, which guides development to be 15m from the shared boundary of residential properties to avoid overlooking.
76. In terms of overshadowing and overbearing, the buildings are located an acceptable distance to not cause any significant adverse impact on their amenity.

77. Subject to appropriate conditions, it is therefore considered that the proposal would not result in any adverse impact to residential amenity or the functioning of the local nursery. The proposal would therefore accord with policies DP/3 and HQ/1.

Other Matters

78. Drainage and flooding - The site itself is not adjacent or covered by any Flood Zone or area of Surface Water Drainage Issues. The overall level of development on this site is unlikely to result in significant levels of hardstanding, and appropriate conditions would be proposed to require the details of the surface and foul water drainage to be submitted to ensure measures are imposed to mitigate for any hardstanding that is necessary. Subject to conditions that require the details of the drainage measures, officers do not consider that flooding would be materially impacted either on this site or in the nearby area. The proposal is therefore considered to accord with policies DP/2, NE/9, NE/10, NE/11, CC/8 and CC/9.
79. Ecology and Biodiversity - A Preliminary Ecological Appraisal has been undertaken and supports this application. The existing buildings and trees on site were assessed for their bat roost potential. All were considered to have negligible potential for bats. Furthermore, given the nature of the site with hardstanding and short grass which is unlikely to support night-flying invertebrates, it was concluded that there were limited opportunities for foraging bats. As such, ecology does not pose a constraint to the development and enhancements can be made through native planting and incorporation of bird and bat boxes on the new buildings to enhance the value of the site for wildlife in accordance with policy NE/6 and the Framework.
80. Waste and recycling - As amended the design and layout of the proposed development takes into account appropriate accommodation for waste storage in accordance with policy DP/3 (g) of the DPD and the RECAP Waste Management Design Guide SPD.
81. Contributions - The developer has agreed to provide contributions toward early years and primary years in accordance with the comments from the county council education department. This will be secured via the s106 agreement. In respect of planning other obligations the developer has also agreed to provide bins and monitoring contribution, £14,186.24 in order to help fund a new storage shed, £17,196.25 to fund a new toddler play area on the recreation ground and £6,440.56 to fund resurfacing of the car park at Tillage Hall. The Council's S106 Officer has reviewed the projects and considers they meet the tests of CIL regulations 123 and are necessary to mitigate the impact of the development. They will also be secured via s106 agreement and the heads of terms is attached to this committee report.
82. Security and anti-social behaviour - Security and anti-social behaviour is a material consideration in so far as trying to mitigate impacts through the design and layout of places. In this particular case officers consider the location of the retail unit to be in a highly prominent location that will be well overlooked and in design terms relatively secure. In terms of any future anti-social behaviour, the planning process cannot control or manage this. This will be the responsibility of the police to monitor and manage and is not a material consideration that can be given any weight.
83. Bin and Waste - The revised layout enables the Council's refuse truck to get within 12 m of the bin store for the apartments so that they can carry out their waste collection duties. Although the plan shows small domestic bins, the reality is that the commercial paladin bins will be used and that has been accounted for.

84. As such, residents will only be required to bring their waste from their apartments to the bin store and nothing further. The bins store will be secured to enable refuse team's access for collection purposes.

Conclusion

85. In conclusion, officers consider that the proposal is contrary to the adopted policies of the development plan, notably policies DP/7 and S/7 as the site sits outside the adopted Development Framework.
86. That said, officers consider that site specific circumstances, notably the contained nature of the site around residential development, its brownfield status and its sustainable location in relation to the main part of the village are significant material considerations.
87. These matters outweigh the conflict with policy DP/7 and S/7 having regard to the reasons for the harm those policies seek to prevent which is safe guarding the countryside from encroachment and preventing growth in unsustainable locations.
88. For these reasons the proposal is considered to be sustainable form of development that would accord with paragraph 11 of the national planning policy framework.

Recommendation

89. Officers recommend that the Committee gives delegated approved to this scheme subject to:

Requirements under Section 106 of the Town and Country Planning Act 1990

See appendix 1 - Heads of terms

Conditions

See appendix 2 - Conditions

Background Papers:

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: (These documents need to be available for public inspection.) S/3865/17/FL
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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