

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	11 December 2019
AUTHOR/S:	Joint Director of Planning and Economic Development	

Application Number:	S/0670/19/FL
Parish(es):	Linton
Proposal:	The construction of 26 Affordable homes including External works and Parking on land rear of No 8 to 30 Paynes Meadow Linton
Site address:	Land Rear of 24-27 Paynes Meadow, Linton, CB21 4JP
Applicant(s):	Hundred Houses Society
Recommendation:	Approval
Key material considerations:	Principle of Development and Exception Site Housing Density Impact on Character of the area and Landscape Design, Layout and Open Space Trees Biodiversity Heritage Assets Highway Safety and Parking Provision Flood Risk and Drainage Open Space Provision Contamination Residential Amenity Residential Space Standards Developer Contributions Other Matters
Committee Site Visit:	Yes
Departure Application:	Yes, advertised 06 March 2019)
Presenting Officer:	Michael Sexton, Principal Planner
Application brought to Committee because:	The officer recommendation of approval conflicts with the recommendation of Linton Parish Council.
Date by which decision due:	28 February 2020 (extension of time agreed)

Executive Summary

1. This application seeks full planning permission for the construction of 26 affordable homes, associated external works and parking on land to the rear of nos.8 to 30 Paynes Meadow, Linton.

2. The site is located outside of the development framework boundary of Linton and in the open countryside.
3. Policy H/11 of the Local Plan states that affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to four criteria. Officers acknowledge that the site does not adjoin the development framework boundary of Linton; rather the site adjoins two previous rural exception sites granted planning consent in 2000 and 2006 respectively. However, officers consider that the site has a clear and functional relationship with the village of Linton and that the site would not appear as a development detached from the main village.
4. Overall, officers consider that the proposal would not conflict with the aims and objectives of policy H/11 of the Local Plan.
5. The erection of 26 dwellings on this undeveloped site will cause some harm to the current landscape character by virtue of new built form in a countryside location and therefore causes some conflict with policies HQ/1 and NH/2 of the Local Plan.
6. During the consultation process objection have been received from Linton Parish Council and several third parties raising various material planning considerations. These have been summarised and discussed in this report.
7. The application has been subject to several revisions seeking to address concerns of the Council's Urban Design Officer and third-party comments. There are no technical objections to the proposed development from statutory consultees, with the use of planning conditions to secure precise details of matters including boundary treatments, drainage and biodiversity enhancement.
8. A S106 agreement will need to be secured for the occupation of the site by those in housing need in perpetuity, formal sports, formal children's play space, informal children's play space, indoor community space, early years education, libraries and lifelong learning and monitoring fees.
9. Overall, officers are of the view that the benefit of providing a scheme for 100% affordable housing to meet an identified local need outweighs the identified landscape harm.
10. Officers recommend that the Committee grants planning permission with delegated powers for the completion of a section 106 agreement.

Site History

11. No specific site history.

Adjacent sites to the south

S/0141/05/F – Erection of 20 Affordable Dwellings – Approved (10 July 2006)

S/0339/99/F – Erection of 19 Dwellings for Affordable Rent – Approved (07 March 2000).

National Guidance

12. National Planning Policy Framework 2019
National Planning Practice Guidance
National Design Guide 2019

Development Plan Policies

13. **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/7 – Development Frameworks
 - S/9 – Minor Rural Centres
 - HQ/1 – Design Principles
 - HQ/2 – Public Art and New Development
 - CC/1 – Mitigation and Adaption 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
 - NH/2 – Protecting and Enhancing Landscape Character
 - NH/3 – Protecting Agricultural Land
 - NH/4 – Biodiversity
 - NH/14 – Heritage Assets
 - H/8 – Housing Density
 - H/11 – Rural Exception Site Affordable Housing
 - H/12 – Residential Space Standards
 - SC/2 – Health Impact Assessment
 - SC/6 – Indoor Community Facilities
 - SC/7 – Outdoor Playspace, Informal Open Space, and New Developments
 - SC/8 – Open Space Standards
 - SC/9 – Lighting Proposals
 - SC/10 – Noise Pollution
 - SC/11 – Contaminated Land
 - SC/12 – Air Quality
 - TI/2 – Planning for Sustainable Travel
 - TI/3 – Parking Provision
 - TI/8 – Infrastructure and New Developments
 - TI/10 – Broadband
14. **South Cambridgeshire Supplementary Planning Documents (SPD):**
 - Cambridgeshire Flood and Water SPD – Adopted November 2016
 - Affordable Housing SPD – Adopted March 2010
 - District Design Guide SPD – Adopted March 2010
 - Open Space in New Developments SPD – Adopted January 2009
 - Biodiversity SPD – Adopted July 2009
 - Trees & Development Sites SPD – Adopted January 2009
 - Landscape in New Developments SPD – Adopted March 2010
 - Listed Buildings SPD – Adopted July 2009

Consultation

15. Linton Parish Council – Objection.

A full copy Linton Parish Council's response to the fourth and final round of consultation is provided below (received 13 November). Please see appendix 2 and 3 for full sets of Linton Parish Council's responses to the previous rounds of formal consultation.

There have been some amendments to the housing designs and layout, but these are insufficient, the proposed mix does not meet the housing needs of Linton, there is no access to Rivey Lane and the surface water drainage plans are not convincing for this notoriously damp area.

Please refer to the original comments submitted by Linton Parish Council as these still stand.

The major concern remains the effect of housing being visible over the long views of the valued landscape especially seen from Back Road and the Icknield Way. The site would also be visible from Balsham Road and across the wider landscape of the Granta Valley. Any compromise to the valued landscape by development up the slope would jeopardise the special character and setting of Linton in its valued landscape.

Layout and landscape impact

- The height, dimensions and house designs are not suitable for the character of the village, the context nor the rural nature of this location.
- Please refer to the comments of the Urban Design group, with which we concur. The ridge referred to which would screen buildings at the western edge is less than shown in the section drawings; houses would be visible above the ridge height.
- The original advice of the Urban Design group and landscape team has been ignored – that there should be no more than 22 houses and that those on the western edge (closest to the open fields) should be bungalows, to minimise impact on the views from Back Road and across the wider valued landscape.
- In fact the number of houses has not been reduced and the houses along this edge remain 1¾ or 2-storey, dwellings, not “settled” into the contours of the hillside. These houses would be visible over the valued landscape.
- The section plans still show proposed housing visible above hedges and hillside. Please note that the height of hedges is not permanent and any reduction, die back and loss of trees would result in housing having more impact.
- The major factor in having one appeal refused was the evaluation of the landscape and the effect of housing on that landscape (Appeal Ref: APP/W0530/W/17/3179762, Land off Back Road, Linton). This development will breach these policies and principles.
- A revised Design and Access statement is not part of the amendments: there has been no assessment of how the development will affect the landscape and National Character Area.
- The site will stretch development up the hill, outside of the village envelope (which is re-established as the LP is now in place) and the planning balance for development to meet housing numbers no longer over-rides local issues.

Section plans – please refer to photograph previously submitted

- The street elevations show plots 18, 19, 20 and 21 with hedgerow behind them. This is the western boundary of the site, a thinning and aging hedge that

cannot be relied upon to shield the tall housing. It cannot be enforced that residents, management company or developer will maintain them at this height or improve them.

- The section drawings then inconsistently show these buildings not only being lower than the boundary hedge, but also being lower than the field to the other side of the hedge.
- The green hedgerow does not continue beyond the site as shown in the applicant's section, the tree boundary is particularly patchy towards the top of the site so building behind this point will be visible, the hill that appears on the section drawing has been exaggerated.
- Buildings in Paynes Meadow are visible across the landscape to the edge of the woods. There is no doubt that proposed buildings on this boundary will be visible from Icknield Way.

Hedges, Trees and landscaping

- The site depends upon the current trees and ancient hedging to screen the proposed houses. Many of these are in poor condition and have been stressed by another dry summer.
- Hedges that form boundaries of gardens cannot be adequately protected and there is a strong possibility that these will be reduced in height over time, losing the necessary screening. This particularly relevant for houses 18-21.
- The section plans still appear to show houses visible above the current tree/hedge line, and thus visible across the valued landscape.

Housing designs

- There have been some changes, in response to comments but the recommended bungalows at the western edge have been ignored. Parking and the dominance of cars in the street remains a concern. (see also Design Group comments).
- The designs remain urban in nature and out of keeping with the village, vernacular, design and materials, and rural location (see also Design Group comments).
- This could be an opportunity for innovative designs. Terraced housing, particularly one of bungalows on the western edge, would provide more homes at a sensible height, with better use of land and not impacting on the valued landscape. (There might be ideas in the award winning council estate in Norwich).

Sustainability and connectivity

- The site is far from village facilities. Connectivity to the village is needed, with a path directly to Rivey Lane. Pedestrians would access the PROW by a short-cut over the open land at Paynes Meadow (belonging to LPC) to Chalklands, or across the open land and through the ancient hedge. This will affect the privacy of current housing and residents with people walking in front of their homes, close to their windows.
- We request that a formal route to Rivey Lane PROW should be re-established.
- The Design Group report mentions issued of anti-social behaviour, but these occurred on the open area of Paynes Meadow. Without its own access to the PROW there would be more traffic in front of the current houses with potentially more ASB.
- LPC understands that only one person objected to a path to the PROW, although others have verbally supported the direct link to Rivey Lane.
- Linton has recently had around 100 houses as infill developments or in the planning system. The cumulative effects of this development should be taken into consideration regarding provision of infrastructure, facilities and services.

Parking and highways

- Current parking on Paynes Meadow is not sufficient for residents and visitors. Additional traffic and overflow parking will adversely impact on road safety.
- To meet parking needs, spaces are proposed to be created on Paynes Meadow, with loss of places for current occupants.
- To form 3 parking bays from the current turning head, there is a loss of both the turning head (often used as 2 parking bays) and pavement, affecting pedestrian safety.
- Parking in front of houses and the dominance of cars in the street scene remains a concern (as described in the Design Group comments).

Drainage

- The site is located over a Principal Aquifer and within a Source Protection Zone, as such, surface water drainage and pollution of the water source are key issues.
- The area has springs and known surface water flooding: LPC disagrees with the LLFA assessment of this.
- The drainage/flooding report has acknowledged the issue of surface water run-off and floods from the natural springs. The springs occur at the junctions of clay and underlying chalk and can appear in response to even modest rainfall.
- The developers own report (Rossi Long, Design Criteria for Storm page 10), notes the flood risk. However, these seem to be occurring more than 1:100 years.
- The site might be in flood zone 1 for river flooding, but the Chalklands area is at risk from surface water flooding, exacerbated by green soakaway being replaced with hard surfacing.
- The drainage report is based on the porosity testing done at the end of November 2018, not at peak water levels and after a long and very dry summer. Several tests still failed.
- The site has had no recent major flooding because the water flows downhill into neighbouring gardens, down the Chalklands road and Rivey Lane to flood lower down the slope and into the village. In 2001 in particular, these roads and Lanes flowed like rivers. Gardens near the cemetery can be flooded from the hillside even during modest rainfall.
- The chalk is much closer to the surface in the SE corner where the proposed drainage ditch will be. Following recent modest rainfall, neighbouring gardens of no's 28, 29 and 30 and the site are continually damp and often waterlogged.
- The SUDs plans still include a ditch that does not discharge to a natural watercourse – an essential feature. When this overflows, it will drain onto Rivey Lane, a much used walking route. This is not practical.
- There appears to be no provision, as yet, for the maintenance of the ditch and other parts of the drainage scheme.
- The safety of the ditch is questioned – as it would be damp-to-west most of the year this would not be a good place for children to play but a good breeding ground for mosquitoes (Anopheles sp are still present – carrier of Fen Ague, a type of malaria).
- Any floodwater sent into main drains would add to the overloading of the current sewer/drain system – as happened currently towards the centre of the village.

Housing needs survey

A housing needs survey has been completed in response to this application – thank you.

- The demographics of Linton show that the elderly population is disproportionately high and set to increase. Housing is needed for the elderly,

their families to remain nearby to care for them. Bungalows and smaller homes (flats and maisonettes) are needed, which are not adequately reflected in the proposed housing mix, neither are there homes for the less able.

- The housing to the west of the site have been recommended to be bungalows, to lessen impact on the valued landscape. The need for bungalows (including privately owned homes) is supported by the housing needs survey.

Archaeology Report

- We note that there is no report, despite this site being close to Rivey Wood with known Neolithic roundhouses, the cropmarks indicating Roman Farmsteads nearby, and the wider Historic Landscape of Back Road, Horseheath Road, Bartlow Road, Recreation Ground/LVC, Linton Heath etc, with the inhumations grave goods, artefacts and Curses.

Ecology

- The Ecology Consultation Response of Sarah Dale states that a reptile survey is a requirement, before determination. This has not been done.

Conclusions

- The character of Linton is that it nestles in the valley. Extending up the hillside will change that character and the setting of the village.
- The proposed new development does not respect, retain or enhance the local character and distinctiveness of the local landscape and the National Character Area in which it is located. This is contrary to NPPF policies para 170.
- This could be an opportunity for more interesting housing groups and designs (such as terrace or a row of bungalows along the western edge).
- The recent amendments do not meet the recommendations of the Design Group and the effect on the landscape is not diminished by the amendments.
- The surface water drainage scheme is not convincing; this is a damps site with springs.
- There is no route to Rivey Lane, the main connection for walkers to the village.
- Whilst we appreciate the need for genuinely suitable and affordable homes in Linton, for Linton people, the adverse effects of these plans as presented, outweigh the possible benefits.

16. Affordable Housing Team

The proposed scheme is for 100% affordable housing on a site which is located outside the development framework of Linton and will meet the identified local housing needs of Linton.

The proposal is in accordance with Policy H/11 as all of the 26 properties will be for affordable housing to meet the local housing need in Linton.

Local Housing Need

A housing needs survey was carried out in June 2019 which found that there are 81 households in need in Linton, the breakdown is set out below:

1 bed		2 bed		3 bed		4 bed		5+ bed		Total
F/H	B	F/H	B	F/H	B	F/H	B	F/H	B	81
29	5	34		10		3				

(Linton Housing Needs Survey 2019)

Housing Mix

The mix, proposed consists of:

- 4 x 1 Bedroom Flats
- 16 x 2 Bedroom Houses
- 6 x 3 Bedroom Houses

The mix proposed is consistent with the need identified in the housing needs survey.

Registered Provider

Hundred Houses are a very well-established local housing association who operate in South Cambs and who have provided some excellent, exception site development, in South Cambs, which include Grace Crescent Hardwick and Heslerton Way Barrington

Conclusion

We are in support of the proposal to provide an exception site in Linton to provide 100% affordable housing to meet some of the 'Local Housing Need' in Linton.

17. **Air Quality Officer** – No objection.

To reduce the impact of the proposed development on local air quality the following conditions are recommended should planning permission is granted.

Sustainable Transport

- Provision of EV charging points for dwellings with parking space
- Provision of secure cycle storage

Combined Heat & Power (CHPs) and Boilers

All gas-fired boilers to meet a minimum standard of:

- Less than 40 mgNO_x/kWh

All gas-fired CHP plants to meet a minimum emissions standard of:

- Spark ignition engine: 250 mgNO_x/Nm³
- Compression ignition engine : 400 mgNO_x/Nm³
- Gas turbine: 50 mgNO_x/Nm³

18. **Anglian Water** – No objection.

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Linton Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity connection regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

19. **Cambridgeshire County Council Education**

Contributions sought for the following:

- £73,308 Early Years
- £2,738 Libraries and Lifelong Learning
- £650 Monitoring Charge

20. **Cambridgeshire Fire and Rescue** – No objection.

Adequate provision for fire hydrants, secured through a Section 106 agreement or planning condition.

21. **Contaminated Land Officer** – No objection.

A Geo-Environmental Report, Preliminary Risk Assessment and Geotechnical Category 1 Report by Delta-Simons (January 2019) has been submitted. The site is a low risk site and there aren't any immediately evident environmental constraints however the proposed use is sensitive; recommend unexpected contamination informative.

22. **Definitive Maps Officer** – No objection.

Provides several informatives relating to the public right of way (public bridleway).

23. **Development Officer (Health Specialist)** – No objection.

24. **Ecology Officer**

The applicant has submitted an updated Preliminary Ecological Appraisal (PEA) (Applied Ecology Ltd., October 2019). This report has provided results of a reptile survey conducted in September of 2019 under good conditions, which found no evidence of reptiles at the site. Therefore, there will be no need for any form of compensation planting or receptor site for reptiles.

However, there is still little evidence of how the final layout of the application site will look to provide a net gain in biodiversity. There has been no provision of a biodiversity calculation and no reference to the likelihood of either net gain or net loss.

NPPF paragraph 170, 174, and 175, and the Adopted South Cambridgeshire District Council Local Plan Policy NH/4, asks that applications should look to enhance, restore and add to biodiversity and that opportunities should be taken to achieve a net gain in biodiversity through the form and design of development. The current submission does not provide evidence that this can be achieved.

Action Required – Provide biodiversity calculations using a recognised methodology to show evidence that a biodiversity net gain (minimum 10%) can be achieved at this site with the current layout and outline landscaping plan.

25. **Environment Agency** – No objection.

The application falls within Flood Risk Standing Advice. Infiltration drainage, including soakaways, will only be acceptable where it has been demonstrated by the applicant that the land is uncontaminated.

Informatives and advice provided on matters of SuDS, pollution control, foul water drainage, contaminated land, pol storage tanks and conservation.

26. **Historic Buildings Officer** – No objection.

The site is set well apart from the Linton Conservation Area and will have no impact on this designated heritage asset.

The proposed development will not harm the significance the grade II listed water tower at Rivey Hill. The hillside setting and Rivey Wood limit views between the site and the heritage asset; the site does not feature prominently in views from the tower, and as an addition to existing modern development the proposal does not alter the character of this part of Linton. There remains a substantial separation formed by agricultural land between modern development and Rivey Wood south of the tower.

27. Historic Environment Team – No objection.

Our records indicate that this site lies in an area of strong archaeological potential, situated within a particularly rich archaeological landscape. We have previously been consulted by the applicant in relation to this scheme at pre-application stage. At that time we advised that we would 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 negative condition, such as the example condition approved by DCLG.

28. Landscape Officer – Objection.

Note – no landscape comments received to final amendments to the development.

Designations

The landscape is not subject to any national designations.

At National Level the site is situated within the National Landscape Character Area (NCA) 87: East Anglian Chalk. At local level the site is situated within The Chalklands and the South-East Claylands.

Summary

Objection due to insufficient supporting local landscape character assessment and poor layout. A revised statement has not been included with the amended drawings; the applicant has undertaken little, if any, assessment to demonstrate how the new development will respect, retain or enhance the local character and distinctiveness of the local landscape and the individual National Character Area in which it is located.

Layout

- Plots 5-10 – The proposed parking arrangements dominate the street scene. Ideally, they should be accommodated within, or at the side or rear of buildings as per District Design Guide. Applicant to amend layout.
- Plot 9 & 10 – Proposed plot is a focal point into the site. Applicant to define how this both a high quality design and a focal point.
- Plots 11, 22-26 - The proposed parking arrangements dominate the street scene. Ideally, they should be accommodated within, or at the side or rear of buildings as per District Design Guide. Applicant to amend layout.
- Plots 18 – 21 – The applicant has reoriented the plots as requested. However, both the scale of dwellings and positioning has not taken advantage of this key protected view. Applicant to revisit layout and include a focal point at the end of the access road, encourage views out of the site and outline how the materials will reflect or respect the local landscape character.
- Views leading into and out of the site, particularly towards the Water Tower, have still not been acknowledged by the applicant. This a potential lost opportunity which should be encouraged – applicant to revisit layout.

General

- Pedestrian access to be provided between plots 23 and 24 improving connectivity.
- Use of barriers and fencing around the attenuation pond is to be avoided; a

- 1800mm high close boarded fence is not acceptable.
- No objections with 1.5 and 2 storey dwellings within the site, however the applicant should consider bungalows to the north west of the site to prevent visual harm within the landscape.
- A local area of play should be provided.
- No details of hard and soft landscaping works have been provided, which should respect and retain or enhance the local landscape character.
- Boundary treatments to respect the local landscape character; close boarded and green plastic chain link fencing is not acceptable on the edge of the development.
- Garden sizes should respect the District Design Guide requirements.

29. Lead Local Flood Authority

No objection in principle to the proposed development.

The documents submitted demonstrate that surface water from the proposed development can be managed through the use of permeable paving on all shared private driveways and an infiltration basis to allow surface water into the ground. The infiltration basin has now been amended to accord with health and safety requirements and will now be constructed with 1 in 3 side slopes and will be 1.07 metres deep. As infiltration testing failed in the north-western part of the site, surface water from here will be directed to the infiltration basis.

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 infiltrating into the ground.

The site is located entirely within Flood Zone 1 and is at very low risk of surface water flooding. Groundwater was not encountered in any of the exploratory locations across the site so the development is unlikely to be at risk from groundwater flooding.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

Request conditions for the surface water drainage scheme to be constructed in full accordance with the Flood Risk Assessment and Drainage Strategy as submitted and details for the long term maintenance arrangement of the surface water drainage system.

30. Local Highways Authority

The Local Highway Authority requests that the applicant re-locate the displaced car parking spaces within the proposed development and not within the turning head of the existing public adoptable highway as this is required for turning which would be prevented if utilised for car parking.

If the applicant wishes for the development to be adopted the shared surface is required to be 6m in width with 500mm hard paving strips either side, traditional surface 1.8m footway and 5m carriageway please show the required dimensions on any submitted drawing.

The proposed car parking layout for Plot 1 appears to show that the length of the Plots driveways is 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 pedestrians which includes the most venerable road users into live carriageway.

Recommend conditions for pedestrian visibility splays within the curtilage of each new car parking space, access falls and levels, access bound material and a traffic management plan. An informative relating to works to or within the public highway is also requested.

31. **Natural England** – No objection.

32. **Section 106 Officer**

In respect of this application, planning obligations are sought for:

Public Open Space

- Formal sports in the form of an offsite contribution of £22,358.04 to help fund a new skate park and/or BMX trail track at the recreation ground
- Formal children's play space and Informal children's play space in the form of an offsite contribution of £30,942.23 to fund a new play area (including multi use games area) at the recreation ground
- Indoor Community Space in the form of an offsite contribution of £10,150.56 to help fund (a) improvements to Linton Village Hall and/or (b) a new community hub on the recreation ground

Monitoring Fees being a contribution of £500

33. **Sustainable Drainage Engineer**

The development proposed is acceptable subject to the imposition of the condition(s) for surface water and foul water drainage.

34. **Sustainability Officer** – No objection.

Recommend conditions for carbon reduction and water conservation.

35. **Trees Officer**

No arboricultural or hedgerow objections.

From a quick desk study it is likely that the west, north and eastern boundary hedgerows would qualify as 'important hedgerows' under the Hedgerow Regulations 1997. No assessment has been of the hedgerows in relation to the regulations. These should be kept intact wherever possible.

A Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan (dated 06/02/2019) has been submitted. This is sufficient for this proposal, hedgerows and site.

Should this application be approved please list the Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan as an approved document.

36. **Urban Design Officer**

Officers generally do not object to the scheme in Urban Design terms. There have been some improvements to the overall design and they respond well to some of the issues raised by the Urban Design Officers on 10 July 2019.

- The rationale of replacing the 2-storey dwellings (Plots 18 and 19) with 1.5-storey dwellings is welcomed;
- Officers welcome the rationale of moving the southern fence of Plot 1 further north to enlarge the green area around the SUDs (as previously suggested), as this would help improve the street scene and offer better natural surveillance.

However, the scheme would benefit from having further amendments to ensure that the scheme is fully addressing Paragraph 127 of the 'National Planning Policy Framework' (NPPF) (2019) and Policy HQ/1 of the 'South Cambridgeshire Local Plan' (2018). Some of these amendments can be secured via conditions.

- The footpath along the carriageway to the front of Plots 9 & 10 should be removed to increase the open space, the footway adjacent to Plot 26 should be linked to the private path that serves Plots 25 and 26;
- Drives of Plots 12-16 should be no longer than 10m in length and divisible by 5 (per car length);
- Officers consider that the overall landscape approach of the site should be reviewed further in order to improve the quality of the public realm and the extensive use of close boarded fencing as boundary treatment need reconsidering;
- Officers suggest that when there is additional space between the drives and streets, these spaces are better located between the fence and the driveway by moving the parking spaces towards the street;
- Materials need further consideration and should reflect context – this can be secured by conditions.

Representations

37. 10 letters of representation have been received from local residents raising objection to the proposal on the following grounds:

- Biodiversity impact (bats foraging);
- Construction traffic through Back Road which is unsuitable for large vehicles;
- Drainage/flooding;
- Health and safety issues arising from provision of a ditch;
- Highway safety;
- Impact on local amenities;
- Impact on skyline and views towards Rivey Hill/Water Tower;
- Inadequate parking;
- Landscape impact;
- Loss of existing footpath;
- Loss of existing parking spaces;
- No properties for physically disabled or elderly;
- Noise from vehicle movements;
- Not affordable homes;
- Not convenient for rail travel;
- Poor quality of roads leading to development and impact of construction traffic.

38. Representation has also been received from the Chalklands and Paynes Meadow Residents Association who raise objection to the proposed development on the following grounds:
- Assurances of occupation by local Linton residents;
 - Chalklands road insufficient road surface and tarmac of footpath connecting Chalklands/Paynes Meadow to Rivey Way promised by SCDC never delivered.
 - Cumulative effect of development on Linton;
 - Icení Homes were to withdraw their plans if objection from Linton Parish Council and Paynes Meadow community;
 - Lack of local engagement from developer;
 - Loss of existing residents parking spaces and associated pavements;
 - Management concerns from Hundred Houses Society;
 - No sustainability evident throughout the development (solar panels, insulation);
 - Reduce dwellings from 26 to 22 to facilitate children's play area and six to eight additional parking spaces;
 - The design of the properties are out of character, would affect the valued landscape;
 - Water-logged ground and adverse flood risk adjacent to Nos. 28-30 Paynes Meadow.

Proposal

39. The proposal seeks full planning permission for the construction of 26 affordable homes including external works and parking on land rear of No 8 to 30 Paynes Meadow, Linton.

Planning Assessment

40. The key issues to consider in the determination of this application are the principle of development and exception site, housing density, impact on character and appearance of the area and landscape, design and layout, trees, biodiversity, heritage assets, highway safety and parking provision, flood risk and drainage, open space provision, contamination, residential amenity, residential space standards, developer contributions and other matters.

Principle of Development and Exception Site

41. The site is located outside of the development framework boundary of Linton and in the open countryside.
42. Paragraph 77 of the NPPF 2019 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
43. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted. In this instance, policy H/11 of the Local Plan provides the required support.

44. Policy H/11 of the Local Plan states that affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to four criteria.
45. Officers acknowledge that the site does not adjoin the development framework boundary of Linton; rather the site adjoins two previous rural exception sites granted planning consent in 2000 and 2006 respectively, developments which do adjoin the development framework boundary. Consequently, the application has been advertised as a departure.
46. Notwithstanding the above, officers consider that the site has a clear and functional relationship with the village of Linton and that the site would not appear as a development detached from the main village.
47. Officers acknowledge that policy H/11 refers to small sites, however the term 'small' is not quantified within the policy or its supporting text. The development of 26 dwellings is considered 'small' in the context of Linton village, a village with a dwelling stock in excess of 2,000 properties. Officers also acknowledge that the proposed site adjoins previously developed exceptions sites, creating a 'cluster' of 65 affordable units. Nonetheless, officers do not consider this to represent a significant conflict with the aims and objectives of policy H/11.
48. Policy H/11(a) requires the number, size, design, mix and tenure of affordable homes to be confined to, and appropriate to, meeting identified local needs.
49. The application is supported by a Housing Need Survey Results Report for Linton, undertaken in June 2019. The Council's Affordable Housing Team has confirmed that the application meets identified local need for affordable units in Linton in terms of numbers and mix. As such the size, mix and tenure of the units proposed accords with the housing needs identified for Linton and accords with Policy H/11(a).
50. Policy H/11(b) requires the development to be of a scale and location appropriate to the size, facilities and character of the settlement.
51. Linton is identified as a Minor Rural Centre under policy S/9 of the Local Plan, where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings is permitted within development framework boundaries. Minor Rural Centres have a lower level of services, facilities and employment than Rural Centres, but a greater level than most other villages in South Cambridgeshire, and often perform a role in terms of providing services and facilities for a small rural hinterland.
52. Although located outside of the development framework boundary, the quantum of development proposed would align with the thresholds of development considered acceptable within the development framework boundary of a Minor Rural Centre. Officers are therefore of the view that the scale of the scheme is appropriate in this respect.
53. The site lies approximately 92 metres from the edge of the development framework boundary and directly abuts two existing rural exception sites. The site would have road and footpath connections to the High Street and centre of the village where more services and facilities are found. However, officers recognise that the location has its limitations given that it is not on the edge of the village.

54. The secondary school, primary school(s), village shops, general practitioner, church, public houses, recreation ground and playing fields are located between 0.8 to 1.5 kilometres from site. These would be within a reasonable walking and cycling distance. The nearest bus stop is at the junction of Coles Lane and High Street, approximately 620 metres from the site where a 30 minute to hourly bus service to and from Cambridge and Haverhill can be accessed.
55. The impact of the development on the character and landscape of Linton is considered in more detail later in this report.
56. Overall, officers consider that the proposal would largely comply with criteria in Policy H/11(b).
57. Policy H/11(c) details that for sites at settlements within or adjoining the Green Belt, that no alternative sites exist that would have less impact on Green Belt purposes.
58. The site is not located within or adjoining the Green Belt and therefore does not conflict with the requirements of policy H/11(c).
59. Policy H/11(d) requires that the affordable homes are secured for occupation by those in housing need in perpetuity. Mortgagee in Possession clauses will be allowed where demonstrated to be necessary to enable development to proceed.
60. The 26 affordable properties proposed will be secured for occupation by those in housing need in perpetuity within the Section 106 agreement, in accordance with policy H/11(d).
61. Overall, officers consider that the proposal would not conflict with the aims and objectives of policy H/11 of the Local Plan.

Housing Density

62. Policy H/8 of the Local Plan states that housing developments including rural exceptions sites will achieve an average net density of 30 dwellings per hectare in Minor Rural Centres. The policy also states that the net density on a site may vary from the above where justified by the character of the locality, the scale of the development, or other local circumstances.
63. The site has an area of approximately 0.82 hectares. The provision of 26 properties on the site would equate to a density of approximately 32 dwellings per hectare.
64. The proposal would therefore comply with Policy H/8 of the Local Plan.

Impact on Character and Appearance of the Area and Landscape

65. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.
66. Policy HQ/1 of the Local Plan requires all new development to make a positive contribution to its local and wider context. Development proposals should, appropriate to their scale and nature, preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape (criterion 1a).

67. Policy NH/2 of the Local Plan states that development will only be permitted where it respects and retains, or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.
68. The application site is located on the northern edge of the village, attached to the existing Paynes Meadow and Chalklands development. The site is formed from an area of scrubland which is enclosed by a row of existing trees and hedgerows. In terms of topography the village of Linton generally rises as the built form progresses northwards towards Rivey Wood; the development site would sit further up the hill than the existing Paynes Meadow and Chalklands development. The site itself slopes significantly from west to east with a change in levels of approximately four to five metres.
69. A public right of way (bridleway) runs in a north-south direction along the eastern edge of the application site and the existing Chalklands development, running from Back Road to the south up to and beyond Rivey Wood and Rivey Hill Water Tower to the north. The bridleway extends in a western direction to the north of Rivey Wood and returns in a north-south direction to Back Road to the west of nos.42 and 44 Back Road. The bridleway to the west of the site is separated by approximately 290 metres of open agricultural land.
70. Officers are mindful that the presence of a public right of way would afford additional views towards the application site and the existing village from countryside locations, affected by the changing topography of the land. The proposal will include the retention of the existing trees and hedgerows which surround the site, with enhancements which could be secured through a soft landscaping condition, which will soften the impact of the proposed development. Nonetheless, officers accept that some aspects of the development will be present in some countryside views, as is the existing built development, particularly given the predominately two-storey nature of the proposal and its siting further north towards Rivey Wood.
71. Officers acknowledge the point made by Linton Parish Council that the hill that appears on the section drawing is an indicative representation rather than a surveyed drawing.
72. Rural exceptions sites by their very nature, being built forms of development outside of development framework boundaries, have a degree of impact on surrounding countryside and landscape character. The erection of 26 dwellings on this undeveloped site will cause some harm to the current landscape character by virtue of new built form in a countryside location and therefore causes some conflict with policies HQ/1 and NH/2 of the Local Plan.
73. Overall, officers are of the view that the benefit of providing a scheme for 100% affordable housing to meet an identified local need outweighs the identified landscape harm.

Design and Layout

74. The existing development of Chalklands and Paynes Meadow is formed typically from two storey semi-detached and terraced properties, with some examples of detached single storey properties and two storey apartment buildings. The properties are largely finished in facing brickwork or pebble-dashed rendering with tiled or slated roofs. The general design of the properties is fairly consistent with limited architectural variation. Off-road parking is provided in a variety of forms including driveways to the front and side of properties and larger communal parking courts.

75. The application proposes the erection of 26 properties with some variation in the general design, scale and external appearance of the buildings. Typically, the buildings are of a semi-detached form, other than plots 9-10 and 25-26 which take the form of detached apartment buildings and plots 17-19 which are detached properties. In terms of scale, 18 of the properties would be two storey buildings (plots 1-4, 9-17 and 22-26) and eight of the properties would be one and half storey buildings (plots 5-8, 18-21). Several of the properties would take on a stepped appearance within their semi-detached form in response to the topography of the site (plots 11-16 and 22-23). The inclusion of open fronted porches / porch canopies is a design feature consistent with the existing properties of Chalklands and Paynes Meadow. Variation is again achieved through the use of external materials which includes the use of facing brickwork and render.
76. Officers consider that the general design, scale and external appearance of the proposed properties are acceptable and compatible with the character of the area.
77. In terms of layout, the application has been subject to several revisions seeking to address concerns of the Council's Urban Design Officer and third-party comments. The Council's Urban Design Officer has not raised a formal objection to the proposed development, as amended.
78. As amended, the front principle elevation of plots 9-10 has been positioned as a terminating vista upon entrance into the site, with a small amount of green space to the front of this built form. Other areas of open green space, including the attenuation pond, are located at the entrance to the site providing a spacious area of arrival. Green frontages have been provided to the front of each plot within the development. One and a half storey properties are proposed at plots 18 and 19 on the north-western corner of the site which is the most elevated position within the site; a positive design response to the site's topography and countryside surroundings. Parking has been incorporated to the side of properties as far as practical, reducing the sense of a car dominated frontage. Officers note that there are elements of frontage parking but this is relatively limited and given the presence of frontage parking in the existing development of Chalklands and Paynes Meadow this is not considered to be out of keeping with the character of the area.
79. In terms of permeability officers note that a link to the public right of way would have been desirable, although there is limited space available to achieve a good quality link. The provision of a pedestrian link to the public right of way to the east of the site was discussed with the agent but returned as non-desirable from a local perspective and has therefore not been pursued. A pedestrian link between plots 23 and 24 connecting to Paynes Meadow was also explored but would cross land outside of the control of the applicant and therefore could not be secured.
80. Offices note that the Council's Urban Design Officer has offered additional points of guidance which may benefit the scheme further. However, these are minor points compared to the changes which have already been made and further amendments have not been sought.
81. Both the Council's Landscape Officer and Urban Design Officer have raised concerns relating to materials, landscaping and boundary treatments. Officers consider that these concerns can be addressed through the imposition of conditions requiring the submission of these details, to ensure the development accords with policy HQ/1 of the Local Plan.

82. Subject to the recommended conditions the proposal is considered to accord with policy HQ/1 of the Local Plan.

Trees

83. The application is supported by a Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan.
84. The site is defined by existing vegetation comprising trees and hedgerows along the boundaries of the site. The proposed development includes the retention and enhancement of existing trees and hedges to the perimeter of the site. The most significant trees are along the boundary with Rivey Hill and are not directly affected by the proposed development.
85. The proposed development will incorporate several new trees within the layout of the site. As noted above, details of the hard and soft landscaping, including details of planting, will be secured through a landscape condition.
86. The Council's Trees Officer has raised no objection to the proposed development, subject to a condition that the Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan is listed as an approved document. Officers considered it reasonable and necessary to list the document as an approved document to ensure the development accords with policy NH/4 of the Local Plan.
87. Subject to the recommended condition, the proposal is considered to accord with policy NH/4 of the Local Plan.

Biodiversity

88. Paragraphs 170, 174, and 175 of the NPPF and the policy NH/4 of the Local Plan seek that applications should look to enhance, restore and add to biodiversity and that opportunities should be taken to achieve a net gain in biodiversity through the form and design of development.
89. The application is supported by a Preliminary Ecological Appraisal (PEA) (Applied Ecology Ltd., November 2018). Following an initial holding objection(s) from the Council's Ecology Officer, an updated Preliminary Ecological Appraisal (PEA) (Applied Ecology Ltd., October 2019) has been submitted. The additional report provided results of a reptile survey conducted in September of 2019 under good conditions, which found no evidence of reptiles at the site. Therefore, there will be no need for any form of compensation planting or receptor site for reptiles.
90. Officers consider it reasonable and necessary to impose a condition that works are carried out in accordance with the details of the submitted PEA's to minimise disturbance, harm or potential impact on protected species in accordance with policy NH/4 of the Local Plan.
91. The Council's Ecology Officer has raised some concern over how the application site will look to provide a net gain in biodiversity, stating that there is little evidence of how this can be achieved. Conversely, there is no conclusive evidence that a net gain in biodiversity cannot be achieved.
92. In consultation with the Council's Ecology Officer, officers consider it reasonable and necessary in this instance to impose a pre-commencement condition requiring the

submission of a biodiversity enhancement scheme (Landscape and Ecological Management Plan); such a condition is typically a 'no development above slab level until...' condition. However, the pre-commencement trigger provides officers with sufficient comfort that the relevant details can be provided before works commence on site, to the satisfaction of the Local Planning Authority.

93. Subject to the recommended conditions, the proposal is considered to accord with policy NH/4 of the Local Plan.

Heritage Assets

94. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
95. The site is set well apart from the Linton Conservation Area, approximately 500 metres, and will have no impact on this designated heritage asset. To the north of the site towards the top of the hill is the grade II listed water tower at Rivey Hill. The hillside setting and Rivey Wood limit views between the site and the designated heritage asset. There remains a substantial separation formed by agricultural land between the proposed development and Rivey Wood south of the tower. The development is considered to preserve the setting and significance of the listed water tower.
96. The proposed development is considered to accord with policy NH/14 of the Local Plan.

Highway Safety & Parking Provision

97. Paragraph 109 of the NPPF 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.
98. The application is supported by a Transport Statement by Rossi Long Consulting which concludes that there are no safety or capacity concerns. The application has been subject to formal consultation with the Local Highways Authority, who raise no objection to the proposed development on highway safety grounds.
99. Officers note that the Local Highways Authority request that the displaced car parking spaces are relocated within the site and not the existing turning head as this is required for turning. However, objection is not raised to this point on highway safety grounds and turning space will be available within the site itself.
100. The Local Highways Authority also request that dimensions are shown on the site plan if the development is to be adopted with a shared surface of 6 metres in width with 500mm hard paving strips either side and traditional surface 1.8 metre footway and 5 metre carriageway. Although not annotated on the plan, the plan is drawn to scale and dimensions adhered to.
101. To ensure the development is acceptable in highway safety terms, officers consider it reasonable and necessary to impose conditions for pedestrian visibility splays, access falls, levels and bound material and a traffic management plan, as recommended by the Local Highways Authority.

102. Officers note that third-party comments raise concerns over the condition and suitability of the existing roads into the site and the potential impact of construction traffic, the loss of an existing footway and loss of existing parking. Any damage to the road surface would fall outside of the planning assessment and would be a civil / legal matter and not one which can be attached weight as a material planning consideration. The loss of the existing footway to accommodate access to the site is not considered to result in significant harm to highway safety. Overall, there is no net loss of parking to the existing development as the spaces are relocated close by.
103. Policy TI/3 of the Local Plan sets out the Council's car and cycle parking standards. For residential units an indicative car parking provision of 2 spaces per dwelling (1 space to be allocated within the curtilage) and a minimum cycle parking provision of 1 space per bedroom are detailed.
104. Each two and three-bed house will be provided with two off-road car parking spaces. All apartments will contain a single parking space. Every dwelling will have provision for lockable cycle storage facilities in their private garden areas. A condition requiring full details of safe and secure cycle parking is considered appropriate.
105. The proposed development also provides one visitor car parking space outside plots 9 and 10. Three parking spaces are also provided off site to replace the existing parking spaces which are to be removed to allow access into the site.
106. The proposed development is considered to accord with policy TI/3 of the Local Plan.

Flood Risk & Drainage

107. The NPPF requires that flood risk is taken into account in the planning process, to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk. The overall aim should be to steer new development towards Flood Zone 1.
108. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.
109. The application is supported by a Flood Risk Assessment and Drainage Strategy which confirms that the site is located within Flood Zone 1, lowest risk of flooding.
110. The site is not identified as an area of surface water drainage. Environment Agency surface water maps indicate that the site is at 'very low' risk of surface water flooding which means that each year the site has a chance of flooding of less than 1 in 1000 (< 0.1%).
111. The surface water drainage strategy for the site has been subject to several amendments and the submission of additional information following holding objections from the Lead Local Flood and Water Authority (LLFA). Following final alterations to the infiltration basis to accord with health and safety requirements the Lead Local Flood Authority and the Council's Sustainable Drainage Engineer have raised no objection subject to conditions requiring further details.

- 112. In line with the comments of the LLFA, officers consider it reasonable and necessary to impose conditions requiring the surface water drainage scheme to be constructed in full accordance with the Flood Risk Assessment and Drainage Strategy as submitted and details for the long term maintenance arrangement of the surface water drainage system.
- 113. Foul water generated from the development will be discharged to the existing public foul sewer network within Paynes Meadow. A pre-planning assessment report obtained from Anglian Water confirms there is capacity within the existing sewerage network for the proposed development
- 114. Anglian Water and the Council's Sustainable Drainage Engineer have raised no objection, subject to conditions requiring further details.
- 115. Subject to conditions requiring further details of surface water and foul water drainage, the proposed development is in accordance with policies CC/7, CC/8 and CC/9 of the adopted Local Plan, NPPF guidance and guidance contained within the Cambridgeshire Flood and Water SPD (2016).

Open Space Provision

- 116. Policy SC/7 of the Local Plan states that all housing developments will contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities) and Informal Open Space to meet the need generated by the development in accordance with set standards. Criterion 4 of the policy states that where appropriate, provision will be on-site so that provision is integrated into the development and benefits to the health and wellbeing of new residents are maximised, guided by Figure 10. However, an appropriate contribution will be required for "off-site" provision of the types of space not provided on-site. This may be for new facilities and/or improvements to existing facilities.
- 117. In this instance, the level of on-site provision would fall short of the requirements of policy SC/7, however, off-site contributions are sought which would be secured as part of the Section 106 agreement.
- 118. Subject to the off-site contributions, the proposed development would accord with policy SC/7 of the Local Plan.

Contamination

- 119. The application is supported by Geo-Environmental Report, Preliminary Risk Assessment and Geotechnical Category 1 Report by Delta-Simons (January 2019).
- 120. The Council's Contaminated Land Officer has raised no objection to the proposal, stating that the site is a low risk site and recommending an informative for unexpected contamination being found during works. Officers consider it appropriate to include such an informative for the attention of the applicant.
- 121. The proposal is considered to accord with policy SC/11 of the Local Plan

Residential Amenity

- 122. The development is not considered to adversely affect the amenities of adjoining neighbours through being unduly overbearing in mass, through a significant loss of light or through a severe loss of privacy.

123. The two storey side elevation of the dwelling on Plot 1 would be approximately 13 metres from the southern boundary of the site and approximately 22 metres from the rear elevations of the existing properties to the south, nos.28 to 30 Paynes Meadow. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to nos.28 to 30 Paynes Meadow. The southern side elevation of Plot 1 features two first floor windows; one serving a landing, a non-habitable room, and one serving a bathroom. The potential for a significant loss of privacy to the amenities of nos.28 to 30 can be mitigated through the imposition of a condition that the bathroom window is fixed shut and obscure glazed.
124. The two storey side elevation of the apartments on Plots 25 and 26 would be approximately 7 metres from the southern boundary of the site and approximately 14 metres from the rear elevations of the existing properties to the south, nos.24 and 25 Paynes Meadow. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to nos.24 and 25 Paynes Meadow. The southern side elevation of plots 25 and 26 features one first floor window; officers consider that it would be reasonable and necessary to impose a condition that this window is fixed shut and obscure glazed to protect the amenities of nos.24 and 25 Paynes Meadow.
125. The two storey rear elevation of the dwelling on Plot 24 would be approximately 11 metres from the southern boundary of the site and approximately 17 metres from the side elevation of the no.9 Paynes Meadow. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to no.9 Paynes Meadow. The first floor rear windows of Plot 24 would face directly towards the side elevation of no.9 Paynes Meadow, with oblique views towards the private amenity area. Consequently, the proposal is not considered to result in a significant loss of privacy to no.9 Paynes Meadow.
126. The two storey side elevation of the dwelling on Plot 21 would be approximately 3.5 metres from the southern boundary of the site and approximately 22 metres from the rear elevation of the no.8 Paynes Meadow, noting that this is an offset relationship. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to no.8 Paynes Meadow. The southern side elevation of Plot 21 features two first floor windows; one serving a landing, a non-habitable room, and one serving a bathroom. The potential for a significant loss of privacy to the amenities of no.8 Paynes Meadow can be mitigated through the imposition of a condition that the bathroom window is fixed shut and obscure glazed.
127. The development is also not considered to adversely affect neighbours through an unacceptable increase in the level of noise and disturbance through an increase in traffic.
128. Consideration is also given to the amenities of the potential future occupants of the proposed development.
129. The internal arrangements of the site are such that the proposal is considered to provide a reasonable level of amenity to the future occupiers of the development. Each property would benefit from its own private amenity area.
130. Paragraph 6.75 of the Council's District Design Guide details that ideally residential units should be provided with access to the following sizes of private amenity space. Each one or two bedroom house should have private garden space of 40sqm in urban settings and 50sqm in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 50sqm in urban settings and 80sqm in rural

settings. Ground floor apartments should have a minimum of 10sqm private amenity space immediately outside their living accommodation, or use of a communal garden, where 25sqm is allowed for each apartment.

131. The development proposes the erection of a mixture of one bed, two bed and three bed properties which would broadly accord with the recommendations of the Council's District Design Guide noted above.
132. In considering the impact of the existing development to the south of the site on the potential future occupiers, officers are satisfied that the amenities of the site are not significantly compromised through a significant overbearing impact, loss of light or loss of privacy.
133. The proposal is considered to accord with policy HQ/1(n) and provides a reasonable level of amenity for existing and future occupiers.

Residential Space Standards

134. Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.
135. The dwellings within the development would meet the residential space standards in terms of the size of the dwellings and bedroom sizes and therefore accord with policy H/12 of the Local Plan.

Developer Contributions

136. Development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
137. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -
 - i. Necessary to make the development acceptable in planning terms;
 - ii. Directly related to the development; and,
 - iii. Fairly and reasonably related in scale and kind to the development.
138. In consultation with the Council's Section 106 Officer the following planning obligations are sought:
139. A contribution towards formal sports in the form of an offsite contribution of £22,358.04 to help fund a new skate park and/or BMX trail track at the recreation ground.
140. A contribution towards formal children's play space and informal children's play space in the form of an offsite contribution of £30,942.23 to fund a new play area (including multi use games area) at the recreation ground.
141. A contribution towards indoor Community Space in the form of an offsite contribution of £10,150.56 to help fund (a) improvements to Linton Village Hall and/or (b) a new community hub on the recreation ground.

- 142. A contribution of £73.50 per unit towards the provision of household waste receptacles serving the development.
- 143. A monitoring fee being a contribution of £500.
- 144. In consultation with Cambridgeshire County Council the following planning obligations are sought:
- 145. A contribution towards early years education of £73,848.00 towards a mitigation project for one class nursery space offering 52 x 15 hour places.
- 146. A contribution towards libraries and lifelong learning of £2,738.00 to be used towards the reorganisation of the layout of Linton library including the remodelling of the existing library counter, to enable extra shelving units and appropriate units to be installed.
- 147. A monitoring fee being a contribution of £650.
- 148. No contributions are sought for primary or secondary education.
- 149. The Councils S106 Officer has reviewed the projects and officers consider that they meet the tests of CIL regulations 123 and are necessary to mitigate the impact of the development. They will be secured via a Section 106 agreement and the heads of terms, which is attached to this committee report (appendix 1). The contributions are considered required in accordance with policies SC/6, SC/7, and SC/8 of the Local Plan.

Other Matters

Archaeology

- 150. The comments of the Historic Environment Team are noted, who comment that the site lies in an area of strong archaeological potential, situated within a particularly rich archaeological landscape, a point also raised by Linton Parish Council. The Historic Environment Team raise no objection is raised to the proposed development but recommend a condition for archaeological investigation.
- 151. Officers consider it reasonable and necessary to impose a condition for archaeological investigation to ensure that the development accords with policy NH/14 of the Local Plan.

Cambridgeshire Fire and Rescue

- 152. The comments of Cambridgeshire Fire and Rescue are noted. Officers consider it reasonable and necessary to impose a condition requiring details of the provision of fire hydrants in the site.

Environmental Health

- 153. The comments of the Council's Environmental Health Officer are noted. Officers consider it reasonable and necessary to impose a condition restricting the hours of works and informatives for burning of waste, minimising potential disturbance to neighbouring residents, driven pile foundations, demolition notice and air source heat pumps, to ensure the development accords with policy SC/10 of the Local Plan.

Loss of Agricultural Land

- 154. Policy NH/3 of the Local Plan states that planning permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural

land unless land is allocated for development in the Local Plan (criterion a) or sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land (criterion b).

155. The site is identified as grade 2 and grade 3 agricultural land and covers an enclosed area of approximately 0.82 hectares. The site is not actively farmed at present. Officers acknowledge that the proposal would result in the loss of agricultural land. However, the area of land is enclosed, not actively farmed and is a relatively small parcel in agricultural terms.
156. Officers therefore do not consider that the proposal conflicts with policy NH/3 of the Local Plan.

Other Local Plan Policies (Climate Change & Broadband)

157. Policies CC/3 requires that a scheme for renewable energy is submitted, Policy CC/4 required that water efficiency measures are imposed, and Policy TI/10 requires that infrastructure be imposed to create access to broadband internet respectively; the application does not provide details of any of the above.
158. Officers consider it reasonable and necessary to impose conditions to require that the above policies are satisfied.

Permitted Development

159. The impact of the proposed development on the character of the area and the amenities of neighbouring properties has been considered above and found to be acceptable. However, to ensure that the character of the area and neighbour amenity are adequately protected, officers consider it reasonable and necessary to impose a condition removing permitted development rights for Classes A (extensions), B (roof extensions), C (rooflights) and E (outbuildings) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Without such a restriction, extensions, dormer windows, rooflights and outbuildings could be constructed for each plot without formal consent which may result in harm to the aforementioned considerations, given the character of the area, the relatively small size of each plot and their relationship with neighbouring properties.

Pre-Commencement Conditions

160. The pre-commencement conditions have been agreed in writing with the agent.

Public Right of Way

161. The application has been subject to formal consultation with Cambridgeshire County Council's Definitive Maps Officer, who raises no objection to the proposal and offers several informatives relating to the public right of way (public bridleway). Officers consider it appropriate to include such informatives for the attention of the applicant.

Third Party Comments

162. The comments of Linton Parish Council and third-party representations are noted, with many points already considered in the report. The other matters raised are considered below.
163. Linton Parish Council refer to an appeal refused on the evaluation of the landscape impact of housing, appeal reference APP/W0530/W/17/3179762, planning reference S/0096/17/OL. The application referred to was made during a period when the Council could not demonstrate a five-year housing land supply, seeking outline consent for the erection of 95 dwellings which included a significant portion of market housing.

164. The application was refused on landscape harm and upheld at appeal. While each application is determined on its own merits, officers consider that the current application is significantly and materially different to the 2017 application, being a much smaller development site and an application for 100% affordable housing.
165. Reference has been made to reducing the number of properties on the site from 26 to 22 and introducing bungalows into the development. These options were explored with the applicant at an early stage who has maintained that 26 affordable units of the scale proposed are required on viability grounds.
166. The representation from the Chalklands and Paynes Meadow Residents Association details that Icení Homes were to withdraw their plans if objection was received from Linton Parish Council and Paynes Meadow community and the lack of local engagement from developer.
167. The Council is not aware of the details of any discussions which may or may not have taken place outside of the formal planning process and is not responsible for community engagement from the developer; these points are not material planning considerations.
168. One representation notes that the development is not ideal for rail travel. Linton does not have a train station but officers do not consider that this compromises the sustainability of the development.

Conclusion

169. In accordance with paragraph 77 of the NPPF, in rural areas planning decisions should be responsive to local circumstances and support housing developments that reflect local needs; local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs.
170. Policy H/11 of the Local Plan supports the provision of affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to four criteria. Overall, officers consider that the proposal would not conflict with the aims and objectives of policy H/11 of the Local Plan.
171. The proposed development would provide a 26-property scheme which would deliver 100% affordable housing to meet an identified local need. Officers attach significant weight to the delivery of an affordable housing site where there is a clear and demonstrable need.
172. In accordance with paragraph of the NPPF, planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.
173. The erection of 26 dwellings on this undeveloped site will cause some harm to the current landscape character by virtue of new built form in a countryside location and therefore causes some conflict with policies HQ/1 and NH/2 of the Local Plan.
174. Overall, officers are of the view that the benefit of providing a scheme for 100% affordable housing to meet an identified local need outweighs the identified landscape harm.

175. A S106 agreement will need to be secured for the occupation of the site by those in housing need in perpetuity, formal sports, formal children's play space, informal children's play space, indoor community space, early years education, libraries and lifelong learning and monitoring fees. Conditions will also need to be applied to any decision notice to secure precise details of matters including boundary treatments, drainage and biodiversity enhancement.
176. Officers recommend that the Committee grants planning permission with delegated powers for the completion of a section 106 agreement.

Recommendation

177. Delegated approval subject to the completion of a Section 106 agreement and the planning conditions and informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission.

Conditions

178. a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- b) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing numbers IH.809.P01 Rev F, IH.809.P02 Rev C, IH.809.P04 Rev B, IH.809.P05 Rev B, IH.809.P06 Rev B, IH.809.P04 Rev B, IH.809.P07 Rev A, IH.809.P08 Rev B, IH.809.P10 Rev B, IH.809.P11 Rev A and IH.809.P12 Rev A,
- c) 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:
- a) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
 - b) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
 - c) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.
 - d) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.
- Works shall be carried out in accordance with the approved details.
(Reason - In the interests of residential amenity and highway safety in accordance with Policies HQ/1, CC/6 and TI/2 of the South Cambridgeshire Local Plan 2018).
- d) No demolition/development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which 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 the 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 secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy NH/14 of the South Cambridgeshire Local Plan 2018).

- e) No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following.
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management, to include an achievable 10% net gain in measurable biodiversity.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details. (Reason - To provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.)

- f) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).
- g) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby

permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- h) No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the development.

(Reason – In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)

- i) No development above slab level shall occur until a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

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

- j) No development above slab level shall occur 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 shall be 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.)

- k) The dwellings hereby approved shall not be occupied until Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) have been submitted to and approved in writing by the Local Planning Authority. 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 publicly adopted, in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018 and of paragraphs 163 and 165 of the National Planning Policy Framework).

- l) The dwellings hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatments shall be completed before the development is occupied in accordance with the approved details and shall thereafter be retained.

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

- m) The dwellings hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.

(Reason - To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the south Cambridgeshire Local Plan 2018.)

- n) The dwellings hereby approved shall not be occupied until the dwelling to be occupied has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.

(Reason – To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.)

- o) The dwellings, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018).

- p) 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/4 of the South Cambridgeshire Local Plan 2018).

- q) The surface water drainage scheme shall be constructed in full accordance with the Flood Risk Assessment and Drainage Strategy as submitted (ref: 181370 – Rev 01) dated 17th June 2019.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018).

- r) The development hereby permitted shall be carried out in accordance with the Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan by Haydens Arboricultural Consultants, dated 06 February 2019.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with the policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan.)

- s) All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Applied Ecology Ltd., Oct 2019), including all protected species mitigation recommendations, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
(Reason - To minimise disturbance, harm or potential impact on protected species in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018, the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).)
- t) Two pedestrian visibility splays of 2m x 2m shall be provided within the curtilage of each new car parking space that is to exit directly onto the proposed adopted public on each side of the vehicular access measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.
(Reason - To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access in the interest of highway safety in accordance with Policies HQ/1 and TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- u) The proposed access 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 water.
(Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- v) The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway
(Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- w) During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).
- x) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy SC/9 of the South Cambridgeshire Local Plan 2018).
- y) The proposed first floor window in the southern side elevations of plots 1, 21 and 25 & 26, 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).

- z) 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, B, C and E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - In the interests of protecting the character of the area and amenities of neighbouring residents in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

Informatives

179. a) This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated
- b) There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
- c) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
- d) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- e) In the event of an air source heat pump(s) being proposed, prior to the commencement of development, a noise impact assessment and insulation scheme detailing the technical details and sound power/noise output of the air source heat pumps and any mitigation measures in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.
- f) If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority
- g) 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.

- h) Public Bridleway No. 20 Linton must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s137 of the Highways Act 1980 to obstruct a public Highway).

Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).

No alteration to the public bridleway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).

The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).

Background Papers:

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File References: S/0670/19/FL

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