

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 March 2019

AUTHOR/S: Joint Director of Planning and Economic Development

Application Number:	S/2424/18/FL
Parish(es):	Melbourn
Proposal:	Erection of 22 dwellings together with associated open space, landscaping, highway, and drainage infrastructure works
Site address:	36 New Road, Melbourn, Royston, Cambridgeshire
Applicant(s):	R2 Developments Ltd
Recommendation:	Approval subject to s106 agreement
Key material considerations:	Principle of development Affordable Housing and Housing Mix Impact on the character of the area and landscape Residential Amenity Highway Safety Drainage and Flood Risk Biodiversity
Committee Site Visit:	12 March 2019
Departure Application:	No
Presenting Officer:	Ishita Sheth, Senior Planning Officer
Application brought to Committee because:	Parish Council's objection conflicts with officer recommendation for approval.
Date by which decision due:	8 October 2018

Executive Summary

1. In accordance with the National Planning Policy Framework (2019) paragraph 11, decisions should apply a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
2. The site has been allocated for development in the newly adopted Local Plan under policy H/1(e) and the scheme includes both market and affordable houses. Whilst the

provision of affordable housing is less than the policy requirement, taking into consideration the conclusion of the submitted viability scheme, on balance it is considered that the reduced level of affordable housing is acceptable in this instance. The sustainability of the location for the number of dwellings has been tested through the Local Plan examination and was deemed to be an acceptable one to develop. The sustainability of the village is also reflected through its allocation as a Rural Centre in the adopted Local Plan.

3. During the consultation process a significant number of third party objections were received raising various material planning considerations. These have been summarised and discussed in this report.
4. Following amendments during the consultation process, the layout, scale and appearance of the development are considered acceptable and presents a good quality scheme that will preserve the character and appearance of the area, landscape setting and be acceptable in relation to the impact on existing residential amenity. Officers consider that all the statutory consultee holding objections have been overcome to an acceptable degree and through the use of planning conditions.
5. A S106 agreement will need to be secured for contributions toward affordable housing, Public Open Space, Formal Sports, Formal and Informal Children's Playspace, Informal Open Space, Indoor Community Space, Education, Libraries and Healthcare. Conditions will also need to be applied to any decision notice to ensure there is a suitable means of drainage from the site and the access is built in accordance with the requirements from the Local Highways Authority.
6. For the above reasons, the proposal would accord with the development plan and therefore the proposal is recommended for approval.

Site and Proposal

7. The site is situated south-west of New Road on the southern edge of Melbourn. The site is 0.72 ha and predominantly comprises of scrubland with an existing 4 bedroom bungalow at the north western corner of the site. The site has a rectangular shape and is defined to the south, west and to the north by existing planting and fencing. There are several existing fruit trees within the western section of the site. There is a large Horse Chestnut tree situated adjacent to New Road at the northern boundary of the site.
8. The site is bounded to the north and west by existing residential development at Carlton Rise and Greengage Rise. Immediately to the south of the site is new residential development at Victoria Way. To the east of the site, development for 199 dwellings has commenced.
9. The application proposes the demolition of the existing dwelling on site and the construction of 22 new dwellings. One internal road along the length of the site would serve the group of dwellings proposed on site. The layout incorporates a central area of public open space and 'local area for play' (556.2 sq m). The scheme includes 4 affordable dwellings (18%). The overall housing mix is 4 Nos. one bedroomed flats, 4 Nos. two bedroomed flats, 5 Nos. three bedroom houses, 4 Nos. four bedroomed houses and 5 Nos. five bedroomed houses. The market housing mix equates to 22.2% one and two bedroom, 27.8% three bedroom, and 50% four or more bedroom units.

10. Access to the site is from New Road via a new access
11. The density is 30 dwellings per hectare.

Planning History

12. S/0287/15/OL - Outline application for the provision of 18 residential units and retention of existing bungalow, plus parking and amenity space (All matters reserved apart from access). Approved on 2 March 2017 subject to a S106 Agreement
13. S/3884/17/FL - Application for demolition of existing dwelling and the erection of 23 dwellings together with associated open space, landscaping, highway, and drainage infrastructure works. Decision Pending
14. S/2078/18/OUT - Outline Planning Permission with all matters reserved apart from access for the erection of 18 dwellings (use class C3) including affordable housing, car parking and landscaping. Decision Pending
15. PRE/0234/18 – Pre-application advice for a Full planning application for demolition of the existing dwelling and the erection of 23 dwellings with associated open space, landscaping, highway, drainage and infrastructure work. Meeting was held with the Planning Officer and the Urban Designer who were supportive of the layout.

Policy

16. National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (PPG)
17. South Cambridgeshire Local Plan 2018
 - S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in favour of Sustainable Development
 - S/5 Provision of New Jobs and Homes
 - S/6 The Development Strategy
 - S/7 Development Frameworks
 - S/9 Minor Rural Centres
 - 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/1 Allocations for Residential Development at Villages
 - H/8 Housing Density
 - H/9 Housing mix
 - H/10 Affordable Housing
 - NH/4 Biodiversity
 - 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
TI/10 Broadband

18. Saved South Cambridgeshire LDF (2007) Supplementary Planning Documents (SPD):

Affordable Housing – March 2010
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
Open Space in New Developments - adopted January 2009

19. The application site comprises part of a 3ha area of land allocated for development under Policy H1/e of the Submission Local Plan.

Consultation

20. **Melbourn Parish Council** – Makes the following comments:

There are concerns over the capacity of the physical infrastructure to cope, particularly with reference to Highways issues (traffic generation, vehicular access and highways safety), capacity of schools and capacity of doctor's surgery.

There are also concerns with regard to overlooking, loss of privacy and lack of FRA.

The Parish Council supports the neighbour objections and notes that the planning authority can now demonstrate a 5 year land supply

21. **Local Highway Authority** – Following the submission of Drawing Number: 22916-08-020-03 Rev C the Local Highways recommendation of refusal has been overcome. Recommends the following conditions:

1. The proposed access be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.
Reason: for the safe and effective operation of the highway
2. The proposed access be constructed using a bound material to prevent debris spreading onto the adopted public highway.
Reason: in the interests of highway safety
3. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i) (Movements and control of muck away lorries (all loading and unloading shall
 - ii) be undertaken off the adopted highway)
 - iii) (Contractor parking, for both phases all such parking shall be within the
 - iv) curtilage of the site and not on the street.
 - v) Movements and control of all deliveries (all loading and unloading shall be
 - vi) undertaken off the adopted public highway.

vii) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Reason: in the interests of highway safety

4. Prior to the first occupation of the development the junction of the access with the highway carriageway shall be laid out with 6m radius kerbs.

Reason: In the interests of highway safety.

5. The proposed car parking layout appears to show that the length of some of the Plots driveways are not equally divisible by units of 5m therefore the proposed layout has the potential to encourage irregular parking which could lead to the overhang of the vehicles into the proposed access route obstructing the footway forcing pedestrian which includes the most venerable road users into live carriageway. The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m.

Reason: In the interests of highway safety

6. The applicant will be required to show visibility splays from any access within the development serving more than one dwelling.

Reason: In the interests of highway safety

7. No development 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 event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

22. **Urban Design** - The amendments are generally acceptable. However, has concerns over the parking arrangement to certain areas and their adverse impact on the appearance of the public realm. Also has concerns over the lack of private amenity space for the upper floor flats.

Recommends the following changes

a) Add balconies to the upper floor flats – these can be added to the living room.

They should be at least 3m² in size (e.g. 2m wide and 1.5m deep) to comply with the minimum private amenity space standards set out in the Council's 'District Design Guide' (2010).

b) Reconfigure parking area for Plots 5 to 10 so that they are screened from the public realm and to improve the residential outlook for Plots 9 and 10.

c) Relocate Plots 9 and 10 so that it fronts onto the LAP and LEAP.

d) Reconfigure the LAP and LEAP.

23. **Landscape Officer** – No objections subject to the following conditions:

- Hard and soft landscape
- Boundary treatments

- LAP with maintenance and management programme
- Cycle and bin storage.

24. Ecology Officer – No objection, subject to the following conditions:

All ecological measures and/or works shall be carried out in accordance with the details contained in (AA Environmental Limited, September 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Prior to the commencement of the development above slab level a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: NPPF expects development to provide for biodiversity and this can be achieved at this site through enhancement measures.

25. Housing Development Officer – Makes the following comments:

The proposal is for a development of 22 dwellings, with a net gain of 21 dwellings as an existing property is being demolished, 40% of the dwellings should be provided as affordable housing, this means that 8 of the dwellings should be affordable and provided on a policy compliant 70/30 tenure split of 6 properties for rent and 2 for shared ownership.

The applicant was not able to provide a policy compliant affordable housing scheme because it was unviable for them to do so. They submitted viability information for an appraisal to be undertaken in house by David Ousby – Delivery & Innovations Manager who concluded that the applicant was able to provide 40% affordable housing but not on a policy compliant tenure split of 70/30, but instead on a 50/50 tenure split.

In accordance with the policy set out in the 'Affordable Housing SPD' which states in paragraph 5.11 'Where the council is satisfied that financial viability of a development would be jeopardized by full provision of the affordable housing target, and taking into account any other planning obligations. It will first negotiate over varying preferred mix and tenure of dwellings with a view to establishing whether this would enable the 40% target to be met, and if this cannot be achieved in an acceptable way, the council will then negotiate over varying the percentage of affordable housing being sought (Affordable Housing SPD 2010)

In light of the viability issues and with regard to the policy set out in the councils 'Affordable Housing SPD' it was agreed that we would support the affordable housing being provided on mix and tenure split set out below:

Affordable rented

Shared Ownership

4 x 1 Bed Flats

4 x 2 Bed Flats

The mix proposed was compliant with the both the current local housing need, in Melbourn with the information as set out in the council's 'Housing Statistical Information Leaflet 2018'.

And in the district of South Cambs where there are currently approximately 2,000 applicants registered on home link who require affordable rented housing with the

biggest demand for 1 and 2 bedroom accommodation. There are also currently more than 500 applicants who are registered with the 'Help to Buy' agent who require shared ownership housing and the biggest demand for this type of housing is for 2 and 3 bedroom properties.

Current Proposal

The applicant has advised the Council's planning department that, due to unforeseen, S106 obligations, which when now factored in make it unviable for him to provide the already agreed 40% affordable housing on a 50/50 tenure split.

A further viability assessment has been carried out by David Ousby – Delivery & Innovations Manager where he has concluded, that there will be a further deficit to the scheme if the unforeseen S106 obligations are included and, if the applicant were to provide 40% affordable housing on a 50/50 tenure split.

Based on the analysis carried out the applicant is seeking to reduce the affordable housing to 20% by proposing to provide 4 x 1 bed flats for rent.

Conclusion

We do not support the proposed reduction of 20% affordable housing because of increased S106 costs. Whilst the revised, proposal is to provide 4 x 1 bedroom flats all for rent, it is clear there is a significant need for 1 bedroom accommodation for rent both in Melbourn and the wider district of South Cambs, but there is also a need for 2 bedroom accommodation and for shared ownership housing.

We would therefore request that an independent viability assessment is carried out.

26. **Environmental Health (Contaminated Land)** – The site appears to have only ever been used for its current purpose as a bungalow with some associated outbuildings and on this basis it is considered to be relatively low risk in terms of contamination; however it is being redeveloped into a sensitive end use (housing).
27. Review of the planning application for the recently constructed a residential development to the south indicates that some minor elevated concentrations of pesticides were found in shallow soils and given the sites history with a bungalow and outbuildings, it is possible that some potentially contaminated made ground may be present which may not be suitable for use within modern domestic gardens.
28. The site is probably quite low risk but I would advise that a Phase I Environmental Desk Study is required along with some spot-check confirmatory soil sampling in any proposed garden areas.
29. Unless this information is made available prior to determination of the planning application, please attach the following condition to the subsequent decision notice.
 - a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.
 - b) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

- c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
- d) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
- e) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

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

30. **Tree Officer** – No objection.

31. **Cambridgeshire County Council Education, Waste and LLL S106 Officer** – comments that £14,421 (3 children x £4,807 per space) is sought for Early Years education and £95,190 (5 children x £19,038 per space for Primary Education. No contribution to secondary school places or strategic waste is required as a result of the proposed development.

32. **Environment Agency** – Refers to Flood Risk Standing Advice

33. **Anglian Water** – comments that the foul drainage from the development is in the catchment area of Melbourn Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would thereof retake the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

34. **Drainage Officer** – The proposals have not demonstrated suitable surface water and foul water drainage provision for the proposed development therefore the following condition is required.

1. No development shall commence until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework, associated Planning Policy Guidance and the non-statutory technical standards for sustainable drainage systems. The results of the assessment provided to the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:
 - i) Provide a plan indicating flood exceedance routes, both on and off site in the event of a blockage or rainfall event that exceeds the designed capacity of the system

- ii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Including: details of land ownership; maintenance responsibilities; a description of system; the identification of individual assets, services and access requirements; details of routine and periodic maintenance activities.
The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for the lifetime of the development.

2. No building hereby permitted shall be occupied until foul water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

35. **Local Lead Flood Authority (LLFA)** - We have reviewed the following documents: Technical Note: Flood Risk Assessment And Drainage Strategy, REF. 22916/09-18/6157 REV C, Prepared by MEC, Dated September 2018
Based on these, as Lead Local Flood Authority (LLFA) we are now able to remove our objection to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of infiltration crates and permeable paving.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging via infiltration.

Recommends the following condition:

Condition 1

Development shall not commence until a detailed surface water drainage scheme for the site, based on the agreed Technical Note: Flood Risk Assessment and Drainage Strategy, REF.22916/09-18/6157 REV C, Prepared by MEC, Dated September 2018 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Condition 2

Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

36. **Cambridgeshire Archaeology** – Makes the following comments:

Their records indicate that the site lies in an area of high archaeological potential, located within a multi-period landscape. A large area opposite the site on the other

side of New Road was evaluated in 2014 (Cambridgeshire Historic Environment Record reference ECB4241), revealing evidence of continuous activity throughout the Mesolithic (CHER MCB20337) and Bronze Age (MCB20334), through to Roman and medieval period earthworks (MCB20338). Excavation of the land immediately south of the proposed development area in 2015 revealed a similarly dense pattern of activity (ECB4417) and Bronze Age burial mounds are known in the vicinity along the line of New Road (03166). In addition a Saxon cemetery has been identified only 180m south west of the site (CB15238).

Do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a condition, such as the example condition approved by DCLG.

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

- a) the statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- c) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. *Part (c) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.*

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

Reason: To ensure that the significance of historic environment assets is conserved in line with NPPF section 12.

A brief for the archaeological works can be obtained from this office upon request.

37. S106 Officer – Following Planning Obligations are sought:

Public Open Space

Formal sports in the form of £25,374.61 towards the provision and maintenance of an enlarged or new 3G sports pitch at Melbourn Village College or elsewhere in the village.

- a) Formal children's play space in the form of £33,663.95 towards the provision and maintenance of a new skate park in Melbourn.
- b) Informal children's play space in the form of onsite space provision
- c) Informal open space in the form of onsite space provision
- d) Indoor Community Space in the form of £11,520.08 towards an extension to Melbourn Hub
- e) Monitoring Fees being a contribution of £500
- f) Library and lifelong learning in the form of a contribution of £1,571.51 towards the provision of adult lifelong learning educational equipment and resource material
- g) Healthcare £14,036

38. Development Officer (Health Specialist) – Makes the following comments:

As per the Council's Supplementary Planning Document on Health Impact Assessment (HIA SPD) it is policy to assess the HIA report against the HIA Review Package checklist contained in Appendix 3. However, this has not been followed by Savills so cannot be graded.

Has therefore made the following comments:

Air quality, noise and neighbourhood amenity.

Would like an outline CEMP to ensure that any noise, vibrations and dust caused throughout the demolition, clearance and main construction phases are managed to minimise any negative impacts on those residents living within close proximity to the site including agreed working hours.

Housing Quality & Design

There has been no mention of housing quality and type. Given the ageing population and the predicted sharp increases over the next 20 years within South Cambridgeshire, we would like to see a commitment to housing quality standards which follow policy standards contained within the Local Plan namely:

Policy H/8 Housing Mix

Policy H/9 Affordable Housing

Policy H/11 Residential Space Standards for Market Housing

Accessibility and active travel

The application should demonstrate what measures will be undertaken to promote cycling and walking and how it will encourage residents to access local amenities on foot or cycle to minimise impacts on local roads and enhance health and wellbeing?

Crime and community safety

The application should demonstrate how it will build in safety and reduce crime at the outset. Refer to "Secured by Design" initiative, adopted successfully in other areas of the County.

Public realm and social cohesion

The application should highlight how it will maximise opportunities for social interaction and connect with neighbouring communities and how it will allow easy access for people with mobility problems or disabilities.

Community Engagement

The application has not described what, if any, community engagement has taken place to shape this report. What local vulnerable groups were identified and whether their views have been sought. To ensure that the benefits are enhanced across all population groups, it's suggested that local groups representative of vulnerable populations and stakeholders groups responsible for protecting and promoting health be consulted.

39. Cambridgeshire Fire and Rescue Service – requests that adequate provision is made for fire hydrants, to be secured by way of a Section 106 agreement or a planning condition.

40. Designing Out Crime Officer – Generally please to see high levels of natural surveillance Has some minor concerns that the front entrance to the development would appear over dominated with car parking spaces as indicated with the current layout. Would like to see spaces broken up with some form of planting so they don't

over dominate the area. This may mean moving the positions of homes slightly to allow this and re-positioning the open plan area. If this is not possible due to other factors would require an external lighting plan to be conditioned to ensure these car park areas are lit.

41. **Natural England** – No objection

42. **Sport England** – The proposal does not fall within their statutory remit.

Representations

43. Following public consultation on the original application and subsequent amendments, 9 Nos. neighbour responses have been received making the following comments and objections:

- Recommends use of swift bricks for biodiversity enhancement
- Sewerage Issues
- No further thought given into village amenities
- Lack of infrastructure – schools, healthcare and roads; also taking into consideration the development of 199 homes and care home.
- Traffic and congestion issues
- Road Safety Issues
- Objects to the removal of trees and hedges on site and destruction of the existing ecological situation.
- Submitted reports in respect of drainage, ecology and transport show divergence of opinion on ecology
- Problems in respect of drainage/flooding remain.
- Privacy issues to properties in Carlton Rise.
- No trees and hedges proposed along boundary with Carlton Rise to serve as an increased barrier.
- Proposed development does not enhance or add to the community aspect of the village
- Increased noise levels from the cumulative development.
- Traffic and Noise pollution
- No plans have been proposed for street lighting.

Planning Assessment

44. During the application process two rounds of amendments were consulted on to address concerns brought up during consultation process. The following amendments were made:

- Site layout – including landscaping
- Access arrangements
- Ecology Reports
- Drainage Report
- Transport Report

The following assessment takes into account the amendments.

Principle of development and sustainability of the site

45. The application site is within the village development framework of Melbourn and has been allocated for residential development in the newly adopted Local Plan. The proposal seeks full planning permission for 22 dwellings.
46. The provision of 22 dwellings will contribute towards the district housing need.
47. Policy H/1 states that the site should be developed in accordance with the relevant Local Plan policy requirements and proceeds to state that the number of homes granted permission on the site may be higher or lower than the indicative capacity and should be determined through a design-led approach and contributions made towards any necessary additional infrastructure.
48. Site specific policy H/1(e) states that the site has an indicative capacity of 65 dwellings. The application site is a part of the larger site allocated under this policy; the Land at Victoria Way (to the south of the application site) being part of the allocation. 64 new dwellings have already been approved at the Land at Victoria Way. The site would provide an additional 21 dwellings on the allocated site which is considered to be acceptable subject to compliance with the other relevant policies within the Adopted Local Plan. The policy also requires the development to create a significant landscape buffer along the boundary of the site where it adjoins or could be seen from the open countryside to provide a soft green edge. However, this criterion is not applicable to the application site as it is located to the northern side of the wider site; Victoria Way development being located to the edge of the Development Framework.
49. The development has been assessed against these criteria under the relevant sections in this report. The principle of development, including its sustainable location has been supported by the District Council and the inspector through the Local Plan. The sustainability of Melbourn is also reflected in its allocation as a Minor Rural Centre.
50. The development can no longer be said to be premature and would accord with the main aims of policy H/1 and H/1(e) of the adopted Local Plan (2018). These matters should be given full weight and regard to in the determination of this application.

Education provision

51. Policy TI/9 states that developers should engage with the Children Services Authorities at the earliest opportunity to ensure the appropriate mitigation is identified and can be secured.
52. Several third party comments have raised concerns to the capacity of the local schools. Cambridgeshire County Council Education department have reviewed the scheme in terms of the impact of the development on early, primary and secondary schools in the catchment.
53. The proposed development will impact on the early years places in Melbourn. There is currently a project to expand early years places at Melbourn primary school. The County Council's proposed solution to mitigating the early years aged children arising from this development and others in the area is to provide provision of an additional 52 places. The total cost of the project is £249,955.
54. The proposed development will generate an early years child yield of 5 (three of which will be entitled to free school provision). Based on the child yield of 3 students, the proposed development will need to contribute £14,421.

55. The proposed development will impact on the primary places in Melbourn. There is currently a project to expand primary places at Melbourn primary school. The County Council's proposed solution to mitigating the primary aged children arising from this development and others in the area is to provide provision of an additional 3 classrooms (90 places). The total cost of the project is £1,713,463. The proposed development will generate a primary year child yield of 5 students. And will need to contribute £95,190.
56. The catchment setting for secondary school years for the proposed development is Melbourn Village College. However, the County Council have not yet considered a viable project to expand the school and therefore a contribution is not required.
57. The developer has agreed to provide contributions toward early years and primary years in accordance with the comments above and they will be secured via the s106 agreement. The contributions are considered to be directly related, reasonable and necessary to mitigate the impact of development and therefore would accord with the CIL regulations. In addition to this the infrastructure payment would accord with the requirements of site specific policy H/1 of the Local Plan.

Health Care and Impact Assessment

58. The site is located in close proximity to Orchard GP Surgery. The site forms part of Local Plan policy H1: e that was to comprise an indicative 65 dwellings across 3 hectares. Planning permission for 64 dwellings on the larger part of this allocation was granted in February 2015 and which secured a financial payment of £40,832 towards healthcare improvements in Melbourn (£638 per dwelling). The land at 36 New Road represents the balance of the local plan allocation. NHS England typically only respond to planning applications to seek developer contributions at a threshold of 50 dwellings or above meaning that no consultation response has been received for this or any planning application relating to this site. In spite of this when Planning Committee approved planning application S/0287/15/OL for 18 dwellings on the site, it was on the basis that a healthcare contribution of £11,484 was secured (£638 per dwelling). This was because the Council considered the application and impact should be assessed on the basis of the local plan allocation (i.e. a site comprising a total of 82 dwellings). Applying the same consistent approach to the new application would generate the need for a developer contribution of £14,036 and which would be used to provide healthcare provision in the village or surrounding area serving the development.
59. Given the scale of the scheme the application is accompanied by a rapid HIA. Policy SC/2 of the Local Plan states that new development should have a positive impact on the health and wellbeing of new and existing residents. For developments between 20 and 100 the policy states that the Health Impact Assessment should be a rapid assessment that is appropriate to the scale and nature of the proposed development.
60. The HIA is a method of considering the positive and negative impacts of development on the health of different groups in the population, to enhance the benefits and minimise any risks to health. The HIA recognises that during construction there will be an 18-month period where activities might give rise to short term negative impacts. However, concludes that this can be mitigated through the use of planning conditions to control activity. The HIA goes onto recognise that the scheme will also bring health benefits for future occupiers for being in a sustainable location and provision of high quality more sustainable housing.

61. The Health Impact Officer has marked the document down as it has not followed the HIA Review Package checklist. Various aspects in respect of Air quality, noise and neighbourhood amenity, housing quality and design, Accessibility and active travel, Crime and community safety, public realm and social cohesion and community engagement have been queried.
62. Whilst this level of information would be desirable to get an in-depth picture, the scheme is for only 22 dwellings and therefore officers consider the rapid assessment undertaken when read alongside the planning statement and design and access statement and other relevant reports as part of this application, the information would be sufficient and would accord with the requirements of policy SC/2 of the Local Plan and would be a suitable form of development that will have a positive impact on the health and wellbeing of new and existing residents.

Housing Density

63. The overall density of the development is an average of 30 dwellings per hectare which would be in compliance with Policy H/8 of the Council's Adopted Local Plan.

Affordable housing

64. Adopted policy H/10 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. The proposal originally proposed 8 Nos. affordable dwellings (4 Nos. 1 bedroomed flats and 4 Nos. 2 bedroomed flats). However, subsequent to the contribution requested by the Cambridge County Council Education department and the contribution sought towards a Children's Play Area, the applicant is claiming that the increase in S106 contributions sought (in comparison to the contributions sought under the outline application S/0287/15/OL) is impacting on the viability of the scheme.
65. The applicant's Financial Viability Assessment (FAV) that supports this application was based on contributions of £108,558. This figure was based on the formulae used in the S106 agreement for the extant consent (S/0287/15/OL) dated March 2017.
66. The S106 contributions sought for this scheme differ from those anticipated principally in two areas – Children's Play and Primary Education. This results in an increase in the total contribution level by some £95,856 compared to that anticipated in the applicant's FVA. The key difference is the need for the primary school contributions. These were originally set at £8,400 per child place (resulting in a contribution of £42,000). There has been uplift in County Council education contributions since the outline planning permission was granted and these have now escalated to £19,038 per child space resulting in a total payment of £95,190. This creates an increase of £53,190.
67. The applicant has submitted an amended Viability Assessment analysis to demonstrate the impact of the increased S106 obligations which highlights that the increase in Section 106 obligations has resulted in a reduction in the affordable housing provision from 4, Affordable Rented & 4 Shared Ownership units to 3 Affordable Rented Units & 0 Shared Ownership Units. However in order for the application to progress as soon as possible the applicant is happy to maintain the provision of Affordable Rented Units at 4.
68. It should be noted that the Viability Assessment has not undergone an external independent appraisal. The Council's Housing Officer was originally involved with the review of the Viability Statement; the affordable housing requirements were assessed

and agreed on the basis of that submission. The amended Viability Statement has been reviewed by the same officer who concurs with the findings/conclusion of the amended Viability Report.

69. Policy H/10 requires a provision of 40% affordable housing on developments of 11 dwelling or more except where it can be demonstrated that the level of affordable housing sought would make a development unviable in light of changing market conditions, individual site circumstances and development costs. Criterion 2 (d) of the Policy states that in such cases a revised mix of affordable house types and tenures and then a lower level of affordable housing provision may be negotiated.
70. It is noted that the Council's Housing Officer does not support the proposed reduction of 20% affordable housing because of increased S106 costs and requests that an independent viability assessment is carried out.
71. However, on the basis of the submitted amended Viability Assessment and the review carried out by the Council's Delivery & Innovations Manager, on balance, it is considered that the reduced level of Affordable Housing is considered to be acceptable in this instance.
72. The tenure for the proposed affordable housing comprising of 4 Nos. 1 bedroomed flats would be rented. The units will be secured in a S106 agreement.
73. As such no objection is raised to the proposed development under policy H/10 of the Local Plan together with guidance contained within the Council's Affordable Housing SPD. All of the house types meet the Nationally Described Space Standards (NDSS) accordance with policy H/12 of the Local Plan.

Housing mix

74. Adopted policy H/9 requires development to deliver a wide choice, type and mix of homes to meet the needs of different groups in the community. Market homes should consist of 30% 1-2 bedrooms, 30% 3 bedrooms, 30% 4 or more homes with 10% flexibility.
75. The policy also requires that on all sites of 20 or more dwellings developers will supply dwelling plots for sale to self and custom builders and that 5% of market homes in a development should be built to the accessible and adaptable dwellings M4(2) standard (rounding down to the nearest whole property).
76. The proposal includes the provision of 18 market dwellings. In accordance with the policy the 30% requirement each dwelling type should be at least 5.4 units. The proposed mix includes:
 - 4 x 2bedroom units
 - 5 x 3bedroom units
 - 9 x 4/5bedroom unit

22.2% one and two bedroom, 27.8% 3 bed
77. The proposal would fall short of being compliant with the minimum criteria for two-bedroom dwellings by 1.4 units and for the number of three-bedroom dwellings by 0.4 units. Despite the fact this is a small scheme, the agent has overall still demonstrated that a wide choice of homes will be delivered on the site with a mixture of market homes and would therefore comply with the main aims and objectives of policy H/9 and paragraph 61 of the National Planning Policy Framework.

78. The proposal fails to also provide a plot within the development for self and custom builders as required by policy H/9. The applicant has stated that the submitted Viability Assessment demonstrates that the provision of a self/custom build plot would increase the deficit further by £45,000 and therefore worsens the overall scheme viability. The applicant also highlights that the inclusion of 4 affordable rented units was in fact an over provision compared to the total viable amount; only 3 Affordable rented units were deemed viable. On the basis of the scheme's viability, it is considered that the non-provision of the custom/self build plot is considered acceptable.
79. The submitted Design and Access Statement states that the application has taken into account the access needs of all people; having attempted to address the requirements of those with long-term disabilities and persons who may experience mobility issues at some time in their lives. It states that the scheme aims to make all houses and ground floor apartments as accessible to as many people as possible without compromising the economic viability of the development. The development seeks to achieve its accessible design goals by including level threshold into the building with ease of access for those with mobility impairments into the ground floor units. No details of how the development would incorporate adaptable dwellings have been provided. However, it is not considered that a refusal can be sustained on this basis.
80. On balance, it is not considered that a refusal on the basis of the requirements of the proposed housing mix could be successfully sustained on appeal.

Impact on the character of the area and landscape

81. The proposed development is located between the existing older properties to the north and the relatively new development to the south in Victoria Way. The heights of the dwellings will be limited to two-storey with the units at Plots 19-22 (towards the rear) being two-half storey.
82. Views into the site will be limited to the proposed access point, views from private gardens and glimpses between properties along the street-scenes. Given the existing new development at Victoria Way to the south, views from the wider landscape setting will be more limited.
83. Furthermore, hedgerows are proposed along the front boundary of the site. Overall, it is considered that the proposal would therefore continue to preserve the character of the local area in accordance with criteria in site specific policy H/1(d) and HQ/1(e) of the adopted Local Plan.

Layout

84. A full set of technical studies have been submitted with the application and have informed the proposed layout and design of the scheme. The scheme has also been discussed at pre-application stage.
85. The proposed layout and design of the development has been amended to provide a better layout, address landscaping issues and to improve the views into the site.
86. A new access is proposed to be provided to the site with a new road within the development. Appropriate turning areas for emergency, refuse and service vehicles have been incorporated into the proposed layout.

87. The affordable housing is to the front of the site and will comprise 4 units (which are apartments) within one Block.
88. The newly adopted policy H/10 states that affordable housing should be provided in small groups or clusters distributed through the site. Paragraph 7.48 of policy H/10 states that affordable homes should be integrated with market homes in small groups or clusters to create sustainable communities. The policy does not now define what a suitable size cluster is. However, it is considered that the location of affordable housing within one block would be better managed in that format and a size comprising of a cluster of 4 affordable dwelling is considered to be acceptable as such.
89. In addition the overall design would be tenure blind so materials used in the external surfaces would be compatible with the other dwellings on the site.
90. As such a mixed and balanced community would be created in accordance with the adopted policy H/10 and National Planning Policy Framework.
91. To overcome concerns of the urban design officer and the landscape officer, amendments have been made to the scheme. The final comments from the Urban Designer required the addition of balconies to the blocks of flats and configuration of parking areas for Plot 5 to 10 and relocation of plots 9 and 10 so that it fronts onto the LAP and LEAP. The proposal has been amended to include the balconies. However, the agent was not agreeable to the redesigning of the parking areas and the relocation of Plots 9 and 10. It is not considered that the redesign would result in any significant improvements to the layout and on that basis the changes are not considered significantly necessary to the scheme.
92. Within the layout of the scheme provision is made for informal open space with proposed tree planting. Following amendments this area was made larger so existing trees/hedgerow could be retained and work alongside a LAP.

Scale and Appearance

93. The proposed 22 homes are contained within two-storey-two-half storey buildings, following traditional forms. The scale of the development is reflective of other domestic dwellings found within the wider context of Melbourn.
94. The proposed materials palette is mainly proposed to be yellow buff brick with smooth painted sand render and painted timber boarding, The cills are proposed as reconstructed Bath Stone and the roofs will comprise of Natural Dark Grey Slate.

Landscape and trees

94. The application is accompanied by an Existing Site Plan, Tree Survey and Arboricultural Implications.
95. The site is defined by existing vegetation comprising of hedgerows along the southern boundary and fruit trees across the site. It is proposed as part of this application that the hedges/planting along the southern boundary will be retained and protected by a post and wire fence. New tree planting to consist of fruit trees and trees typical of the local character are proposed along the northern boundary. A play area and community orchard is proposed within the site. Hedges are also proposed along the front boundary of the site.

96. The types, species, location, stock and details of planting to be retained and new planting will be requested via planning condition.
97. For the above reasons that proposal is therefore considered to comply with policy HQ/1(a) of the Local Plan which seeks to ensure developments are of a high quality and sympathetic to the surroundings.

Renewable Energy and Water Consumption

98. The submitted Design and Access statement states that key principles of sustainability will be incorporated within the scheme to reduce the strain placed on natural resources through the demolition process, construction and the on-going running of the proposed homes. Whilst no proposals have been submitted in respect of renewable energy, a standard condition can be applied in accordance with policy CC/3.
99. The scheme will seek to reduce water consumption by ensuring aerated taps, non-power showers and low-flush WCs with a cistern capacity of 6 litres or less are provided to all the new bathrooms & W/Cs.
100. This provision would accord with policy CC/4 of the adopted Local Plan. A condition will be applied to the decision notice for a full water conservation and management plan to ensure the applicant complies with the requirements of the policy.

Residential Amenity

101. Policy HQ/1 (n) seeks to protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight which avoids unacceptable impacts such as noise, vibration, odour, emissions and dust. The Council's District Design Guide also seeks to guide development in the area.
102. The gardens to the dwellings will be a minimum of 50 square metres and the apartments would provide a communal area of some 109 sq.m for each block (some 27 sq.m per flat); the first floor flats would provide balconies measuring some 3 sq.m and therefore would provide a suitable level of private residential amenity for future occupiers.
103. Residents have raised concerns about the potential noise impacts from the new access into the site. Given the site will serve only 22 units, vehicle movements will be more limited and likely to be negligible against noise from traffic along New Road. There is already an extant permission in principle for 18 units.
104. During the consultation process, third party concerns have been raised about overlooking and overbearing impact from some of the plots. The following assessment has been undertaken in relation to nearby dwellings:
105. Impact to properties in Carlton Rise - The front elevation of the properties at Plots 11-17 would face the rear elevations of the properties in Carlton Rise. These achieve a distance of some 24.5m between them, some 0.5m less than the requirement of 25m within the Council's District Design Guide. However, it is not considered that this marginal deficiency could justify a reason for refusal. Furthermore, landscaping/trees are proposed along the northern boundary. Whilst the details of landscaping will be

required by condition, the proposed landscaping/trees will further facilitate in maintaining privacy between properties.

106. Impact to properties in Victoria Way - These properties and their garden areas currently back onto the application site. The rear boundaries of the gardens are lined with hedgerows. Their garden depths are approximately 11m. The back-to-back distances between the proposed and existing properties at first floor level is approximately 22.5m. Whilst it is noted that this distance would be deficient of the requirement, the existing hedgerows are proposed to be retained. This would help mitigate issues of overlooking and privacy. As such it is not considered that a refusal on this basis could be successfully sustained on appeal.
107. In terms of overlooking to garden areas, as amended, the proposed dwellings will sit 13.5m -13.9m from the shared boundary. The District Design Guide (para.69) states that 'to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. It goes on to state that where a potential problem is evident protective boundary treatments, garden walls and planting, can assist in obscuring views.
108. The garden areas of the existing dwellings are relatively shallow (some 11m). The trees/hedgerows on the southern boundary of the site are within the ownership of the applicant and will help in providing a screen to limit the impact of overlooking. Together these considerations mean that the perception of overlooking to existing garden spaces will not be significant or adverse and therefore the guidance in the design guide should not be applied rigidly having regard to all the other material considerations.
109. Impact to Nos. 45 and 46 Greengage Rise – Plots 18-22 of the proposed development would back onto the garden of Nos. 45 and 46 Greengage Rise. The properties at Plots 19-22 result in an acceptable relationship with the neighbours to the rear. However, the dwelling at No. 45 Greengage Rise has a shallow garden (some 5m to 9m by virtue of its shape). The proposed dwelling at Plot 22 would only provide a distance of some 19m to 22 to the back of this neighbouring property. However, taking into account the orientation and relationship of the properties at Plot 22 of the proposed development and the dwelling at No. 45 Greengage Rise and that hedging is proposed along the party wall boundary between them, it is not considered that any impact on the residential amenity would be so detrimental that a refusal on this basis could be successfully sustained on appeal.
110. The properties within the proposed development do not result in any overlooking issues subject to conditions requiring obscure glazed window in the side elevations of the properties. The property at Plots 19-21 have dormers within the roofs in the eastern elevation and provide a distance of some 17m to 18m to the opposite wall of the property at Plot 17. This property only has the provision of a bathroom window in this elevation (this will be required to be obscure glazed and fixed shut). This relationship is unlikely to result in any privacy and overlooking issues.
111. However, the property at Plot 22 also has a dormer at second floor level which would be located some 14m from the rear garden of Plot 17. This window serves a bedroom at second floor level; this bedroom is also served by a dormer window in the rear elevation. The dormer window in the rear elevation would provide a distance of some 22m to the rear boundary and would not result in any issues of privacy and overlooking to the neighbouring properties to the rear. Under the circumstances, it is considered that the window within the front dormer of this property could be required

to be obscure glazed and fixed shut without impacting on the internal living conditions.

112. For the reasons set about above, the proposal is considered to accord with policy HQ/1(n) and provides a good level of amenity for existing and future occupiers.

Highway safety

113. The National Planning Policy Framework paragraph 109 states developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

114. The application is accompanied by a Transport Statement (TS) by M-EC (dated June 2018). Within the TS estimations have been made on the quantum of trips that may be generated by the proposed development. The proposed development will result in an increase in 19 vehicle trips during the AM peak and 16 vehicle trips during the PM peak. This results in a maximum increase of one additional trip approximately every 3 minutes during the peak periods

115. The low quantum of vehicle trips that would be generated from this development would not cause a detrimental impact on the local highway network. The Local Highways Authority has reviewed the planning application and has not raised any objections on highway safety grounds linked to the capacity of the network.

116. In terms of suitability of the access points, the TS data supports the applicant's proposal and demonstrates vehicle visibility splays to the main vehicle access into the site can be achieved within the ownership of the applicant and across highway authority land. As such this demonstrates vehicles can enter and leave the site safely.

117. With respect to relevant national and local planning policies, the cumulative transport impact of the development is not considered to be severe, nor does the proposal demonstrate that there would be an unacceptable highway safety risk.

118. Despite the significant number of objections to the application on these grounds, there are no reasons on highways or transport grounds to refuse the planning application for development in this location. The proposal would therefore comply with policy SC/11 of the Local Plan. A travel plan will be secured via planning condition to ensure sustainable modes of transport are encouraged when the dwellings are occupied.

Parking

119. Each house will be provided with a minimum of two parking spaces. All apartments will contain a single parking space. Every dwelling will have provision for lockable cycle storage facilities, either within the garages or where no garages within secure garden sheds or communal stores. Conditions will be included on the decision notice for the details of the cycle storage.

Flood Risk and Drainage

120. The supporting Flood Risk Statement confirms the site is located within Flood Zone 1, lowest risk of flooding. Surface Water flood maps shows that there is an area across the middle of the site that is at risk of pluvial flooding from a flow path originating from land at Victoria Way, south of the site. However, this area is low risk

(between 1 in 100 year return period and 1 in 1000 year return period) and flood depths would be less than 300mm deep. In order to mitigate against the risk of properties being affected, it has been recommended that Finished Floor Levels are a minimum of 300mm above the surrounding ground levels, The rest of the site is at a very low risk of pluvial flooding.

121. Surface Water Drainage Discharge - The surface water drainage strategy was amended following a holding objection from the Lead Local Flood and Water Authority (LLFA). The management of the surface water runoff will be provided by permeable paving, soakaways and geo-cellular storage units.
122. The Lead Local Flood Authority and the Drainage Engineer have raised no objection subject to conditions requiring further details.
123. Foul water drainage - The foul water generated from the site will be via a gravity connection to the existing Anglian Water public foul water sewer on New Road. The submitted strategy states that foul connection from the existing property may be suitable subject to further investigation; otherwise a new connection shall be required.
124. Parish Council and Third Party objections have been received in respect of inadequate infrastructure in Melbourn in respect of drainage and overflow and flooding issues.
125. Whilst this indicative strategy demonstrates a connection can be made to existing infrastructure, the Drainage Engineer has requested a condition for a detailed drainage strategy to be submitted to ensure the development would not lead to an unacceptable risk of flooding downstream.
126. The foul drainage from this development is in the catchment of Melbourn Water Recycling Centre which does not currently have capacity to treat the flows from this development. However, Anglian Water are obligated to accept the foul flows from the development with the benefit of planning permission and would therefore take the necessary steps to ensure that there is sufficient treatment capacity.
127. For the above reasons, and subject to conditions requiring further details of Surface Water and Foul Water Strategy, the proposed development is in accordance with policies CC/7, CC/8 and CC/9 of the adopted Local Plan and guidance contained within the Cambridgeshire Flood and Water SPD (2016).

Biodiversity

128. The site consists of a large area of improved grassland with some fruiting trees, wooded boundaries, and a dwelling in the north-east corner. The site sits within the Impact Risk Zone (IRZ) of a nearby statutory protected site; however it does not meet the criteria that would require a consultation with Natural England.
129. An Ecological Assessment has been submitted (Ecological Solutions, July 2017) in support of this application. The report identified that further bat surveys will be necessary to the buildings on site. However another application for the same site had an updated letter report which established that there is no likely suitable crevice roosting features. Subsequent to a holding objection from the Ecology Officer, such an updated letter report was also submitted for the application. The Ecology Officer has removed the objection subject to a condition for all works to be carried out in accordance with the details/recommendations contained within the submitted report.

130.Paragraph 170(d) of the National Planning Policy Framework (NPPF) states that planning decisions should; contribute to and enhance natural and local environment by minimising impact on and providing net gains for biodiversity. Paragraph 175(a) states that when determining planning applications the following principles should be applied; if significant harm to biodiversity resulting from a development cannot be avoided adequately mitigated or at least compensated for then planning permission should be refused. Part (d) of the paragraph states that; development whose primary objective is to conserve or enhance biodiversity should be supported; whilst opportunities to incorporate biodiversity improvements in and around developments should be encouraged. Policy NH/4 of the adopted Local Plan echoes this advice.

131.The Ecology Officer has recommended a condition be imposed on any consent granted to provide a scheme of biodiversity enhancement. Subject to such a condition, no objection is raised to the proposal under policy NH/4 and paragraph 175 of the NPPF.

Other Matters

Broadband – Policy TI/10 states that new development (residential, employment and commercial) will be expected to contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband services across the district. As a minimum, suitable ducting to industry standards should be provided to the public highway that can accept fibre optic cabling or other emerging technology. Other forms of infrastructure, such as facilities supporting mobile broadband and Wi-Fi, should be included where possible and viable. The proposed development has not submitted any such proposal. A condition will be included on the decision notice to ensure the ducting from the properties is provided prior to occupation.

Archaeology - A condition will be placed on the decision notice for a written scheme of investigation to record any findings on the site and prevent any damage to heritage assets in accordance with the views of the consultee and policy NE/14 of the adopted Local Plan.

Contaminated Land – A condition requiring the submission of a Phase I Environmental Desk Study as suggested by the Contaminated Land Officer will be placed on the decision notice in accordance with Policy SC/11 of the adopted Local Plan.

Lighting Proposals – A condition requiring details of any external lighting proposals for the scheme will be placed on the decision notice in accordance with Policy SC/9 of the adopted Local Plan.

Conclusion

132. In accordance with paragraph 11 of the National Planning Policy Framework, decisions should apply a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

133. The site has been allocated for development in the newly adopted Local Plan and includes both market and affordable houses. These will contribute to maintaining the Councils five-year housing land supply.

134. In terms of economic and social benefits, contributions towards education, healthcare, library facilities and off-site community facilities will mitigate the impact of future occupiers and enhance existing facilities within the village.
135. In terms of environmental benefits, the sustainability of the location for the number of dwellings has been tested through the Local Plan examination and was deemed to be an acceptable one to develop. Following amendments, the layout, scale and appearance of the development are considered to be acceptable and presents a good quality scheme that will preserve the character and appearance of the area, landscape setting and be acceptable in relation to the impact on existing residential amenity.
136. A S106 agreement will need to be secured for contributions toward affordable housing, Public Open Space, Formal Sports, Formal and Informal Children's Playspace, Informal Open Space, Indoor Community Space, Education, Libraries and Healthcare. Conditions will also need to be applied to any decision notice to ensure there is a suitable means of drainage from the site and the access is built in accordance with the requirements from the Local Highways Authority.
137. For the above reasons, the proposal would accord with the development plan and therefore should be approved without delay.

Recommendation

138. Officers recommend delegated approval subject to:

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

See appendix 1 - Heads of terms

Conditions and Informatives

Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Site Red Line Boundary
28617.204 D Proposed Site Plan
28617.200 D Part Site Plan with boundaries
28617.201 B Part Site Plan with boundaries
28617.202 D Part Site Plan
28617.203 B Part Site Plan
22916_08_020_03 Access Design
28617.206 B Plots 1-4
28617.207 B Plots 5-8
28617.208 Plots 9-10

28617.209 Plot 11
28617.210 Plot 12
28617.211 Plot 13
28617.212 Plot 14
28617.213 Plot 15
28617.214 Plots 16-17
28617.215 Plot 18
28617.216 A Plots 19-21
28617.217 Plot 22

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

3. Except for demolition, no development shall take place above slab level, until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018).
4. Prior to the first occupation of the development, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/6 of the adopted South Cambridgeshire Local Plan 2018).
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/6 of the adopted South Cambridgeshire Local Plan 2018.)
6. Prior to the first occupation of the development a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)
7. No development shall take place until details of the proposed children's play area including the number and type of pieces of play equipment have been submitted to and approved in writing by the Local Planning Authority. The play area shall be

laid out and equipped as approved before the first occupation of any part of the development, or in accordance with a programme to be submitted to and approved in writing by the Local Planning Authority.

(Reason - To provide outdoor play space in accordance with Policy SC/7 of the adopted South Cambridgeshire Local Plan 2018 .)

8. No dwelling shall be occupied until the area shown as 'Play Area and Community Orchard' has been laid out in accordance with Drawing. No. 28617.202 D and that area shall not thereafter be used for any purpose other than as a play area.
(Reason - Reason - To provide outdoor play space and informal open space in accordance with Policy SC/7 of the adopted South Cambridgeshire Local Plan 2018.)
9. All ecological measures and/or works shall be carried out in accordance with the details/recommendations contained in the report by AA Environmental Limited, September 2017 as already submitted with the planning application.
(Reason - To remain compliant with relevant national and international protected species legislation, and Local plan policy NH/4 of the adopted South Cambridgeshire Local Plan 2018.)
10. Prior to the commencement of the development above slab level a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.
(Reason- To enhance biodiversity in accordance with policy NH/4 of the adopted South Cambridgeshire Local Plan 2018).
11. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 1 March and 31 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.
(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).
12. Prior to the first occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the all access within the development and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from the access to the site towards the adopted highway boundary. The visibility splays shall be retained as such thereafter.
(Reason - In the interest of highway safety in accordance with Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)
13. The proposed accesses shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.
(Reason: For the safe and effective operation of the highway in accordance with policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)
14. The proposed accesses shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.
(Reason: In the interests of highway safety in accordance with policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)

15. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading shall
 - ii. be undertaken off the adopted highway)
 - iii. Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
 - iv. Movements and control of all deliveries (all loading and unloading shall be
 - v. undertaken off the adopted public highway.
 - vi. Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

(Reason: in the interests of highway safety in accordance with policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)
16. Prior to the first occupation of the development the junction of the access with the highway carriageway shall be laid out with 6m radius kerbs.

(Reason: In the interests of highway safety in accordance with policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)
17. Prior to the first occupation of the development, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall 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 in accordance with HQ/1 of the adopted South Cambridgeshire Local Plan 2018).
18. Prior to the occupation of the development covered and secure cycle parking details shall be submitted to and approved in writing by the local planning authority. The cycle parking shall be installed in accordance with the agreed details prior to the occupation of the dwelling to which it relates.

(Reason – To ensure the development complies with policy TI/3 of the adopted South Cambridgeshire Local Plan 2018.)
19. No dwellings shall be occupied until a Travel Plan to reduce car dependency and to promote alternative modes of travel has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)
20. The properties within the development hereby approved, located within the middle of the site that is at risk of pluvial flooding (as set out in the Flood Risk statement and shown on the Surface Water flood maps) shall be constructed such that the Finished Floor Levels are a minimum of 300mm above the surrounding ground levels

(Reason - To prevent the increased risk of flooding to these properties in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018).

21. Development shall not commence until a detailed surface water drainage scheme for the site, based on the agreed Technical Note: Flood Risk Assessment and Drainage Strategy, REF.22916/09-18/6157 REV C, Prepared by MEC, Dated September 2018 has been submitted to and approved in writing by the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall include a plan indicating flood exceedance routes, both on and off site in the event of a blockage or rainfall event that exceeds the designed capacity of the system. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.

(Reason - To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development, to improve and protect water quality, and improve habitat and amenity in accordance with policies CC/7, CC/8 and CC/9 of the adopted South Cambridgeshire Local Plan 2018)

22. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes, the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime - including: details of land ownership; maintenance responsibilities; a description of system; the identification of individual assets, services and access requirements; details of routine and periodic maintenance activities. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

23. No development other than site preparation, ground works and enabling works shall commence until a foul water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policies CC/7 and CC/8 of the adopted South Cambridgeshire Local Plan 2018).

24. No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out the management measures which builders will adopt and implement for the construction effects on the surrounding environment and community. The development shall be carried out in accordance with the agreed details.

(Reason - To protect amenities of nearby residential properties and the environment in accordance with policy SC/11 of the adopted Local Plan 2018)

25. Prior to the installation of any floodlighting, security or street lighting, a lighting scheme for that particular phase of development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include layout plans (including proximity to existing residential properties) and elevations with luminaire locations annotated and full isolux contour map. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details.

(Reason - To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with SC/10 of the adopted South Cambridgeshire Local Plan 2018.)

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

(Reason - To protect the amenities of nearby residential properties in accordance with policy SC/10 of the adopted South Cambridgeshire Local Plan 2018.)

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

(Reason - To protect the amenities of nearby residential properties in accordance with Policies HQ/1 and SC/11 of the adopted South Cambridgeshire Local Plan 2018.)

28. Except for demolition, no development shall be commenced until

- i) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.
- ii) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
- iii) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) shall have been submitted to and approved in writing by the Local Planning Authority.
(Reason – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/12 of the adopted South Cambridgeshire Local Plan 2018).

29. No dwelling shall be occupied until the works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme. (Reason – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/12 of the adopted South Cambridgeshire Local Plan 2018).
30. If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority. (Reason – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/12 of the adopted South Cambridgeshire Local Plan 2018).
31. No development above ground level shall take place until an Energy Delivery Strategy which shall demonstrate how at least 10% of the expected energy requirements for the development will be delivered from renewable sources or low carbon technologies. The development shall be implemented in accordance with the approved strategy. (Reason - To ensure an energy efficient and sustainable development in accordance with CC/3 of the adopted South Cambridgeshire Local Plan 2018).
32. Prior to the fitting out of any dwelling house, a water conservation statement detailing water conservation and management measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail water efficiency measures sufficient to ensure that residential development achieves a minimum water efficiency standard of 105 litres per person per day (additional 5 litres for outdoor use). The development shall be carried out in accordance with the agreed details (Reason - There is a high demand for limited water resources in the East of England; therefore it is necessary to manage water use in accordance with South Cambridgeshire Local Plan policy CC/4).
33. Prior to the first occupation of the development, infrastructure to enable the delivery of broadband services to industry standards should be provided for each of the dwellings. (Reason – To support the implementation of the South Cambridgeshire Economic Development Strategy in accordance with policy TI/10 of the adopted South Cambridgeshire Local Plan 2018.)
34. 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 to E of Part 1 of Schedule 2 of the Order shall take place on the development hereby approved unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - In the interests of protecting the amenity of the occupiers of the development hereby approved and the neighbouring residents in accordance with Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)

35. Apart from any top hung vent, the proposed first floor windows in the side elevations of the dwellings hereby permitted, (except southern elevation of the Block containing Flats 1-4), northern elevation of the Block containing Flats 5-8 and eastern elevation of the dwelling at Plot 11) shall be fitted with obscured glass (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut to a height of 1.7m from the finished floor level. The development shall be retained as such thereafter.

(Reason - To prevent overlooking of the adjoining properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

36. The proposed second floor window within the proposed front dormer at the dwelling at Plot 22, hereby permitted, shall be fitted with obscured glass (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.

(Reason - To prevent overlooking of the adjoining properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

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

- a) the statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- c) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. *Part (c) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.*

The programme shall include the timetable for the investigation is included within the details of the agreed scheme. The development shall be carried out in accordance with the agreed details.

(Reason - To protect historic assets in accordance with policy NH/14 of the adopted South Cambridgeshire Local Plan 2018.)

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

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

Informatives

1. This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated

2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
3. In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
4. Constructions or alterations with an ordinary watercourse require consent from the Lead Local Flood and Water Authority under the Land Drainage Act 1991. Ordinary watercourse include every river, drain, stream, ditch, dyke, sewer and passage through which water flows that do not form part of the main rivers. The applicant should refer to Cambridgeshire County Council Culvert policy.

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 2018
- Development Framework SPDs
- Planning File reference S/2424/18/FL

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