

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

16 January 2019

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2281/18/RM

Parish(es): Cottenham

Proposal: Approval of reserved matters for access, appearance, landscaping, layout and scale following outline planning permission S/1606/16/OL for the erection of up to 121 dwellings, formation of a new vehicular and pedestrian access onto Oakington Road and associated infrastructure and works

Site address: Land Off Oakington Road

Applicant(s): Persimmon Homes (East Midlands) Ltd.

Recommendation: Approval

Key material considerations: Affordable Housing
Market Housing Mix
Impact on Landscape and Local Character
Ecology, Trees and Hedging
Highway Safety
Flood Risk
Archaeology
Neighbour Amenity
Heritage Assets

Committee Site Visit: 11 December 2018

Departure Application: No

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

Date by which decision due: 18 January 2019 (Extension of Time agreed)

Background

1. This application was deferred from the December 2018 Planning Committee meeting as members had concerns in relation to the layout and design of the scheme including the provision for drainage. These matters have been reassessed and updated in the representations and planning assessment sections of the report. The officer recommendation remains that the details for access, appearance, layout and scale of the development are acceptable and that subject to additional details of landscaping and tree protection these matters can also be approved.

Planning History

2. Site

S/0907/18/RM - Reserved Matters application for 126 dwellings and associated works following Outline planning permission S/1606/16/OL for the erection of up to 126 dwellings, formation of a new vehicular & pedestrian access onto Oakington Road and associated infrastructure and works - Withdrawn

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) - Approved

3. Adjacent Sites

Oakington Road

S/3615/17/RM - Application for approval of reserved matters for access, appearance, landscaping, layout and scale following outline planning permission S/1952/15/OL for the demolition of existing barn and construction of up to 50 dwellings - Approved

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

S/4548/17/OL - 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 – Refused

Rampton Road

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

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)

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 Submitted)

S/2876/16/OL - Outline Planning Application for residential development comprising 154 dwellings including matters of access with all other matters reserved at Land North East of Rampton Road - Appeal Allowed

Environmental Impact Assessment

4. The outline application for the site was screened and an Environmental Impact assessment was not required.

National Guidance

5. National Planning Policy Framework 2018
National Planning Practice Guidance

Development Plan Policies

6. **South Cambridgeshire Local Plan 2018**
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/8 Housing Density
H/9 Housing Mix
H/10 Affordable Housing
H/12 Residential Space Standards
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/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
7. **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
Cottenham Village Design Statement - Adopted November 2007

Consultation

8. **Cottenham Parish Council** – Minded to recommend refusal, as amended, and has the following comments: -

- i) Concerns regarding transparency of the drainage information – the new raw data provided for the water table etc. is unintelligible to most people.
- ii) Inconsistencies between the drainage maps and the site layout so we question the validity of the information and the contours of the site aren't included.
- iii) There is still a query regarding the legal rights of potential residents to use the proposed pedestrian/emergency access onto Rampton Road – we've never had a definitive answer over ownership.

If approved we would like the design and validation of the SUDS to be conditioned. Should recommendation be made we'd like the application taken to Committee.

9. Originally had the following comments: -

- i) Infiltration – inconsistent information on water course with the D&A statement. Ponds in south east of the site are very separate from the main development and due to the topography the water would need to go sideways and uphill.
- ii) Bulk of the estate appears to be roads that County Highways won't adopt or maintain. Persimmon have a poor history in Cottenham of getting roads adopted. Very little information provided regarding how the permeable surfaces will be maintained to ensure they work adequately in perpetuity.
- iii) Concerns re the unsatisfactory management of the play area.
- iv) No proof provided that the pedestrian access road onto Rampton Road belongs to the site and no info provided regarding maintenance and adoption of said access.
- iv) Concerns re. size of some of the houses, which are smaller than national guidelines. Noted that if build 1 bedroom houses they don't have to provide open space.
- v) Onsite open space is too small – have included SUDs in the calculation.
- vi) Too much frontage parking and not enough parking spaces in general (average number of cars per house in Cottenham is 3). Given the snaking nature of the 'main' road, with inadequate parking this could become a safety issue.
- vii) Trees: noted that screening has gone from the SW edge and more trees should be planted in the gardens.
- viii) Good mix of houses but a few too many occurrences of same types together. Lots of the affordable housing is bunched at one end of the development and needs to be further pepper potted around the site.
- ix) In general there appears to be a lot of general reliance on Building Control to ensure that everything is up to scratch and we doubt, given the sophisticated scheme like this, it will be enforced adequately – there are already several issues on the neighbouring Bellway site.
- x) Concerns re badger provision.

10. **Landscape Design Officer** – No comments received.

11. **Trees and Landscapes Officer** – Has no objections, as amended. Comments that the arboricultural implications assessment and method statement has been submitted and the tree protection plan is sufficient for the proposal. However, has concerns in relation to the range of tree planting and advises that a diversity of tree planting is required with trees of greater interest and landmark trees. Recommends a condition in relation to landscaping to be attached to any consent.

12. **Urban Design Officer** – Has the following comments, as amended: -

Layout

There has been some improvement to the layout with a reduction in the number of parking spaces in front of properties. It is however disappointing that there are still a significant number of dwellings with parking in front which impacts on the amount of enclosure to the street. Pulling some of the adjacent buildings forward to screen blocks of parking to provide a stronger built edge would be helpful such as Plots 87-89, 99 and 106.

Planting strips 9 (2m wide) are proposed between car bays to screen perpendicular parking bays. It is considered that the planting could be vulnerable to damage by pedestrians accessing their vehicles. It is therefore recommended that the parking bays are grouped in twos with larger planting bays between that would allow for more substantial planting (specimen trees and hedging).

Improvements should also be made to the relationship of the perpendicular parking bays to the front of the property(s). Cars will be parked only 1m away from the front door and windows. Where possible the houses should be set back with buffer planting between the car and house path. There may be such an opportunity by removing the footway adjacent to the hedge (from Plot 69 to the turning head) on the north boundary which does not serve any units. This would allow the carriageway to move closer to the boundary and give more space in front of units 100-105 to create this landscape buffer between cars and buildings.

Boundary Hedging

The plan indicates a hedging along part of the south east boundary to the Bellway site and south east of Plots 93, Blocks 94-98-and 117-121 and Plot 116. No details seem to be provided on any plan of the hedgerows. Details of these hedgerows/ boundary planting should be provided along with information on the management of the hedgerows. The hedge along the Bellway boundary should also continue along the full length of this boundary i.e. behind Plots 52 -55 to join with the hedging to the rear of properties on The Rowells /Worland Way. It is also suggested that this hedge links with the hedgerow to the side of Plot 93 to create a wildlife corridor. A condition on the application will need to be applied that requires further details on the hedges, together with planting plans and maintenance proposals to be submitted and agreed by the LPA prior to the construction of the dwellings together with a requirement that the hedge is contiguous from the substation /Plot 19 to Worland Way.

Connections

A condition or unilateral undertaking must be required on the development to provide an adoptable footway/ cycleway link from the turning head serving plots 56, 70-73 to the north boundary of the site. Details and position to be agreed with the Local Planning Authority. This will facilitate access to the play area from the adjoining site which has outline consent

Elevations

There have been some improvements in the elevations of some house types. I still have concerns with the design of the integral garage house types as the garage doors are too dominant a feature in the front elevation.

The elevations indicate rafter feet i.e. open eaves, and some gable ends have clipped verges / wet verges. The developer should provide details on the treatment of the verge and eaves at a scale of not less than 1:20(condition). These details to be submitted to and by the LPA prior to the construction of the dwellings

Details of all windows, doors, reveals, brick features , cills bays and porches at a

scale of not less than 1:20 should also be submitted to and approved by the LPA prior to the construction of the dwellings

Materials

Bricks – Cannot find any information on the Anstone and Langold bricks. Stock Bricks similar to the traditional range found in this area of Cambridgeshire will be expected

Tiles – The mini Stonewold has a thick leading edge and has the dimensions of a tile.

Grey roofs are traditionally in slate and a reconstituted slate to replicate the appearance of traditional roofs would be more appropriate

Brown pantiles are also not typical of roofs in the region and the brown is very dull.

Indeed, pantiles should be used sparingly as most properties in Cottenham are roofed in plain tiles or slates. Where pantiles are proposed roofs should be simple as changes in plane can appear unsatisfactory, so it is best to avoid dormers and hips.

Samples and details of all materials must be submitted and approved by the LPA prior to the construction of the dwellings

13. **Ecology Officer** – Has no objections, as amended. Comments that the previous submission of this reserved matters application had overlooked integral ecological features which were part of the discharge of condition 15 (ecological enhancement) and condition 12 (badger mitigation). The new submission has addressed those issues.

A designated badger corridor runs from the southeast to the north west boundary. At approximate 150 m into the site the corridor crosses an access road. An indication has now been made of the approximate location of a suitable badger tunnel, which will protect badgers from RTA incidents (see drawing no: ORC-PL-002 Planning Layout).

In response to concerns raised regarding the actual buffer distances between the badger setts and development. The applicant has submitted the results of a further badger survey and mitigation strategy (MKA Ecology, May 2018). The results of the survey have shown that temporary closures of setts will be necessary to avoid disturbance of badgers during the construction phase. This will require a licence from Natural England to be issued. Provision of suitable foraging habitat within the land adjacent to setts 1 and 2 has also been included. Satisfied that attention has been paid the buffer zones around the active and part active setts and badger mitigation can be further scrutinised through the discharge of condition 12 (badger mitigation) should it be necessary.

A small wetland area has been indicated on the planning layout. It does not appear to be connected to the SUDs network and is a stand alone wetland that will be designed to hold water (clay lining for example). Details of this design can be scrutinised through discharge of condition 15; satisfied that provision has been made within the layout for it.

The ecological enhancements submitted in relation to condition 15 should provide evidence of biodiversity enhancement and a net gain in biodiversity.

14. **Historic Buildings Officer** – Has no objections. Comments that the highway affects the setting of the Moretons Almshouses (grade II listed) are approved and do not form part of this application. The development would have a slight impact upon views towards Tower Mill (grade II listed) but there would be negligible impact upon the significance of the heritage asset and there will be no impact upon the conservation area.

15. **Environmental Health Officer** – Comments are awaited and will be reported in the written update or verbally at the meeting.
16. **Contaminated Land Officer** – Comments in relation to contamination were made on the outline application and a condition placed on the decision notice. No further conditions are required.
17. **Drainage Officer** – Has no objections as amended subject to a condition in relation to the maintenance and management of the surface water drainage scheme.
18. **Affordable Housing Officer** – Has no objections as amended. Comments as follows:

Adopted Policy H/10 states that all developments of 11 dwellings or more will provide 40% affordable housing suitable to address local housing needs. This amended scheme is for 121 dwellings, therefore 48 would need to be affordable. The amended Housing Statement supporting this application demonstrates the delivery of 48 Affordable homes.

The tenure mix for affordable housing in South Cambridgeshire District is 70% Rented and 30% Intermediate housing. The applicants proposed mix below is broadly consistent with the previously advised mix and is acceptable.

Bedroom requirements	Plot type	Tenure mix		Total affordable
		Rent	Intermediate	
1bed	Aster Mew	10	0	10
2bed	P71 (LTH)	20	6	26
3bed	P81 (LTH)	2	4	6
4bed	1162	1	5	6
	Total	33	15	48

In Major Developments, Rural Centres and Minor Rural Centres the type (house, flat, bungalow) and size (bedrooms) of affordable housing will be based on the need across the district as a whole. However with 5 Year Land Supply sites such as this, there is also a requirement to address local housing need. As a starting point for discussions on the requirement for a local connection criteria on 5 year land supply sites:

- i) The first 8 affordable homes on each 5 year land supply site will be occupied by those with a local connection; the occupation of any additional affordable homes thereafter will be split 50/50 between local connection and on a Districtwide basis.
- ii) If there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to relet.

The locally arising housing needs (December 2017) for Cottenham is set out in the table below. The advised Affordable Housing Mix reflects the differences between local and district wide need, especially with regard to the requirement for fewer 1 bed and more 2 bed properties. Compared to 2016 the locally arising housing need has increased by an additional 28 households.

Bedroom Requirements for applicants aged under 60				Bedroom Requirements for applicants aged 60+			Total
1 Bed	2 Bed	3 Bed	4+Bed	1 Bed	2 Bed	3 Bed	
29	31	11	1	25	1	0	98

Adopted Policy H/9 (3) states '5% of homes in a development should be built to the accessible and adaptable dwellings M4(2) standard rounding down to the nearest whole property. This provision shall be split evenly between the affordable and market homes in a development rounding to the nearest whole number.' This would equate to 6 dwellings on the proposed development in total, with two of these (40% of the total) being affordable housing.

The applicants proposal exceeds the above requirement delivering 32 of the 48 affordable dwellings (26 no. plot types P71 – 2 beds and 6 no. plot type P81 – 3beds) to 'Lifetime Homes' standards.

Adopted Policy H/12: Residential Space Standards requires that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document (NDSS). The applicant has revised the unit sizes in this application for the unit types P71, P81 and 1162. These unit types now all meet NDSS for the affordable housing within the application with the exception of the Aster Mews type as shown below:

type	M2	floors	bedspaces	NDSS m2
Aster Mews	48	2	2	58
P71 (LTH)	79	2	4	79
P81 (LTH)	93	2	5	93
1162	113	3	6	112

Although the Aster Mews 1 bed properties should, as 2 storey dwellings, have a minimum gross internal floor area of 58m² to comply with the Nationally Described Space Standards as shown on the layout drawing (ASM-VH-PD-01) the internal floor area is sufficient for a 1 bed 2 person property, as evidenced by the variant type shown on the first floor in drawing ASF-VH-PD-01. Furthermore the applicant has provided evidence from a Registered Provider (Cross Keys) confirming the acceptability of this unit type for their affordable housing tenants. The Affordable Homes service is therefore satisfied that the unit types sizes and layouts are all acceptable as an affordable housing scheme.

The amended mix and layout has been improved, with smaller clusters spread throughout the development that are consistent with the guidance within the

Affordable Housing SPD.

19. **Local Highway Authority** – Requests that drawing number ORC-MCCP -001 Rev A is not approved as the Local Highway Authority will not seek to adopt the development. Requires conditions in relation to the submission of details of the proposed arrangements for future management and maintenance of the proposed streets within the development, the access is constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway (the use of permeable paving does not give sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided), the proposed access is constructed using a bound material to prevent debris spreading onto the adopted public highway and the submission of a traffic management plan during construction. Also requests an informative with regards to works to the public highway.
20. **Cambridgeshire County Council Historic Environment Team** – Has no comments on the layout of the development and no further fieldwork requirements as the archaeological programme for the site was secured by condition 16 of application S/1606/16/OL.
21. **Cambridgeshire County Council Flood and Water Team** – Has no objections. Comments that since the objection dated 16 July 2018, updated information has been received. The design of the infiltration basins has been amended. The base of basin 2 has been raised by 300mm to ensure that the separation between the base and the recorded ground water level is at least 1 metre. The separation for basin 1 is also at least 1 metre. Drawing number PER107/200E/P and the calculations have been updated to reflect the changes. Requires a condition in relation to the long term maintenance and management arrangements for the surface water drainage system.
22. **Environment Agency** – Has no further comments beyond those considered as part of the outline application.
23. **Anglian Water** – Has no objections. Comments that it has reviewed the foul drainage strategy and flood risk documentation and the impacts upon the foul sewerage network are acceptable. Has also reviewed the surface water drainage information and considers that the impacts upon the public surface water sewerage network are acceptable.
24. **Old West Internal Drainage Board** – Has no comments as there will be no connections to the Board's system from the site.
25. **Huntingdonshire Sustainability Team** – Comments, as amended, that the water conservation information submitted is satisfactory in accordance with condition 26 of the outline consent but requires further information for renewable energy in accordance with condition 27 of the outline consent.
26. **Crime Prevention Design Officer** – Comments that the layout is acceptable in terms of crime prevention and community safety as it would high levels of natural surveillance from most of the homes facing each other and overlooking the open spaces and play area. Vehicle and pedestrian routes are mainly aligned together and well overlooked. Permeability has been limited to essential areas/ access routes only. Vehicle parking is mainly within the curtilage to the front/sides of properties with some natural surveillance. The houses appear to have protected rear gardens which reduces the risk and vulnerability to crime. Homes appear to have defensible space to the front. Has some concerns in relation to the amount of footpaths to the rear of

terraced dwellings and requests gates and would like to see the external lighting plan and landscaping maintenance plan when available.

27. **Cottenham Village Design Group** – Comments are awaited and will be reported in the written update or verbally at the meeting.

Representations

Local Residents

28. Five letters of representation have been received that raise the following concerns: -
- i) Flood risk and adequate surface water drainage.
 - ii) Concentration of one and two bed properties and high density development in NW area of village heart leading to social discord.
 - iii) Design and layout out of keeping with the character of the village.
 - iii) Lack of parking spaces in village heart and on-street parking making access difficult for emergency vehicles.
 - iv) Management company must manage the site in relation to the drainage systems.
 - v) Unsustainable site in terms of distance to facilities.
 - vi) Increase in traffic and pollution.
 - vii) Road construction.
 - viii) Respect for wildlife.
 - ix) Gaps between the planters on the emergency access are too small to be safely navigated by any person using a mobility scooter, tricycle or pulling a trailer.
 - x) The tree screens at the edge would not allow views through to open countryside and inwards to some houses.
 - xi) Construction vehicles blocking access.
 - xii) Houses below the minimum space standards so insufficient internal and external space.

Applicant

29. No changes are proposed to the design of the scheme. In terms of the ditch, this forms part of our site and the management company for the site will take on board its maintenance. The consultees are in support of the drainage scheme so no changes are proposed.

Site and Surroundings

30. The site is located outside the Cottenham village framework and in the countryside. It is situated to the west of the village and comprises a number of arable and pastoral fields that measure approximately 4.6 hectares in area. A row of Poplar trees run along part of the southern boundary and a row of Leylandii trees run along the northern boundary of the site. Sporadic landscaping forms part of the southern boundary and western boundary. A hedge runs east to west across the site and along part of the northern boundary. Residential development is situated along Rampton Road to the north and Oakington Road to the east of the site. Open agricultural land lies to the south and west. The site lies within flood zone 1 (low risk).

Proposal

31. The proposal as amended seeks reserved matters consent to include access, layout, scale, appearance and landscaping for a residential development of 121 dwellings.
32. There would be one main access point to the site from Oakington Road with an

emergency access to Rampton Road. The site would comprise an area of public open space and children's playspace centrally, surface water flood mitigation and attenuation at the entrance to the site and structural planting and landscaping along the site boundaries.

33. The affordable housing mix proposed is 10 x one bed units, 26 x two bed units, 6 x three bed units and 6 x four bed units. The market housing mix proposed 23 x two bed units (32%), 26 x three bed units (36%) and 24 x four bed units (32%).
34. The development would be split into three character areas – the cottage edge to the south adjacent to the open countryside, cottage green around the public open space and village heart to the north adjacent to existing residential development. The scale of the dwellings would be two to two and a half storeys in height. The designs would have simple linear forms and traditional pitched roofs. Features would include canopies on main doors, arched brick lintels and stone cills. The materials of construction would be a mix of buff bricks and red bricks and grey and brown roof tiles.
35. All three and four bedroom dwellings would have two parking spaces. The two and one bed dwellings would have at least one parking space.

Planning Assessment

36. The principle of residential development of up to 126 dwellings was established on this site under planning consent S/1606/16/OL. The key issues to consider in the determination of this application relate to density, affordable housing, housing mix 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.

Housing Density

37. The overall site measures approximately 4.6 hectares in area. The net developable site area measures 3.9 hectares. The erection of up to 121 dwellings would equate to a maximum density of 31 dwellings per hectare across the whole of the site. This density would comply with the requirement of an average of 30 dwellings per hectare for villages set out under adopted policy.
38. The proposal would therefore comply with Policy H/8 of the Local Plan.

Affordable Housing

39. 48 of the 121 dwellings would be affordable to meet the local needs. The proposed mix of units that comprise 10 x one bed units, 26 x two bed units, 6 x three bed units and 6 x four bed units is considered acceptable. The tenure mix of 33 rented units (69%) and 15 intermediate units (31%) would meet the requirements and is satisfactory.
40. The revised layout has resulted in less affordable dwellings concentrated in the north west corner of the site and more dispersed throughout the site. The layout is now agreed.
41. The size of the units would now accord with the required space standards of 58 square metres for one bedroom two person properties, 79 square metres for two bedroom four person properties, 93 square metres for three bedroom five person

properties and 112 square metres for four bedroom six person properties apart from one unit that is slightly below the requirement for a one bedroom two person unit by 10 square metres. However, this unit is considered sufficient in size to accommodate two people. Given that the Registered Provider has confirmed that it would take on this unit, the internal space size within the unit is not considered to warrant refusal of the application. The advice set out in the residential space standards section later in the report should also be taken into consideration.

42. 38 of the affordable homes would be built to Lifetime Homes standards that would exceed the requirement.
43. The proposal would therefore comply with Policy H/10 of the Local Plan.

Market Housing Mix

44. The market housing mix proposed is 23 x two bed units (32%), 26 x three bed units (36%) and 24 x four bed units (32%). This would meet the aims of the adopted policy that requires development to provide a range of accommodation to ensure a balanced community and the emerging policy that requires at a wide choice, type and mix of housing to be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of at least 30% 1 or 2 bedroom homes; at least 30% 3 bedroom homes; and at least 30% 4 or more bedroom homes; with a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
45. The proposal would therefore comply with Policy H/9 of the Local Plan.

Character and Appearance of the Area

46. Cottenham is a fen edge village that has a strong linear form along the High Street. The village is set on a shallow ridge and surrounded by flat open land. There is a line of Poplar trees that provide a distinctive feature at the entrance to the village from Oakington.
47. There are two historic patterns in the village that comprises the High Street and the Lanes. The High Street is very long and runs north to south from All Saints Church to The Green. Its main features are large houses within long plots with access and outbuildings to the side. This gives the area has an open low density and more formal character. The Lanes form the central area of the village and include Corbett Street, Margett Street and Telegraph Street. Its main features are smaller houses set within shorter plots close to the street. This gives the area a high density, enclosed and informal character. There is generally ribbon development along the roads that lead out of the village.
48. Cottenham has a settlement character that follows the street and roads are generally rectilinear in form. The buildings comprise mainly large farmhouses or villas with decorative details and small dwellings often in terraces with simple details and a limited palette of materials.
49. More modern developments have replaced orchard land within the village and agricultural land on the edge of the village.
50. Policy HQ/1 of the Local Plan, the District Design Guide SPD and the Cottenham Village Design Statement SPD are relevant to the proposal.

51. Policy HQ/1 of the Local Plan states that all new development must be of high quality design, with a clear vision as to the positive contribution the development will make to its local and wider context. As appropriate to the scale and nature of the development, proposals must:
- a. Preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape.
 - b. Conserve or enhance important natural and historic assets and their setting;
 - c. Include variety and interest within a coherent, place-responsive design, which is legible and creates a positive sense of place and identity whilst also responding to the local context and respecting local distinctiveness;
 - d. Be compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area;
 - e. Deliver a strong visual relationship between buildings that comfortably define and enclose streets, squares and public places, creating interesting vistas, skylines, focal points and appropriately scaled landmarks along routes and around spaces;
 - f. Achieve a permeable development with ease of movement and access for all users and abilities, with user friendly and conveniently accessible streets and other routes both within the development and linking with its surroundings and existing and proposed facilities and services, focusing on delivering attractive and safe opportunities for walking, cycling, public transport and, where appropriate, horse riding;
 - g. Provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with other impairment such as of sight or hearing;
 - h. Ensure that car parking is integrated into the development in a convenient, accessible manner and does not dominate the development and its surroundings or cause safety issues;
 - i. Provide safe, secure, convenient and accessible provision for cycle parking and storage, facilities for waste management, recycling and collection in a manner that is appropriately integrated within the overall development;
 - j. Provide a harmonious integrated mix of uses both within the site and with its surroundings that contributes to the creation of inclusive communities providing the facilities and services to meet the needs of the community;
 - k. Ensure developments deliver flexibility that allows for future changes in needs and lifestyles, and adaptation to climate change;
 - l. Mitigate and adapt to the impacts of climate change on development through location, form, orientation, materials and design of buildings and spaces;
 - m. Include high quality landscaping and public spaces that integrate the development with its surroundings, having a clear definition between public and private space which provide opportunities for recreation, social interaction as well as support healthy lifestyles, biodiversity, sustainable drainage and climate change mitigation;
 - n. Protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust;
 - o. Design-out crime and create an environment that is created for people that is and feels safe, and has a strong community focus.
52. The detailed layout of the scheme incorporates design principles set out in the District Design Guide and specifically references the 'Fen Edge locations' such as Cottenham. It includes the following key features: -

53. **Accessibility**

- i) The provision of an access point off Oakington Road;
- ii) The provision of a pedestrian cycle link and emergency access on to Rampton Road.
- iii) Creating and maintaining an effective green infrastructure for the site and creating a large centrally located area of open space.
- iv) Retaining and enhancing important existing trees and hedgerows along field boundaries.
- v) Working with the existing generally flat topography and contours, and;
- vi) Providing connectivity throughout the site.

54. The site would have its main access to the south east off Oakington Road. This was established under the outline planning consent for the site under reference S/1606/16/OL and included conditions in relation to the provision of a footway/cycleway from the site entrance along the northern side of Oakington Road to link to the existing footway and widening of the existing footway to the junction with Rampton Road.

55. The site would have an emergency vehicular access, footway and cycleway to the north west that would link to Rampton Road close to the junction with Lambs Lane. This would be a more direct and safer route to the centre of the village as an alternative to Oakington Road.

56. There are a number of opportunities for a pedestrian and cycle path to connect to the adjacent development as there is a road that runs along the western part of the site. This would ensure that the development would link to other nearby developments and be permeable to ensure that the site would not be isolated. A condition would be attached to any consent to ensure that this is secured.

57. A central public open space would be provided within the development that would include a Local Equipped Area of Play. This would be overlooked by a number of dwellings and create a safe environment for residents to relax and children to play.

58. An area of open space would be provided adjacent to the main entrance road to the site that would include new landscaping and the provision of infiltration basins for the sustainable drainage scheme.

59. The existing tree line and hedgerow along the south western and north eastern boundaries of the site would be retained and enhanced. The majority of the existing tree line and hedgerow that runs through the centre of the site would also be retained. New landscaping would be provided at the entrance to the site along Oakington Road and on part of the south eastern boundary adjacent to existing dwellings. However, planting is not required to be provided adjacent to the new development to the south east on the Bellway site as this is between two residential developments and there is already wildlife corridor through the centre of the site. A condition would be attached to any consent to agree the landscaping.

60. **Street Layout**

- i) Reflects local development forms within the building layout and establishes a legible circulation pattern by the use of higher order streets such as the primary streets and lower order streets such as the private drives.
- ii) Encourages the control of vehicle speeds and movement by restricting forward visibility, narrow street widths, frequent connections to other roads, changes in direction and tight junction radii;
- iii) Careful detailed design including the use of overrun areas to successfully

accommodate large refuse vehicles, emergency and service vehicles;
iv) Connections to pathways within the green infrastructure; and,
v) Following a progression of street and carriageway widths, plot size and building types and relationship to the street.

61. The site has a small frontage to Oakington Road and mainly comprises backland development to the rear of Oakington Road, Rampton Road and more modern in depth cul-de-sacs such as The Rowells and Orchard Close.
62. The primary road would follow the shape of the site and go through the central part of the development. The secondary roads would create a number of junctions that would lead to small groups of dwellings located off the main roads accessed by shared private driveways.
63. The primary road would be 5.5 metres wide and include footways on both sides. The secondary roads and private shared driveways would comprise 6 metre wide shared surfaces with maintenance strips on both sides with different materials to define the hierarchy of the roads.
64. The roads would be rectilinear in form and the dwellings would follow the alignments of the roads. This layout is considered appropriate and would reflect the historic layout of the village.
65. **Design**
 - i) Edge of village development more open with set back further from the road edge;
 - ii) Grouping of a variety of buildings along a street;
 - iii) Groupings of buildings to provide symmetry;
 - iv) Mixing of house types and tenures;
 - v) Joining buildings together;
 - vi) Spacing between roads not exceeding 120 metres;
 - vii) Lower density development towards the perimeter;
 - viii) Dwellings to face the street with small front gardens or set on the back edge;
 - ix) Legible with an accessible heart;
 - x) Road alignments to respect local landscape character;
 - xi) The use of planting to soften views;
 - xii) Turn corners with building to prevent blank elevations;
 - xiii) Incorporate focal spaces for human interaction;
 - xiv) Use of permeable blocks with public front and private backs;
 - xv) Placing building entrances on front of buildings with active frontages; and,
 - xvi) Building alignments to define frontages.
66. The dwellings would generally be set back from the road behind small front gardens or frontage parking. The siting of dwellings is considered to be in keeping with the character and appearance of the immediate area given the low density edge of village location and that this is particularly characteristic of modern developments in close proximity to the site such as The Rowells.
67. The development would have three distinct character areas- Cottage Edge, Cottage Green and Village Heart.
68. The Cottage Edge area would comprise the larger dwellings in a low density and informal layout at the edge of the site adjacent to open countryside. The dwellings would be served off secondary roads and follow the pattern of the road. There would be gaps between the dwellings that would give views through to the countryside along with front gardens and an area of soft landscaping that would reflect the rural

character of this area. The dwellings would comprise detached houses that reflect the villas in the main part of the village or have a traditional design with a gable. Features would be traditional and include arched lintels, stone cills, open eaves and casement windows with glazing bars.

69. The Cottage Green Area would comprise a range of detached, semi-detached and terraced dwellings in a moderate density layout around the primary road through the site and adjacent to the green infrastructure. The dwellings include range of different house types with features such as chimneys, render, string courses, open eaves, arched lintels, casement windows and glazing bars.
70. The Village Heart Character would comprise a range of detached, semi-detached and terraced dwellings in a higher density layout closer to existing developments in the village. The dwellings would have simpler designs with features such as stone cills and headers.
71. The features of the character areas are considered to reflect the historic settlement of Cottenham in terms of the larger properties in a lower density layout being sited at the edge of the development as per the ribbon style development that currently leads out of the villages and the higher density layout being situated closer to the centre of the village as per the The Lanes that form the historic core. The provision of villa style dwellings with details would reflect the larger properties found on the High Street and the groups of simpler smaller dwellings would reflect the traditional Victorian semi-detached and terraced dwellings found in the village. It is clear that the Cottenham Village Design Statement has been considered in the design of the scheme and it is considered result in a proposal that creates a sense of place and is compatible with its location.
72. The majority of the car parking along the primary road would be to the side of the dwellings and integrated into the development. The frontage parking within the scheme has been reduced to approximately 50% of the total number of dwellings. This includes 48 dwellings with full frontage parking and 12 that has parking to the front of garages. These dwellings would be mainly sited within small shared private driveways off the key routes through the development and would be softened by landscaping to minimise the visual impact. The dwellings that have frontage parking on the main road are limited to 10 dwellings and would be screened by the adjacent dwellings that are set forward. . The proposal is not considered to result in a car dominated development as the location of the frontage parking would not be visually prominent within the street scene.
73. The development would comprise a range of scale and sizes of dwellings that would be two storey to two and half storey in height. The two and half storey dwellings would at sited at key vistas within the development to provide focal points in order to aid legibility and the two-storey dwellings would be located on the edge of the development adjacent to the countryside to minimise the visual impact of the development.
74. **Appearance**
 - i) Use of stone cills, arched brick lintels, stone cills and lintels, chimneys, pale cream render, open eaves with exposed sprockets;
 - ii) Use of side hung or horizontal sliding casements with glazing bars to subdivide each casement;
 - iii) Use of canopies of main doors;
 - iv) Dormers to have narrow dimensions with simple gabled roof;
 - v) Use of traditional plan cottages with central door; and,

vi) Use of narrow fronted dwellings.

75. The development would provide a variety of housing types across the site that would create a diverse social mix and inclusive scheme. A range of 16 different house types are proposed. The character areas and the features of the dwellings within these areas are considered acceptable and would be in keeping with the character and appearance of the village. It is not considered reasonable to attach a condition to any consent in relation to the submission of detailed drawings for windows, doors, reveals, cills, bays, porches, eaves and verges as these details are shown on the elevation drawings and the site is not within the conservation area.
76. There would be 12 dwellings that have integral garages within the scheme. The majority of the dwellings with integral garages would be located in the lower density area off the secondary road rather than the main primary road that leads through the development. They would be mainly be set back from the front elevations and given that these dwellings would be less visible within the public realm, the integral garage design is considered satisfactory.
77. The dwellings would be constructed from buff bricks, red bricks and render for the walls and grey and brown tiles for the roofs. These materials are considered to be in keeping with the character and appearance of the village that originally comprised timber houses that were later rebuilt in red or yellow bricks followed by the buff 'whites' bricks along with roofs constructed from plain tiles followed by pantiles and then slate. They are also evident on surrounding developments along Oakington Road.
78. A condition would be attached to any consent to agree details of the materials through the submission of a sample panel of brickwork.
79. The Design Code Section in the Design and Access Statement does not have the formal status of a design code because it has not been through a testing process and wider consultation. However, the document together with the level of detail in the reserved matters application provides sufficient confidence to officers in relation to design principles and quality to be delivered.
80. The proposal has been significantly improved since the original application that was withdrawn and is not now considered to result in a car dominated development that would warrant refusal of the application on design grounds.
81. The scheme is considered to preserve the local area and respond to its context in the wider landscape.
82. The proposal would therefore comply with Policy HQ/1 of the Local Plan.

Trees/Landscaping

83. The proposal would not result in the loss of any trees and landscaping that make a significant contribution to the visual amenity of the area. The Poplar trees on the south western boundary that provide an important feature at the edge of the village and the Leylandii trees at the entrance to the site would be retained and protected along with the apple and plum trees along the north eastern boundary and apple and plum trees that run across the site. The trees at the western corner of the site and within the gardens of existing dwellings would also be protected.
84. The landscaping along the south western boundary would be extended to the edge of the site. This would have a width of 12 metres and provide a substantial landscape

buffer on the edge of the site adjacent to the open landscape.

85. New landscape planting would also be provided along the north west boundaries and within the site. No landscaping is now proposed along the south eastern boundary of the site. However, this is considered acceptable given that these boundaries are adjacent to housing rather than the open countryside and would better integrate the development into the existing village.
86. The current landscaping details are not considered to provide a wide diversity of tree planting within the site in order to provide a mixed habitat. However, a condition would be attached to any consent to agree the final landscaping details would be a condition of any consent along with an updated tree survey and protection strategy.
87. A boundary treatment condition was attached to the outline planning consent.
88. The proposal therefore has the potential to comply with Policy NH/4 of the Local Plan.

Biodiversity

89. The biodiversity survey submitted with the application states that the site comprises mainly an agricultural landscape. Habitats include dilapidated buildings, grassland, tree lines, hedgerows, scrub and dry ditches. Overall, the site is considered to be of low to moderate ecological value with potential for foraging and commuting bats, widespread reptiles, common and ground-nesting birds and hedgehogs. A large (likely main). Badger setts were also found within a wide hedgerow towards the centre of the site.
90. An updated badger survey has been submitted with the application. Three badger setts are present on the site. Sett 1 is a main sett to the north adjacent to the open space, sett 2 is an annex sett slightly further south adjacent to the open space and sett 3 is an outlier sett on the south eastern boundary. A badger corridor would be provided through the centre of the site along the hedgerow and a tunnel under the road. The development would provide a buffer of 20 metres around setts 1 and 2 and a buffer of 7 metres around sett 3. This would provide suitable foraging habitat around the setts and is considered acceptable. Badger mitigation would be considered under condition 12 of the consent.
91. A wetland area has been provided adjacent to the dwelling at the entrance to the site. This would hold water and create a feature that would enhance biodiversity. Further details for this area would be secured through condition 15 of the outline consent.
92. Further features of ecological enhancement will be secured under condition 15 of the outline consent to ensure a net gain to biodiversity.
93. Given the above, the proposal would not result in the loss of any important habitats for protected species.
94. The proposal therefore would accord with Policy NH/4 of the Local Plan.

Heritage Assets

95. The nearest listed buildings (grade II) to the site are the Water Tower on Lambs Lane and the Almshouses at the junction of Rampton Road and Oakington Road.
96. 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.

97. The impact of the highway works required as a result of the development upon the setting of the Moreton Almshouses was considered as part of the outline consent.
98. The development is not considered to damage the setting or significance Tower Mill given the proximity of existing residential development. It would also preserve the character and appearance of the conservation area.
99. A condition was attached to the outline consent to secure a programme of investigation for the southern field to ensure that any archaeological remains are protected that would continue to apply.
100. The proposal would therefore accord with Policy NH/14 of the Local Plan.

Highway Safety

101. Oakington Road is a busy fairly straight through road with a speed limit of 60 miles per hour. Rampton Road is a busy, fairly straight through road with a speed limit of 30 miles per hour.
102. The development would significantly increase traffic along Oakington Road and in the surrounding area. The proposal is not however considered to adversely affect the capacity and functioning of the public highway subject to mitigation measures. This was agreed as part of the outline planning consent.
103. The application proposes to introduce the main access on to Oakington Road. The design of this junction is acceptable and accords with Local Highway Authority standards.
104. An emergency vehicular access and pedestrian and cycle access would also be introduced between No. 83 and 85 Rampton Road. The design of this junction is also agreed.
105. Potential pedestrian and cycle links are shown to the north west to link to the adjacent development subject of planning application S/2413/17/OL. This would ensure permeability throughout the development.
106. Two parking spaces would be provided on site for each three and four bed dwelling (148 spaces). At least one parking space would be provided for each one and two bed dwelling (47 spaces). This would result in a total of 195 spaces that would result in 1.6 spaces per dwelling that would be slightly above the Council's standards that require an average of 1.5 spaces per dwelling.
107. A condition was attached to the outline consent to secure the submission of a Traffic Management Plan during construction. This would ensure that vehicles park on the site and would not obstruct the public highway or private accesses. Conditions would be attached to this consent in relation to the materials for the access, levels and the road construction, maintenance and management.
108. The proposal would therefore accord with Policy HQ/1 of the Local Plan.

Flood Risk

109. The site is situated within Flood Zone 1 (low risk) as identified by the Environment Agency.
110. There is a ditch along the Oakington Road frontage that is partly owned by the applicants. However, it does not fall within the site area. The site is unlikely to be at risk of flooding from the watercourse if it is not maintained. This is because there would be no increase in run off rates above the existing greenfield rates due to surface water from the site being discharged to the ground through infiltration. However, the applicants have agreed to maintain the watercourse through its management company.
111. The site may be at risk of surface water flooding from pluvial sources. These sources of flooding can however be mitigated to a low and acceptable level through the provision of a surface water drainage strategy for the site.
112. Condition 17 of outline planning consent S/1606/16/OL consent required the provision and maintenance of a surface water drainage system on the site to ensure that the development would not be at risk of flooding or increase the risk of flooding to the site and surrounding area. The wording of the condition is set out below for the avoidance of any doubt: -
113. *“No development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall be based upon the principles within the agreed Flood Risk Assessment (FRA) and Surface Water Drainage Strategy prepared by RSK (ref: 890083-R1(03)- FRA) dated May 2016 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.*

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.”
114. In addition, Schedule 2, Part 2 of the Section 106 agreement in relation to the outline consent required the surface water drainage scheme to be maintained in accordance with good estate management.
115. Surface water generated by the development would be discharged through infiltration which is sustainable drainage solution. Infiltration tests have been carried out at the

site and infiltration rates range from 7.99×10^{-5} m/s to 1.10×10^{-5} m/s.

116. The design would incorporate two infiltration basins. Basin 1 would be located within the public open space centrally within the site. It would measure 533 square metres in area and have a depth of 1.4 metres. This would result in an attenuation volume of 214 cubic metres. Basin 2 would be located within the open space adjacent to the main access road at the entrance to the site off Oakington Road. It would measure 675 square metres in area and have a depth of 1 metre. This would result in an attenuation volume of 175 cubic metres. The design of the basins has been based upon the lowest infiltration rate of 1.18×10^{-5} m/s based upon test locations SA02 and SA03. The depths of the basins would be at least 1 metre above ground water levels.
117. All driveways would consist of permeable paving that would drain to formation via infiltration.
118. Surface water run off from new roofs would drain to soakaways located within rear gardens. For a typical area of 100 square metres of impermeable area, a soakaway measuring 5 metres in length, 1.7 metres in width and 2 metres in depth would be required based upon an infill rate of 1.10×10^{-5} m/s based upon test location SA01.
119. All drainage from adoptable roads would be discharged via a piped storm water drainage system to the infiltration basins.
120. The basins and soakaways would be designed to accommodate the 100 year storm allowance plus 40% climate change.
121. The general design of the scheme is agreed and supported by the County Flood and Water Team. Further details in relation to the design of the scheme together with its maintenance and management would be submitted to discharge condition 17 of outline planning consent. The County Flood Team would be consulted on the additional details to determine whether they are satisfactory and ensure that the development would not be at risk of flooding or increase the risk of flooding to the site and surrounding area.
122. The proposal would therefore comply with Policies CC/8 and CC/9 of the Local Plan.

Neighbour Amenity

123. The impact upon the amenities of neighbours in terms of noise and disturbance through the use of the access and as a result of the development was considered at outline stage and determined acceptable.
124. The new development would have back to back distances of at least 25 metres from the new dwellings on the Bellway site to the south east. It would also have and rear elevation to side elevation distances of at least 15 metres. These relationships are considered acceptable.
125. The new development would have rear elevation to side elevation distances of at least 20 metres from the existing dwellings in The Rowells.
126. The new development would have back to back distances of at least 23 metres from the existing dwellings in Worland Way although these windows are at an angle. It would also have and rear elevation to side elevation distances of at least 15 metres. These relationships are considered acceptable.

127. The new development would have back to back distances of at least 25 metres from the new dwellings from the existing dwellings on Rampton Road to the north east. These relationships are considered acceptable.
128. The development is also not considered to adversely affect the amenities of adjoining neighbours through being unduly overbearing in mass, through a significant loss of light or through a severe loss of privacy.
129. The proposal would therefore accord with Policy HQ/1 of the Local Plan.

Residential Space Standards

130. Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document. The standard requires that:
- The dwelling provides at least the gross internal floor area and built-in storage area set out in Figure 8;
 - A dwelling with two or more bedspaces has at least one double (or twin) bedroom;
 - In order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide;
 - In order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²;
 - One double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide;
 - Any area with a headroom of less than 1.5m is not counted within the gross internal area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the gross internal area);
 - Any other area that is used solely for storage and has a head room of 900-1,500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all;
 - A built-in wardrobe counts towards the gross internal area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement;
 - The minimum floor to ceiling height is 2.3m for at least 75% of the gross internal area.

Figure 8: Minimum gross internal floor areas and storage (m²)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built in storage
1b	1p	39 (37)			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Notes:

1. Built-in storage areas are included within the overall gross internal areas and include an allowance of 0.5m² for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.
2. Gross internal areas for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bedspaces. Gross internal areas for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the gross internal area provided that all aspects of the space standard have been met.
3. Where a 1 bedroom 1 person flat has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.
4. Furnished layouts are not required to demonstrate compliance.
5. Further details on how to apply the standard can be found in the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.

131. The majority of dwellings within the development would not meet the residential space standards as they would not meet the gross floor area figures for the sizes of units and/or the gross floor areas for the sizes of the bedrooms within the dwellings. For example, the two bedroom Hanbury house type would measure 70.6 metres but one bedroom only would measure over 7.5 square metres. This would result in it being a one bedroom dwelling rather than a two bedroom dwelling. The three and four bedroom dwellings are similar. This would significantly alter the mix of the scheme so that it would not comply with policy.
132. Following adoption of the Local Plan the applicant was requested to submit revised plans to ensure that the dwellings complied with the space standards set out in the policy. However, the applicant refused to amend the scheme to address the space standards on the basis that they have two separate Counsel opinions which state that because this is a reserved matters application and that the original outline permission documentation does not contain any references or conditions with respect to space standards. The Counsel advice states that in order for the Council to apply the adopted space standards, these would have to be legally considered as reserved matters issues.
133. Further details of the applicants legal advice is provided below:-

"The National Space Standards fall outside the scope of 'reserved matters' as defined in the Town and Country Planning (Development Management Procedure) (England) 2015 (DMPO) and the DCLG's Planning Practice Guidance (PPG) so cannot be imposed as conditions attached to reserved matters approvals.

Reserved matters are defined in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) 2015:

Reserved matters in relation to an outline planning permission, or an application for such permission, means any of the following matters in respect of which details have not been given in the application-

- a) access
- b) appearance
- c) landscaping
- d) layout, and
- e) scale.

Each of those terms are defined in Article 2:

“access” - the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

“appearance” - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

“landscaping”, in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes— (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

“scale” except in the term ‘identified scale’, means the height, width and length of each building proposed within the development in relation to its surroundings;

That is an exhaustive list. Conditions in outline permissions dealing with other issues, e.g. density, are not “reserved matters”.

On the interaction between planning conditions and reserved matters, the PPG on the “use of planning conditions states that:

“Can conditions be attached to reserved matters applications relating to outline planning permissions?”

Conditions relating to anything other than matters to be reserved can only be imposed when outline planning permission is granted. The only conditions which can be imposed when the reserved matters are approved are conditions which relate directly to those reserved matters.”

The reserved matters stage cannot be used to bring in matters completely outside the scope of the original permission. The grant of outline permission constitutes a commitment by the planning authority to the principle of development, and disentitles them to refuse approval to reserved matters on grounds going to the principle of the development.

In our view, the scope of reserved matters which can be required under the DMPO does not include internal floor space arrangements. In particular:

i) reserved matters can include a scheme’s “layout” but the definition of that term in the DMPO makes clear that it covers only external layout i.e. “the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other. “

ii) Similarly, the reference to “scale” in the DMPO covers only the “height, width and length of each building proposed”. It does not cover the internal arrangements of

floorspace within those buildings.

If internal floorspace arrangements do not form part of reserved matters under the DMPO, then the Local Planning Authority cannot attach conditions requiring compliance with the National Space Standards on to reserved matters approvals because such a condition would not “directly relate to those reserved matters”.

134. The Council has secured its own recent legal advice in relation to both the applicant’s legal opinions. This states the following: -

“The starting point is the nature of the outline planning permission. Where, as in respect of the outline planning permission for development of land at Oakington Road, Cottenham, all matters of details are reserved for subsequent approval, it might be considered surprising that a local planning authority is, in effect, required to control the size of new residential units in the form of a condition securing compliance with the Technical Housing Standards at outline stage.

The “scale” of development approved in outline, as well as “layout” are reserved matters and were expressly reserved for subsequent approval as part of the Oakington Road outline planning permission. Prima facie, it may be thought that the application of the Technical Housing Standards, which concerns essentially the internal size of new dwellinghouses, would form part of the assessment of “scale”.

However, the terms “scale” and “layout” are defined restrictively within the Town and Country Planning (Development Management Procedure) Order 2015.

By Article 2(1) of the 2015 Order and “unless the context otherwise requires”:

- a. “scale” is defined as “the height, width, length of each building proposed within the development in relation to its surrounding”; and
- b. “layout” is defined as “the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development”.

In my view, given the restricted nature of the definition of the term “layout”, it is not possible for a failure to comply with the Technical Housing Standards to amount properly to a basis for a refusal to grant reserved matters approval for the “layout” of new development, whether in the context of the Oakington Road outline planning permission or generally.

The term “scale” too is restrictively defined within the DMPO 2015 and, prima facie, is directed to the external manifestations of height, width and length of new development. As such, it will be difficult successfully to construe the term “scale” such that compliance with the Technical Housing Standards would amount to a proper basis to decline to approve details of scale submitted pursuant to an outline planning permission.

For a contrary submission to succeed, it will need to be contended that, given that the height, width and length of a building are a direct response to the internal uses proposed within that building, where those internal uses, in the form of new dwellinghouses, do not meet the Technical Housing Standards and policy H/12 of the Local Plan, the height, width and length of the proposed buildings, and hence their “scale”, is not acceptable. Although not devoid of merit, I consider that the prospect of such a submission succeeding is very limited. I note in particular that the decision of an Inspector concerning development in Mendip District dated 2 June 2016 and referred to by Persimmon, does not support such a submission

As such, I consider, on balance, that, as a matter of principle, given the definition of the term “scale” as given in the DMPO 2015 that, were the Council to contend that approval of details of scale may be refused on the basis of a failure to comply with the Technical Housing Standards and policy H12 of the Local Plan, that it would fail. It is plain that Persimmon are firmly of the view that the Council cannot and should not refuse to approve details of scale submitted in respect of the Oakington Road development by reference to the Technical Housing Standards. Were the Council to refuse to approve details of scale on such a basis an appeal would be likely and, in my view, such an appeal by Persimmon has good prospects of success.

The advice which I have set out above concerning the scope of the term “scale” would apply to all outline planning permissions which have been granted by the Council without an express condition which requires compliance with the Technical Housing Standards and policy H/12 of the Local Plan.

However, and importantly, it may well be possible in an individual case that, by virtue of another condition attached to an outline planning permission, there is scope to contend that there is a requirement that compliance with the Technical Housing Standard must be secured at reserved matters stage. By way of example, if the Design and Access Statement or other supporting document submitted with an application for outline planning permission and approved expressly as part of that planning permission referred to and required details of internal configuration to be submitted for approval as part of a reserved matters submission, then there would be scope to contend that the context was such that “scale” as a reserved matter included internal configuration. There is no such condition attached to the outline planning permission for the Oakington Road development. Whether or not there is a condition attached to any other relevant outline planning permission would need to be considered on a case by case basis

Plainly, and going forward, the Council can and should include an express condition on any outline planning permission which requires all dwellings to come forward in conformity with the Technical Housing Standards and with the requirements of policy H/12 of the Local Plan.

In conclusion therefore, I consider that the submission made by Persimmon as to the scope of reserved matters is likely to prevail and that, on the basis of the definition of the terms “layout” and “scale” within the DMPO 2015, compliance with the Technical Housing Standards and policy H12 of the Local Plan cannot lawfully be secured by the Council through the approval of reserved matters, absent an express condition attached to the outline planning permission which secures that outcome. Were the Council to refuse to approve the reserved matters submitted pursuant to the Oakington Road outline planning permission on such a basis, I consider it likely that any appeal which arose therefrom would be allowed. However, that outcome may not be the case in respect of other outline planning permissions granted by the Council, depending on the conditions attached to such an outline permission.”

135. Given the legal advice given above, a recommendation of refusal of the application on the grounds of the dwellings in this scheme not complying with the residential space standards set out in Policy H/12 of the Local Plan is not justified. However, it should be noted that this may not be the case in all reserved matters application given the level of detail provided at the outline stage and therefore each case should be determined upon its own merits.

Conclusion

136. Members previous concerns in respect of layout, design and drainage have been readdressed and officers remain satisfied that these details are acceptable having regard to the conditions of the outline planning consent and the details of the scheme as amended as part of the application process. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

137. Approval subject to the planning conditions and informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:

a) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers ORC-LP-002, ORC-PP-002, ORC-PL-002 Revision A, ORC-CA-002 Revision A, KEN-CE-PD-01-OP, KEN-CE-PD-01-AS, ROS-CE-PD-01-OP, ROS-CE-PD-01-AS, COR-CE-PD-01-OP, COR-CE-PD-01-AS, CLC-CE-PD-01-OP, CLC-CE-PD-01-OP, CHE-CE-PD-01-OP, CHE-CE-PD-01-AS, WIN-CE-PD-01-OP, WIN-CE-PD-01-AS, CHC-CG-PD-01-OP, CHC-CG-PD-01-AS, CHC-CG-PD-02-OP, CHC-CG-PD-02-AS, CLC-CG-PD-01-OP, CLC-CG-PD-02, CLC-CG-PD-02-AS, CLC-CG-PD-03-OP, CLC-CG-PD-03-AS, HTF-CG-PD-01-OP, HTF-CG-PD-01-AS, LEI-CG-PD-01-OP, LEI-CG-PD-01-AS, HAN-CG-PD-01-OP, HAN-CG-PD-01-AS, 1220-CG-PD-01-OP, 1220-CG-PD-01-AS, 1220-CG-PD-02-OP, P71-CG-PD-01-AS, P81-CG-PD-01-OP, P81-CG-PD-01-AS, RUF-CG-PD-01-OP, RUF-CG-PD-01-AS, CLC-VH-PD-03-OP, LYC-VH-PD-03-AS, ASM-VH-PD-01, ASF-VH-PD-01, ALN-VH-PD-01-OP, ALN-VH-PD-01-AS, HFC-VH-PD-01-OP, HFC-VH-PD-01-AS, HFC-VH-PD-03-AS, HTF-VH-PD-01-OP, HTF-VH-PD-01-AS, HAN-VH-PD-01-OP, HAN-VH-PD-01-AS, LEI-VH-PD-01-OP, P71-VH-PD-01-OP, P71-VH-PD-01-AS, P81-VH-PD-01-OP, P81-VH-PD-01-AS, G651-PD-01, G651s-PD-01 and G653-PD-01.

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

b) No development above foundation level shall take place until a sample board brickwork for the dwellings within the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

c) No development above foundation level shall take place until revised details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policy NH/4 of the adopted Local Plan 2018.)

d) No development above foundation level shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the

Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

(Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in the interests of highway safety to comply with Policy HQ/1 of the adopted Local Plan 2018.)

f) All accesses including driveways shall be constructed so that they fall and levels are such that no private water from the site drains across or onto the adopted public highway (the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided).

(Reason - In the interests of highway safety to comply with Policy HQ/1 of the adopted Local Plan 2018.)

g) All accesses including driveways shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

(Reason - In the interests of highway safety to comply with Policy HQ/1 of the adopted Local Plan 2018.)

h) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A of Part 1 of Schedule 2 of the Order shall take place on plots 78-81, 93 and 116 unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason – To safeguard the amenities neighbours in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

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 Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File References: S/ S/1606/16/OL, S/2413/17/OL, S/1411/16/OL, S/1818/15/OL, S/3615/18/RM, S/1952/15/OL, S/2876/16/OL & S/4548/17/OL.

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