



Planning Committee Date	13 th December 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/05427/FUL
Site	Land to the south of 86 Chrishall Road, Fowlmere
Ward / Parish	Fowlmere
Proposal	Erection of 32no dwellings, including 26 no affordable dwellings and 6 no private market dwellings representing a rural exception site with associated landscaping, play area, and access (Re-submission of 21/05640/FUL)
Applicant	Mr Colin Blundell
Presenting Officer	Tom Gray
Reason Reported to Committee	Application raises special planning policy or other considerations
Member Site Visit Date	6 th December 2023
Key Issues	<ol style="list-style-type: none">1. Proposal's location/scale2. Housing need3. Impact upon the countryside/landscape4. Other matters
Recommendation	Refusal

1.0 Executive Summary

- 1.1 The application seeks planning consent for the erection of 32no. dwellings including 26no. affordable dwellings and 6no. private market dwellings representing a rural exception site with associated landscaping, play area, and access.
- 1.2 Whilst the proposed development would meet the vast majority of existing demand for affordable dwellings within Fowlmere, the proposed development's scale would be inappropriate to the size and facilities within the village. In addition, the development's location would neither adjoin the village's development framework nor be well related to the existing built-form.
- 1.3 Moreover, the proposed development would result in a gradual encroachment into the open countryside and a loss of best and most versatile agricultural land.
- 1.4 The proposed development's density, layout, height and appearance, in addition to residential amenity impacts, tree impacts, biodiversity, highway safety/parking, flood risk/drainage and other matters are considered acceptable and in compliance with local plan policies.
- 1.5 In conclusion, whilst the proposal would make a significant contribution to affordable housing within Fowlmere, comprising housing of highly sustainable design and construction, which would also bring economic benefits during construction, the proposed development would fail to comprise a 'small site', be appropriate in terms of its scale and location in relation to the village nor preserve the character or appearance of the local area.
- 1.6 Therefore, on this basis, the harm resulting from the proposed development would on-balance outweigh the benefits, and the application is recommended for refusal.

2.0 Site Description and Context

Outside the Development Framework	X	Tree Preservation Order	X
Surface Water Flooding	X	Flood Zone 1	X
Best and Most Versatile Agricultural Land	X	Opposite Green Belt land to the east	X

*X indicates relevance

- 2.1 The application site is located outside of the Fowlmere Development Framework. This development framework is located approximately 100 metres north of the application site. The site comprises Best and Most Versatile Agricultural Land (BMVAL) and is within the open countryside. Green Belt land is located on the opposite side of Chrishall Road.
- 2.2 Although the site is within Flood Zone 1 (lowest fluvial flood risk), surface flood risk has been identified within parts of the site.
- 2.3 Statutory protected trees (TPOs) and hedgerows are sited on the eastern and western boundaries of the application site.

3.0 The Proposal

- 3.1 The application seeks consent for the erection of 32no. dwellings including 26no. affordable dwellings and 6no. private market dwellings representing a rural exception site with associated landscaping, play area and access.
- 3.2 The application has been amended since initial submission to address representations and further consultations have been carried out as appropriate.

4.0 Relevant Site History

Reference	Description	Outcome
21/05641/OUT	Outline planning application for 15no self- build dwellings with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval	Refused, at Appeal
22/02870/OUT	Outline planning application for 15no self- build dwellings with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval	Refused, at Appeal
21/05640/FUL	Erection of 32no dwellings including 26no affordable dwellings and 6no private market dwellings representing a rural exception site	Withdrawn

with associated landscaping, play area, and access

- 4.1 Sixteen affordable dwellings under entry-level exception criteria were permitted under application 20/01209/FUL, situated to the north of the application site. The housing tenure approved was split between 9 rented and 7 'rent to buy' properties.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 South Cambridgeshire Local Plan 2018

Policy S/1 – Vision

Policy S/2 – Objectives of the Local Plan

Policy S/3 – Presumption in Favour of Sustainable Development

Policy S/4 – Green Belt
Policy S/5 – Provision of New Jobs and Homes
Policy S/6 – The Development Strategy
Policy S/7 – Development Frameworks
Policy S/10 – Group Villages
Policy CC/1 – Mitigation and Adaptation to Climate Change
Policy CC/3 – Renewable and Low Carbon Energy in New Developments
Policy CC/4 – Water Efficiency
Policy CC/6 – Construction Methods
Policy CC/7 – Water Quality
Policy CC/8 – Sustainable Drainage Systems
Policy CC/9 – Managing Flood Risk
Policy HQ/1 – Design Principles
Policy NH/2 – Protecting and Enhancing Landscape Character
Policy NH/3 – Protecting Agricultural Land
Policy NH/4 – Biodiversity
Policy NH/8 – Mitigating the Impact of Development In and Adjoining the Green Belt
Policy H/8 – Housing Density
Policy H/9 – Housing Mix
Policy H/11 – Rural Exception Site Affordable Housing
Policy H/12 – Residential Space Standards
Policy SC/7 – Outdoor Play Space, Informal Open Space and New Developments
Policy SC10 – Noise Pollution
Policy SC/11 – Land Contamination
Policy TI/2 – Planning and Sustainable Travel
Policy TI/3 – Parking Provision
Policy TI/8 – Infrastructure in New Developments
Policy TI/10 – Broadband

5.3 Supplementary Planning Documents

District Design Guide SPD – Adopted March 2010
Biodiversity SPD – Adopted February 2020
Trees & Development Sites SPD - Adopted January 2009
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Affordable Housing SPD – Adopted March 2010
Annex 11: Affordable Rents Policy – July 2021

6.0 Consultations

6.1 Parish Council – No Objection

6.2 Updated Comments: Note Housing Strategy Team’s report on the amended scheme only opposes the application on the grounds of location and scale. Previous comments and suggested conditions should still apply.

- 6.3 Previous comments: No objection. If consent is granted, then would like a condition to address the possibility of the well-insulated buildings overheating in the summer which does not reduce the effectiveness of insulation and winter thermal gains. Strongly encourages compliance with a design code. Preservation of the woodland and appropriate public access would be welcome.
- 6.4 **Sustainable Drainage Officer – No Objection** subject to Environment Agency agreement.
- 6.5 **Local Lead Flood Authority – No Objection**
- 6.6 Updated comments: The amended document (Foul and Surface Water Drainage Strategy, 7 Engineering Consultancy, 07190/R01 Rev3, August 2023) demonstrates that surface water from the proposed development can be managed through the use of permeable paving and private garden infiltrating structures. Recommend conditions.
- 6.7 Previous comments: Objection. Additional information required.
- 6.8 Previous comments: Objection. Requires clarity on change to impermeable area as a result of this proposed development when compared to previously supported applications and a demonstration of how surface water from this development will enter into the wider drainage system.
- 6.9 **Environment Agency – No Objection.** No comments.
- 6.10 **Local Highways Authority – No Objection.**
- 6.11 Updated Comments: Recommend conditions including bound material vehicular access road for a minimum distance of 15 metres, falls and levels, traffic management plan, inter-vehicle visibility splays, parking spaces with two pedestrian visibility splays, proposed arrangement for future management and maintenance, and informative.
- 6.12 Confirm that they will not seek to adopt any part of this development in its present format as the proposed layout is unacceptable to the Local Highways Authority, nor would they seek to adopt any trees or grass verges (unless they later serve a highway function e.g. they form part of an inter-vehicle visibility splay) within the proposed development.
- 6.13 To achieve the required inter-vehicle visibility splays as detailed in submitted Dwg. No. VS01, Rev B, sections of hedgerow may need to be removed/reduced in height along Chrishall Road.
- 6.14 The Local Highway Authority would recommend that the extension of the 30mph as stated in the Transport Statement, page 17, item 6.12, and in

Dwg No. PL02, Rev B (Proposed Gateway Feature) is implemented in partnership with Fowlmere Parish Council, outside of the planning process

- 6.15 Previous comments: Objection. Both sides of junction shall be laid out with 6 metre radii kerbs. Standalone refuse swept path analysis drawing required.
- 6.16 Previous comments: Objection. Additional vehicles would have a detrimental effect on the public right of way in terms of the public's enjoyment of the public right of way and would restrict and limit its use. Would not comply with Policy TI/2.
- 6.17 **Environmental Health Officer – No Objection.**
- 6.18 Recommend construction environmental management plan, construction hours and informatives.
- 6.19 **Contaminated Land Officer – No Objection.** Informative recommended.
- 6.20 **Air Quality Officer – No Objection.**
- 6.21 **Ecology Officer – No Objection.**
- 6.22 Updated comments: The additional ecology information is welcome. However, it does not change the conditions that have been previously recommended.
- 6.23 Previous comments: No objection subject to construction ecological management plan, ecological enhancement and biodiversity net gain plan.
- 6.24 **Natural England – No Objection.** Recreational pressures should be considered.
- 6.25 **Trees Officer – No Objection.**
- 6.26 **Landscape Officer – Objection.**
- 6.27 Updated comments: Previous points largely unchanged. LVA has identified that there would be some effects of differing scales and magnitudes dependent on location of the viewpoint. The additional view submitted has also been reviewed. Overall, it is agreed that the village enjoys strong visual buffering through vegetation, both along Chrishall Road and along development boundaries. The proposals will seek to buffer the southern, eastern and western edges reducing the overall visibility, however, it will have an urbanising effect on formerly open land adjacent to the greenbelt and outside the development framework of the village, ultimately extending the village southwards along Chrishall road.
- 6.28 Amendments made to the access to units 27- 31 is improved and area acceptable.

6.29 Previous comments: Objection. Adjoins the green belt and alternative sites have not been considered. View of application site looking northwards has been overlooked. Historic character is houses lining the road directly over Chrishall Road and therefore the proposed modern estate would not be in character with the village type or scale. Site lacks any connectivity between it and other parts of the village for pedestrians and cyclists. No details provided as to how access will continue over private land. Poor parking layout as parking provision and allocation of all the various houses is illegible and confusing. Cycle storage is located a distance from the front doors. Visitor parking in 6 laybys is not supported. Shared driveways for shared units must be at least 6.6 metres wide. Clear separation between market and affordable housing. Access to unit 30 is awkward. End of cul-de-sac is poor and would encourage rogue parking.

6.30 Urban Design Officer – No Objection.

6.31 Disappointing that the housing is not tenure blind. Low density development. Design points have been addressed since the last scheme. Recommend hard and soft landscaping drawing to be conditioned. Heights and scale are supported. Meets residential space standards. Privacy and overlooking have been addressed. Distances from some plots' front elevations have been increased to reduce vehicular noise and light. Public open space is supported. Details of Local Areas of Play should be conditioned. Pedestrian connectivity with new path has been improved. Disappointing that connectivity with woodland had not been addressed. Houses appearance are supported subject to materials palette to be conditioned.

6.32 Housing Officer – Objection.

6.33 Updated comments: Not within the scale of sustainable development. Scheme size would not be appropriate within a Group Village. Confirmation of affordable rent rate required.

6.34 Previous comments: Not within the scale of sustainable development. Scheme size would not be appropriate within a Group Village. Request that a third party review viability information and housing be reconsulted. Request that a third party review viability information and housing be reconsulted. Housing need should be assessed once the adjacent scheme has been completed and as yet allocated.

6.35 Scheme identifies plot 25 and 26 for M4(3). Properties have been maximised which help to provide options for those in need of affordable properties. Scheme's design and appearance is acceptable, but market units are larger per size.

6.36 Sustainability Officer – No Objection. Recommends conditions.

- 6.37 **Archaeological Officer – No Objection.** Archaeological potential. Recommend pre-commencement condition.
- 6.38 Health Development Officer – Objection.**
- 6.39 Footpath not clear. 60 mph zone passes site. Contribution should be made to improve pedestrian connectivity. Housing design should be attractive for older population and ideally meet M4(3). Active travel should be encouraged. Application site is heavily reliant on private car. Concerned about isolated location resulting in poor mental health. Challenging distance to village amenities. S106 contribution for existing footpath to the village. Limited bus services. Suggest communal allotment.
- 6.40 Ambulance Service – No Objection.** Developer contribution sought.
- 6.41 Cambridgeshire and Peterborough Integrated Care System – No Objection.** Primary Health Care developer contribution sought.
- 6.42 County Council Children’s Services, Strategic Waste and Education – No Objection.** Developer contributions required for early, primary and secondary education, and libraries, and S106 monitoring fee.
- 6.43 S106 Officer. No Objection.** Developer contributions required.
- 6.44 Architectural Liaison Officer – No Objection.** Requests lighting plan, shed/cycle/bin storage, suggestions for visibility of on-plot and visitor parking, footpaths to side/rear of houses, open space and lighting.
- 6.45 Anglian Water – No Objection.** Obligated to accept foul water flows.
- 6.46 Shared Waste Officer – No Objection.**
- 6.47** Updated comment: Suggestion for positioning of collection point.
- 6.48** Previous comments: Objection. Refuse strategy is not clear. Tracking information is required.
- 6.49 Cambridgeshire Fire and Rescue Officer – No Objection.** Request fire hydrants to be conditioned.
- 6.50 Access Officer – No Objection.** Recommends accessible homes, pavements, signage and accessible play equipment.
- 6.51 Policy Officer – No comments received.**
- 7.0 Third Party Representations**
- 7.1 Representations from 6 addresses have been received (2 in objection, 5 in support).

7.2 Those in objection have raised the following issues:

- Inappropriate large development outside of the development framework.
- Does not adjoin the development framework boundary.
- Potential for traffic accidents with creation of new junction.
- Land supply has been secured so this is unnecessary.
- Alien development to nearby landscape.
- No such proven need nor enough locals fulfilling the criteria.

7.3 Those in support have given the following reasons:

- Would contribute to the long-term sustainability of the school.
- Will meet future affordable housing need especially for the young.
- Potential sites also outside the development framework.
- Does adjoin the developed village boundary.
- Would actively build affordable homes.
- Excellent sustainability credentials.
- Current entry level exception site will not meet affordable housing need.
- Local resident within the village is investing.

7.4 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8.0 Assessment

8.1 Principle of Development

8.2 The application seeks consent for the erection of 32no. dwellings including 26no. affordable dwellings and 6no. private market dwellings representing a rural exception site with associated landscaping, play area and access. The parcel of land is currently an open field and is approx. 3.39 hectares. The application site is located approximately 100 metres to the south of the development framework and connected by Chrishall Road, which has a speed limit of 60mph by the entrance of the site for the first 50 metres as you enter into the village whereby it is then reduced to 30mph, it should also be noted that this section of Chrishall Road does not contain a public footpath.

8.3 The overall LPA spatial strategy is set out in Policy S/6 of the Local Plan. The need for homes and jobs is to be met mainly on the edge of Cambridge, and at new settlements, with limited development in the rural area focused on designated Rural Centres and Minor Rural Centres. The application site is not within or adjacent to any of these locations.

- 8.4 Paragraph 78 and 79 of National Planning Policy Framework 2023 (NPPF) states that to promote sustainable development in rural areas, housing should be located where it would enhance or maintain the vitality of rural communities.
- 8.5 Policy S/2 of the Local Plan 2018 states that amongst other objectives, the vision of the Local Plan will be secured (c) to provide land for housing in sustainable locations that meets local needs and aspirations, and gives choice about type, size, tenure and cost; and (e) to ensure that all new development provides or has access to a range of services and facilities that support healthy lifestyles and well-being for everyone, including shops, schools, doctors, community buildings, cultural facilities, local open space, and green infrastructure.
- 8.6 Policy S/6 (4) of the Local Plan 2018 states that development in the rural area will be limited, with allocations for jobs and housing focused on Rural Centres and Minor Rural Centres, and rural settlement policies providing for windfall development for different categories of village consistent with the level of local service provision and quality of public transport access to Cambridge or a market town.
- 8.7 Policy S/7 of the adopted Local Plan (2018) states outside development frameworks, only allocations within Neighbourhood Plans 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.
- 8.8 The applicant submits that the Policy H/11 supports the proposed development.
- 8.9 Policy H/11 states that affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to:
- (a) The number, size, design, mix and tenure of affordable homes are confined to, and appropriate to, meeting identified local needs;
 - (b) The development is of a scale and location appropriate to the size, facilities and character of the settlement;
 - (c) For sites at settlements within or adjoining the Green Belt, that no alternative sites exist that would have less impact on Green Belt purposes;
 - (d) 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.

- 8.10 Third party comments concerning the location and scale of development are acknowledged. It is now necessary to assess whether the proposed development meets this policy requirement and its relevant criteria.

Development's scale

- 8.11 Policy H/11 states that affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to:
(b) The development is of a scale and location appropriate to the size, facilities and character of the settlement;
- 8.12 The proposed development would be sited in an area of land measuring approximately 3.39 ha in size and seeks consent for the erection of 32 no dwellings (26 affordable dwellings and 6 private market dwellings).
- 8.13 The applicant considers that the application site comprises a small site. Fowlmere is a Group Village defined under Policy S/10. Within the policy text, it is stated that Group Villages are less sustainable locations for new development than that of Rural Centres and Minor Rural Centres and have fewer services and facilities for the day-to-day requirements of locals.
- 8.14 Paragraph 2.53 (Strategy for the rural area) of Policy S/7 states that the Local Plan classifies villages into four groupings (including Group Villages), to reflect their relative sustainability. This is an important element of the sustainable development strategy, helping to direct housing to the most sustainable locations and control the level of windfall development that takes place in the least sustainable areas of the district whilst enabling the recycling of land and delivering new homes to meet local housing needs. Villages were classified following a review of the services and facilities, education, public transport and employment available at each settlement.
- 8.15 Policy S/10 states that Residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the development frameworks of Group Villages, as defined on the Policies Map. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site.
- 8.16 Paragraph 6.6 of the Affordable Housing SPD 2010 states that it is not appropriate to define a particular number of dwellings that will be considered to be "small" for all rural exception sites. The appropriate scale of development will be influenced by the category of village at which it is proposed as defined in the Core Strategy, the size and character of the built-up area of the individual village concerned, and the level of services and facilities available in the village in terms of achieving sustainable development. Therefore, it could be expected that a rural exception site at a Rural Centre may be larger than one at an Infill village. However, even at a Rural Centre, a site should be of a small scale. As an indication, rural exception sites that have been approved in South Cambridgeshire since

the requirement for “small” sites, having regard to local circumstances, typically range from about 6 to 20 dwellings.

- 8.17 Whilst the application site is located outside the development framework boundary it should be noted that a scheme of this size would not be appropriate within Group Villages based on the settlement hierarchy.
- 8.18 Fowlmere is estimated to contain approximately 1500 people, distributed across 564 residential properties. The proposed development would result in a 5.6% increase in household size to the village. The applicant has referred to two appeals in Worcestershire in which the Inspector took the view that a 6% and 9% increase respectively over the village size constituted a ‘small site’, however, in this instance, Policy H/11 refers to additional criteria, namely whether the development is of a scale appropriate to the size, facilities and character of the settlement. The South Cambridgeshire Affordable Housing SPD also helps in defining the size of a ‘small site’.
- 8.19 Fowlmere is a village with a recreation ground, pub, restaurant, village hall, primary school and a church which are located within 1km. It is noted that there is no village shop and therefore residents would have to travel out of the village for their day-to-day needs.
- 8.20 There is a bus stop located along Chrishall Road, which has service 31 operating one bus Mondays to Saturdays to and from central Cambridge and surrounding villages with 3 others to and from Addenbrookes Hospital on the edge of Cambridge and surrounding village. The other central bus stop in the village has service 26 from Cambridge to Royston and surrounding villages 5 times per day.
- 8.21 When taking into account the size of the settlement and the facilities contained within Fowlmere, the proposed scale of development is considered to be excessive. The recommended ‘exceptional circumstances’ that would make the best use of a single brownfield site inside the framework boundary is for 15 units, and the proposed scheme is more than double this. Whilst the application site is located outside the development framework boundary, on the basis of the spatial strategy for the district, a scheme of this size would not be appropriate for within the development boundary in a Group Village and in this instance would represent a substantial increase in the number of dwellings.
- 8.22 The applicant has referred to a rural exception site being permitted outside the development framework of Foxton (S/2658/14/FL), however, in that case, the number of dwellings (15 in total) was considered to be of an appropriate scale for a group village, comprising 100% affordable housing and was permitted under the previous local plan. Therefore, there were considered several material considerations when allowing this scheme.
- 8.23 Whilst the applicant states that a scheme of 39 dwellings in Barrington was approved under S/0005/07/O, the officer report advised that

committee members were to consider whether there was a case to allow a larger number of dwellings in that particular instance. Notwithstanding this, this referenced site is considered to be well-related to surrounding built-up land and is centrally located within Barrington to allow for easy access to facilities and services. Therefore, it is not considered that this referenced site sets any precedent in this instance.

- 8.24 Additionally, the applicant refers to rural exception sites in Willingham (22 dwellings) and Fulbourn (14 dwellings) respectively, which are designated as minor rural centres, with residential development within these development frameworks allowed up to 30 dwellings. Therefore, these other previously consented schemes do not set a precedent in this instance.
- 8.25 Taking all this into account, the proposal's scale would fail to accord with Policy H/11 of the Local Plan 2018, and therefore conflicts with Policy S/7 of the Local Plan 2018. The proposal would therefore represent a significant scale of development which would neither meet the definition of 'small sites' nor be of a scale appropriate to the size, facilities and character of the settlement.

Development's location

- 8.26 As already set out above Policy H/11 states that affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to: (b) The development is of a scale and location appropriate to the size, facilities and character of the settlement;
- 8.27 Paragraph 7.49 of Policy H/11 states that an exception site is a site that provides affordable housing located within (for villages without a development framework boundary), or adjoining but outside a development framework boundary, as an exception to normal planning policy.
- 8.28 Paragraph 6.7 of the Affordable Housing SPD 2010 states that in order to minimise visual impact and provide reasonable access to local services and facilities, rural exception sites should be situated within or physically adjoining (i.e. abutting) the development frameworks of settlements as defined on the LDF Proposals Maps and be reasonably accessible to village services and facilities. Sites that are remote from a settlement framework will not normally be permitted for rural exception sites.
- 8.29 However, in this instance, as third parties note, the proposed scheme lies outside of the development framework boundary and does not adjoin the existing framework which is expected for an exception site as stated within paragraph 1 of the Policy H/11.
- 8.30 Whilst the applicant states that a rural exception scheme was granted not adjoining the development framework of Foxton, this was considered to be

well related to the built-up area of the village that was considerably different to the relationship with built form on the application site. This contrasts with the application site in which the Fowlmere Development Framework is situated approximately 100 metres away to the north. Whilst there is built form to the west of Chrishall Road, the closest dwelling to this would still be at a distance of 40 metres and would not be well related in terms of its proximity nor its spatial extent to either the development framework nor the existing built form which extends beyond this. Therefore, on this basis, this referenced application granted in 2015, in a different village and approved under the previous local plan does not set a precedent in this instance.

- 8.31 Policy TI/2 states that development must be located and designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location.
- 8.32 Paragraph 2.3 of the Spatial Strategy within the Local Plan states that the emphasis will be on providing quality homes for all, including affordable housing to meet local needs, located where it has good access to services and facilities by sustainable modes of transport, to ensure the creation of sustainable and balanced communities.
- 8.33 The recent appeal decision at nearby Land North of Thriplow Road, Fowlmere (APP/W0530/W/22/3313661) was dismissed on several grounds including the lack of sustainable location and reliance on private car. The Inspector stated that although a pedestrian route for some residents would provide a shorter journey into Fowlmere, the level of services in the settlement would not prevent journeys to other local locations.
- 8.34 As discussed in the previous section, given the limited services/facilities found within the village and the limited availability of public transport, future occupiers of the application site would rely heavily on the use of private car.
- 8.35 Given the application site would neither adjoin the development framework boundary nor be well related to built form further north, and taking into account that the village of Fowlmere cannot be classed as one of the district's more sustainable locations, the proposal would fail to be in an appropriate location to comply with Policy H/11 of the Local Plan 2018.
- 8.36 On the basis of the scheme's inappropriate location and excessive scale, the proposed development fails to accord with Policy H/11 of the Local Plan 2018.
- 8.37 Given the limited services/facilities within the village and the limited public transport available for residents to travel to surrounding villages, it is not considered that the village can be classed as the district's more sustainable location and therefore is not in accordance with S/2, S/6, S/7, S/10 and TI/2 of the Local Plan 2018. These policies seek to provide land

for housing in sustainable locations and reduce the need to travel, particularly by car.

Other criteria

- 8.38 The Landscape Officer's comments regarding its siting in close proximity to Green Belt land are noted. In this instance, the applicant has submitted an alternative site search which demonstrates that there are no alternative sites within and on the edge of Fowlmere that are available and deliverable for affordable housing of the quantum proposed. Therefore, it is considered that Policy H/11 (c) is fulfilled.
- 8.39 Policy H/11 (d) in terms of securing housing need, it is considered that this can be addressed as part of any S106 obligation and the Housing Officer has no objection to this element.
- 8.40 The principle of the development does therefore not accord with policies S/6, S/7, H/11 and T1/2 of the South Cambridgeshire Local Plan 2018. However, the lack of compliance with these policies needs to be balanced against the benefits of bringing forward 26 affordable dwellings.

Affordable housing need and proposed housing mix

- 8.41 Policy H/11 affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to: (a) The number, size, design, mix and tenure of affordable homes are confined to, and appropriate to, meeting identified local needs.
- 8.42 The SCDC Housing officer has commented that there are currently (October 2023) 25 applicants on the housing register who specifically require affordable or social rent housing in Fowlmere (see table 1 below); 9 applicants not on the original 2020 register but require affordable/social rented properties; and 9 applicants who require shared ownership/rent to buy properties as evidenced by the Housing Needs Survey 2020 (see table 2).

Table 1: Housing Register (October 2023)

Bedrooms	Total	Percentage %
1	11	44%
2	7	28%
3	5	20%
4	2	8%
Total	25	100%

- 8.43 It is important to note that the housing register continually fluctuates, with January 2023 having 27 applicants and May 2023 having 22 applicants, however, based on these months of reporting, the housing need in the village has remained generally the same and is not noticeably on the rise.

It is also the case that applicants can be on multiple housing registers and do not necessarily have to have a local connection to Fowlmere to register, unlike the housing needs survey. Notwithstanding this, currently, the highest need in Fowlmere is for one-bedroom properties, noting there is now a higher need for 1 and 3 bed homes compared to the housing register in 2020.

Table 2: Local Authority Housing Needs Survey (2020)

Bedrooms	Rent (Affordable/social rent)	Intermediate Tenure (Shared Ownership/Rent to Buy)
1	2	
2	4	3
3	1	5
4	2	1
Total	9	9

- 8.44 It is noted that the recently approved and constructed application on adjacent land to the north under 20/01209/FUL can fulfil the vast majority of affordable/social rent need for 2 bedroom properties (as shown in table 3, below) and the need for 2 bedroom 'rent to buy' properties. Whilst the Council's Housing Officer has suggested that the true housing need be re-assessed when this adjacent scheme's properties are allocated, it is considered that there is sufficient information on current need to assess this application.
- 8.45 Whilst the application at the adjacent site under 20/01209/FUL was determined under entry-level exception criteria, it will meet some of the housing need for Fowlmere and as part of the S106 agreement for this adjacent site it prioritised those with a local connection to Fowlmere with priority given to fulfilling a known local need first before cascading out. On this basis, this has been included as fulfilling some of the need for Fowlmere's affordable housing provision in the below calculations. Unfortunately, the affordable rented dwellings have as yet not been allocated. Notwithstanding this, even if the 2-bedroom need of those with a local connection was not totally fulfilled through this nearby site, the remaining need would be greater than that shown within the below table.

Table 3: Combination of 2020 Housing Needs Survey, 2023 Housing Register and with development at 20/01209/FUL

Bedrooms	2020 Local Housing Needs Survey		Housing register October 2023	Dwellings @ Shaw Close (20/01209/FUL)		Total remaining SR/AR need	Total remaining SO
	SR/AR	Intermediate Tenure		SR/AR	SR/AR		
1	2	0	11	0	0	13	0
2	4	3	7	9	7	2	3
3	1	5	5	0	0	6	5
4	2	1	2	0	0	4	1
	9	9	25	9	7	25	9

8.46 Those not on the housing register in 2020 but on the local housing needs survey and those on the latest housing register in October 2023 have been added together in table 3. This provides a truer picture of the housing need for the village. The table above (table 3) demonstrates that there is a remaining need for 25 SR/AR (Social/Affordable Rent) properties and 9 SO (Shared Ownership) properties, with the greatest rental need for 1 and 3 bed properties.

8.47 The proposed development seeks to address this need with the development comprising 26 affordable dwellings (18 SR/AR and 8 SO). The proposed tenure mix is shown in table 4 below, the proposal would fulfil the vast majority of need for 1 and 4 bedroom SR/AR dwellings, and fulfil the need for 3 bedroom properties.

Table 4: Proposed development housing tenure mix

Bedrooms	SR/AR	Shared ownership
1	9	0
2	1	2
3	6	5
4	2	1
	18	8

Table 5: Proposed housing size mix

Tenure	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed
Social Rent				1 x 4 bed bungalows (99m ²); 1 x House (106 sqm)	
Affordable Rent	9 x 1 bed houses (58m ²)	1 x 2 bed house (79sqm)	6 x 3 bed house (93 sqm)		
Shared Ownership		2 x 2 bed house (79 sqm)	5 x 3 bed house (93 sqm)	1 x 4 bed house (106 sqm)	
Market House				3 x 4 bed (170 sqm)	3 x 5 bed (200 sqm)

- 8.48 It is noted that there is a potential for an element of double counting between the local housing needs survey 2020 and the Council's housing registers. In Officers' view, however, the provision of a single 2-bedroom SR/AR house within the proposed development is acceptable given that the need for this type of housing continually fluctuates, whilst allowing for an element of double counting, and on the presumption that the development under 20/01209/FUL would be allocated to those either on the Fowlmere housing register or on the housing needs survey.
- 8.49 The development to the north (20/01209/FUL) contains seven 'rent to buy' 2-bedroom units and whilst these are classified as an 'intermediate tenure', these units are not affordable housing in perpetuity and so on this basis, the potential need for shared ownership properties (which would not allow occupiers to staircase out) remains to be fulfilled. In this instance, the two x 2-bedroom shared ownership properties proposed is considered to provide potential occupiers more choice of 'intermediate tenure' housing and would largely fulfil the housing need for 2-bedroom dwellings.
- 8.50 As shown in table 5, the proposed development would provide a good variety of housing comprising differing sizes of accommodation to provide options for those in need of affordable properties.
- 8.51 According to the Affordable Housing Statement, the affordable rented (AR) properties would be set at 80%. Whilst the policy change in 2021 requires this to be set at 70%, where homes are of higher energy efficiency to reduce utility costs, 80% is justified. In this instance, the proposed dwellings would exceed sustainability and renewable energy requirements with an estimated reduction of 40% on household energy bills and therefore the 80% of market rate is acceptable.

- 8.52 Taking all this into account, the number, size, mix and tenure of affordable homes are confined to, and appropriate to, meeting Fowlmere's local housing need in accordance with Policy H/11 (a) of the Local Plan 2018. The design of the housing will be discussed later within this report.

Viability analysis

- 8.53 Policy H/11 of the Local Plan 2018 states that in order to facilitate the delivery of significant additional affordable housing the Council will consider allowing some market housing on rural exception sites on viability or deliverability grounds. In this instance, the proposal would comprise less than 100% affordable homes and a viability assessment has been provided to justify the six market houses to facilitate the development. The viability assessment has been reviewed by an independent consultant which includes a sensitivity analysis to establish the impact of S106 contributions which generates a marginal deficit.
- 8.54 On this basis, the proposed scheme which comprises 6 market houses is considered acceptable in viability terms and would allow for contributions via S106 agreement. The details of these planning obligations are discussed later in this report.

Conclusion on housing provision

- 8.55 The proposed development would make a significant overall contribution to the affordable housing provision within Fowlmere in accordance with Policy H/11 (a) of the Local Plan 2018.
- 8.56 Whilst this is the case, the provision of affordable housing has to be balanced against the proposed quantum of units which is considered to be excessive given the size, facilities and services found within Fowlmere. Moreover, the proposed development would neither be located adjacent to the development framework, nor be well-related to existing built form. Therefore, the proposal is contrary to the requirements of Policy H/11 as a whole and specifically criteria (b).

8.57 Housing density and accessibility

- 8.58 Policy H/8 states that housing developments, including rural exception sites, will achieve an average net density of: a. 30 dwellings per hectare (dph) in Rural Centres, Minor Rural Centre villages, and Group villages; and b. 40 dph in urban extensions to Cambridge and in new settlements. The net density on a site may vary where justified by the character of the locality, the scale of the development, or other local circumstances.
- 8.59 The site has an overall area of 3.39 hectares with a developable area of 1.9 hectares. This equates to a housing density of 17 dwellings per hectare. The proposed development therefore accords with policy H/8 of the Local Plan 2018. However, the principle of development on the site

remains in conflict to core policies of the Local Plan as set out in the previous sections of this report.

- 8.60 Policy H/9 states that 5% of homes should be built to the accessible and adaptable dwellings M4(2) standard rounding down to the nearest whole property. This provision shall be split evenly between the affordable and market homes in a development rounding to the nearest whole number. Whilst the Health Development Officer and Access Officer comments are acknowledged, the proposed development would provide two dwellings (both affordable dwellings) that would be built to accessible and adaptable dwellings M4(2) in accordance with Policy H/9 of the Local Plan 2018.

8.61 Character and Appearance of the local area

- 8.62 The proposed site is located to the south of the village of Fowlmere. The site is bounded by a dense row of trees and Chrishill Road to the east. The northern site boundary with Lanacre house is a treed boundary to the site. The existing site is currently disused agricultural land with fragmented soft vegetation to the south boundary and there is a large area of existing conifer woods to the southwest.
- 8.63 Policy HQ/1 sets out detailed criteria to ensure high quality design is delivered as part of new development, seeking to ensure development is appropriate to its context in terms of scale, mass, form, design, siting, landscaping and materials.
- 8.64 Policy NH/2 states that the 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.
- 8.65 The application site is located to the south of the village of Fowlmere. It is acknowledged that the site has some existing mature planting surrounding the site along the eastern boundary. There are only a few existing sparsely distributed trees on the south boundary and the 'Indicative land use plan' (drawing ref. 0124) suggests that this boundary will be reinforced with more trees planted to provide a buffer to visually screen the site from the countryside to the south.
- 8.66 Although the tree line and planting will provide some degree of screening, the development is located at approximately 100 metres away from the development framework boundary and 40 metres from the built form to the north. It is acknowledged there is a form of some built development existing to the north of the site and although by its very nature a rural exception site will amount to some urbanisation on the edge of a village, in this instance however, the proposed development will project considerably further south and indeed west into the open countryside, extending the village considerably. Therefore, the development would encroach into the countryside creating an urbanising effect and would erode the rural character.

8.67 The undeveloped nature of the application site and the open fields contributes positively to the rural setting on the edge of the village. Whilst it is acknowledged that through the submitted landscape visual appraisal and submitted views that with screening, the visual impacts and impacts upon the nearby Green Belt can be mitigated over time, it is considered that the proposed development would result in a gradual encroachment of built development into the open countryside further to the south and west beyond the established development framework of Fowlmere, causing harm to the rural character and appearance of the open countryside, contrary to policies S/7, HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018.

8.68 Loss of agricultural land

8.69 Policy NH/3 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: a. Land is allocated for development in the Local Plan; b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.

8.70 The application site is located on agricultural land, albeit it is not currently in production. 1.63ha (50%) of the application site is either Grade 2 or Grade 3a quality land, and therefore classified as best and most versatile (BMV). Whilst the application site is not allocated for development within the Local Plan, the proposal would contribute to fulfilling a housing need. However, in this instance, the application site is not located within a sustainable location as it would rely heavily on the use of car, and therefore on this basis, it does not override the value of the land. It is therefore considered that the development is contrary to Policy NH/3 of the Local Plan 2018.

8.71 Layout, height and appearance

8.72 The site will have a single vehicular access, from the north-east corner of the site, using an existing access off Chrishall Road. A new spine road is proposed, running east-west and then there are further roads, running to the south of the site, servicing plot numbers 1 to 26. All dwellings are correctly facing the roads at the site. A large area of Public Open Space and play area are proposed at the centre of the site and these details could be conditioned along with hard and soft landscaping on any planning consent granted.

8.73 Whilst it is acknowledged that market houses are sited to the west and affordable homes located to the east of the application site and therefore both tenures are not dispersed through the site, given that the application is for a rural exception site, Policy H/10 does not strictly apply and there is no objection from the Urban Design Officer nor Housing Officer regarding the overall layout and tenure mix.

- 8.74 Whilst the Landscape Officer comments concerning the proposed parallel road to Chrishall Road is acknowledged, the site to the north has undertaken a similar arrangement and therefore the character of the immediate vicinity has changed somewhat and therefore there is no objection to this.
- 8.75 Whilst the Landscape Officer comments concerning the lack of pedestrian/cycling connectivity to the village is acknowledged, it is noted that a path is proposed to the north of the site to connect with the development approved under 20/01209/FUL currently under construction and within the ownership of the same applicant. This adjacent private road connects with a footway on the opposite side of Chrishall Road. Therefore, the on-site connectivity is supported and could be conditioned on any planning consent granted.
- 8.76 Whilst cycle storage is some distance away from some properties, overall, it is considered that this aspect is supported, and details/siting could be conditioned to ensure that these sheds are located in more accessible locations. There is also sufficient width in shared driveways to allow cycle stores to be accessible. Other aspects of the layout including the design of turning heads, are noted to be sufficient for refuse vehicles to turn within the cul-de-sac.
- 8.77 Whilst the proposed car parking arrangement would rely on a mixture of on-plot parking and parking to the side of dwellings along the road, on balance, the arrangement is not considered to be inconvenient for future occupiers. Shared driveways are proposed that would allow access beside parked cars.
- 8.78 Therefore, overall, it is considered that the proposed layout is supported.
- 8.79 The 'proposed building heights strategy' drawing indicates that 2-storey dwellings are proposed on the east side, and single storey and one and a half storey dwellings proposed to the north and west sides of the site. Following a formal consultation with the Urban Design Officer, there are no objections to the height of the proposed dwellings.
- 8.80 Eight house types are proposed. Whilst the Parish Council seeks a design code for the developer to follow, Officers have no objections to the traditional architecture proposed. Eight house types are proposed in brick or render to provide variety to the streetscene. Subject to details of external materials which could be conditioned on any planning consent granted, it is considered that the appearance of the proposed development is supported.
- 8.81 For these reasons, the proposed development's layout, height and appearance is in accordance with Policy HQ/1 of the Local Plan 2018.

8.82 Tree impacts

- 8.83 Policy HQ/1 of the South Cambridgeshire Local Plan 2018 requires new development to conserve or enhance important natural assets.
- 8.84 There is no objection from the Council's Trees Officer. There are a number of trees within and adjacent to the site, some of which are the subject of Tree Preservation Orders (TPOs). There is also boundary hedging which may qualify as important hedgerows under the Hedgerow Regulations 1997 and would therefore have statutory protection. There are additional trees of value not currently protected by TPO. It is agreed that, given the extent of trees retained, tree removals proposed will not have a significant impact on the overall contribution to site makes to amenity.
- 8.85 Notwithstanding the preliminary tree protection information submitted in the Arboricultural Impact Assessment (AIA), a more detailed and site-specific tree protection methodology would be required prior to any works starting on site and could be conditioned on any consent granted in accordance with policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

8.86 Residential Amenity

- 8.87 The application site is located to the west of Chrishall Road. As such there is no existing neighbouring properties located to the east, west and south of the boundaries of application site. There are some existing residential properties located to the north and Pipers Close. Plots 27, 28, 1, 2 and 14 would be located at the closest distance to the neighbouring properties such as Appleacre Lodge and Lanacre. However, there is still a distance of approx. 40-50 metres separation from the proposed development to existing nearby dwellings and therefore the development will not lead to any material harm to these neighbouring amenities by virtue of loss of light, overlooking and overbearing effects.
- 8.88 Officers consider that the distances between dwellings and between habitable rooms and rear/side facing elevations are acceptable and would be in accordance with Policy HQ/1 of the Local Plan 2018 and the guidance within the District Design Guide SPD 2010.
- 8.89 The proposed floor plans comply with the technical space standards requirements in accordance with Policy H/12 of the Local Plan 2018.
- 8.90 Each two bedroom property would have at least 65 sq metres of garden space, whilst each three/four bedroom property would have at least 95 sq metres. Therefore, the proposals are in accordance with the District Design Guide SPD 2010. In addition, the proposed development proposes a good sized informal open space and a modestly sized local area of play (LAP) within the application site itself, which are considered to meet the requirements of Policy SC/7.

- 8.91 The proposed scheme identifies plot 25 and 26 to meet M4(2) building regulations. Although these plots are affordable housing tenure, given the larger proportion of these compared to market homes, it is considered that the provision is in accordance with Policy H/9 of the Local Plan 2018.
- 8.92 The Council's Environmental Health Officer has no objections on the application subject to suggested conditions and informative, such as no construction or site machinery and a construction environmental management plan, which is considered to be reasonable in this instance in accordance with Policy CC/6 of the Local Plan 2018.
- 8.93 Therefore, it is considered that the proposed development does not result in detrimental impacts upon the residential amenity on account of significant overlooking, loss of light or overbearing impacts in accordance with policies HQ/1 and H/12 of the Local Plan 2018.

8.94 Highway Matters/ Parking

- 8.95 The applicant has submitted amended information following the initial Local Highway Authority comments. Whilst third party comments concerning highway safety at this junction are noted, following these amended plans, no objection is raised by the Local Highway Authority. Therefore, subject to the recommended compliance conditions including bound materials for the first 15 metres, falls and levels, inter-vehicular visibility splays, in addition to the pre-commencement traffic management condition and future management and maintenance of proposed streets, it is considered that the proposed development is compliant with HQ/1 of the Local Plan 2018 and the NPPF 2023 in terms of highway safety and the safe operation of the highway.
- 8.96 Whilst the request for pedestrian visibility splays for parking areas are acknowledged, given that the Local Highway Authority have stated that they will not adopt the roads due to the layout, this request is not considered reasonable. The proposed parking areas are generally set back from the pedestrian footways and acceptable pedestrian visibility are considered achievable where driveways are adjacent to footways.
- 8.97 The majority of the units will have two car parking spaces with the exception of five of the one-bedrooms units which will have one car parking spaces; and three of the four bedrooms, and the three five bedrooms properties have four car parking spaces. There will also be five visitor car parking spaces for the site as a whole. The application proposes plots 7, 8, 15, 16, 17 and 21 car parking spaces to be located along the street and therefore not within these plots' curtilage. Given the unsustainable location of the site and the lack of public transport, users would heavily rely on the use of private car for their day to day needs.
- 8.98 Policy T/3 requires indicative car parking provisions to allow 2 spaces per dwelling and – 1 space to be allocated within the curtilage. Given this, the provisions do not meet the requirements set under Policy T/3 as not all

dwellings have two spaces and a single space within the residential curtilage.

- 8.99 Whilst this is acknowledged, the on-road parking spaces are considered to be conveniently located and accessible to future occupiers and therefore on balance, there is considered to be adequate provision of car parking provision with reference to Policy TI/3 and HQ/1 of the Local Plan 2018.
- 8.100 There is also sufficient space within the plots to provide adequate levels of cycle storage and it is considered reasonable and necessary to secure such details by planning condition if planning consent is granted, in accordance with Policy TI/3 of the Local Plan.
- 8.101 The site is accessed from an existing access off Chrishall Road to the northeast of the site. Footways are proposed for the residential streets to aid pedestrian safety and details of this pedestrian link can be secured via condition in accordance with Policy TI/2 of the Local Plan 2018.

8.102 Flood Risk & Drainage

- 8.103 The application is located within flood zone 1 (low risk) with some surface water risk identified on the application site. The application has been subject to formal consultation with the Council's Sustainable Drainage Officer, the Lead Local Flood Authority (LLFA) and the Environment Agency. Following a revised foul and surface water drainage strategy and clarifications sought by the LLFA and a further consultation, there is no objection to the proposed development subject to conditions including details of foul and surface water drainage.
- 8.104 Anglian Water comments stating that they do not have the capacity to treat the flows of the developments site are noted, however as they are acknowledged, they are obligated to accept foul water flows.
- 8.105 Therefore, taking all this into account, Officers are satisfied that the development would not result in an increased flood risk or harm in drainage terms in accordance with policies HQ/1, CC/7, CC/8 and CC/9 of the Local Plan 2018.

8.106 Biodiversity

- 8.107 Policy NH/4 of the South Cambridgeshire Local Plan 2018 states that new development must aim to maintain, enhance, restore or add to biodiversity.
- 8.108 Following a formal consultation with the Council's Ecology Officer, it is considered that there is sufficient biodiversity information to determine the application. In addition, the biodiversity net gain plan which shows an 20% increase in habitat units is supported. Natural England comments are acknowledged. There would be considerable informal and formal open space within the application site for residents and therefore it is not

considered that that there would be any recreational pressure on nearby designated sites. Therefore, subject to a construction ecological management plan, ecology enhancement and biodiversity net gain plan, the proposal is supported in accordance with Policy NH/4 of the Local Plan 2018.

8.109 Sustainability

8.110 Fowlmere Parish Council comments concerning overheating and request for winter thermal gains are acknowledged, however, this is not required in policy terms. Nevertheless, the applicant has submitted an Energy & Sustainability Statement in support of this application which details the aspirations for the development. The Sustainability officer confirmed if the development was built to the recommended standards, then it should achieve high standards of sustainable construction and meet the requirements of the relevant Local Plan Policies. Conditions could be imposed as part of any consent granted to require a maintenance programme for the renewable/low carbon technologies and compliance with the water efficiency specification, which is considered to be reasonable if the application was recommended for approval in accordance with Policy CC/3 and CC/4 of the Local Plan 2018.

8.111 Contamination

8.112 The Council's Contaminated Land Officer comments that that there are no immediately evident environment constraints that would attract a contaminated land condition. However, the proposed development is a sensitive end-use and therefore if approved an informative is suggested to cover the eventually of any unforeseen contamination for the application to be in accordance with Policy SC/11 of the Local Plan 2018.

8.113 Developer Contributions

8.114 The application has been subject to consultation with the Council's S106 Officer, Cambridgeshire County Council, East of England Ambulance Service and Primary Health Care.

8.115 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Council's Local Plan and the NPPF.

8.116 Policy TI/8 'Infrastructure and New Developments' states that Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy (CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area.

8.117 The consultations response from Cambridgeshire County Council Growth state the following summary of the s106 contributions which would be sought on an approval:

Table 6: S106 contributions – summary table				
	Contribution	Project	Indexation date	Trigger
Early Years	£59,290	Additional Early Years Places in Fowlmere	1Q2020	100% prior to commencement
Primary	£204,604	Expansion of Fowlmere Primary School	1Q2020	
Secondary	£178,034	Expansion of Melbourn Primary School	1Q2020	
Libraries	£800	Enhance of mobile library provision in Fowlmere	1Q2021	100% prior to occupation of 50% of the development
Monitoring Fee	£150			
Total	£442,878			

8.118 Following a formal consultation with the Council's S106 Officer, planning obligations on behalf of the District Council would be sought for:

a) Public Open Space

(i) Formal sports in the form of offsite contribution of £34,446.32 to help fund new or improved sports facilities including new goals,

football pitch improvements, flood lighting, running track, basketball court, resurfacing of tennis courts, remodelling of tennis courts to convert to multipurpose facility.

(ii) Formal children's play space in the form of an offsite contribution of £42,440.78 to help fund new play equipment at Butts Recreation Ground and/or Village Hall and/or Savile Way, new skate park at Village Hall

(iii) Informal children's play space in the form of onsite open space.

(iv) Informal open space in the form of onsite open space.

(v) Allotments and community orchards in the form of a contribution of £3,200 to help fund new allotment plots in the village

b) Indoor Community Space in the form of a contribution of £15,647.75 to help fund improvements to Fowlmere Village Hall including bike racks, rigging infrastructure for performance equipment, acoustics, controlling curtains, meeting room refurbishment, car park extension.

c) Green Infrastructure in the form of a contribution of £25,562 to fund improvements to both Fowlmere Ring Moat and Fowlmere Nature Reserve.

d) Burial provision in the form of a contribution of £6,720 to fund the expansion and upgrade of a cemetery extension.

e) Indoor Sports Space in the form of a contribution of £14,018 to improve the indoor sports courts at Melbourn Sports Centre and £15,631 to improve swimming facilities and Melbourn Sports Centre.

f) Monitoring Fees being a contribution of £2,700.

8.119 The NHS Cambridgeshire and Peterborough Integrated Care System has commented on the application stating a developer contribution would be required to mitigate the impacts of this proposal. The CAPCC calculates the level of contribution required, in this instance to be £22,500, which is considered to be acceptable and proportionate.

8.120 Finally, the East Ambulance service seeks a developer contribution of £11,869 to mitigate the impacts of the proposal on its emergency services.

8.121 The planning obligations are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the required planning obligation(s) passes the tests set by the Community Infrastructure Levy Regulations 2010 and are

in accordance with Policy TI/8 of the South Cambridgeshire Local Plan (2018). The developer contributions would be secured by a S106 agreement if the application was recommended for approval, and the principle of the total £637,612.85 sought has been agreed by the developer.

8.122 Other Matters

Broadband

8.123 Policy TI/10 of the South Cambridgeshire Local Plan 2018 states that all new development will as a minimum be expected to provide suitable ducting to industry standards to the public highway that can accept fibre optic cabling or other emerging technology. A condition could be attached to any consent granted.

Crime

8.124 The Architectural Liaison Officer recommendations to reduce the risk and vulnerability to crime are noted. Details of external lighting and cycle/bin storage could be conditioned on any planning consent granted. Further improvements could be made to ensure better natural surveillance and visibility and could also be incorporated into any hard/soft landscaping scheme to be submitted via condition.

Health Impact Assessment

8.125 The applicant has submitted a rapid health impact assessment. Whilst the Council's Health Development Officer concerns are noted, as discussed above, a footpath is proposed to the north whilst the 60mph zone would be moved to the east. Notwithstanding the relatively isolated location of the site, it is considered that these comments have been addressed as part of the submission documents.

Waste services

8.126 Amended plans have been provided demonstrating a policy compliant refuse strategy. Whilst suggestions have been made by the Shared Waste Officer, the collection points and swept path analysis demonstrates that waste could be collected efficiently with appropriate drag distances in compliance with the RECAP Waste Guidance.

Other

8.127 Parish Council comments regarding the public access to the woodland are noted. The woodland on the southwestern edge would be preserved in accordance with the ecology management strategy and it is understood to prohibit foot traffic.

- 8.128 The Fire and Rescue Officer request for fire hydrants are acknowledged and could be conditioned on any consent granted. There is no objection raised by the Council's Air Quality Officer.
- 8.129 There is no objection from the County Council's Archaeological Officer to the proposed development, however, given the site's potential archaeology potential, pre-commencement conditions could be attached on any planning consent granted to ensure surveys are carried out prior to any works.
- 8.130 The Access Officer's comments are noted. The accessibility of the dwellings has been covered previously. Ensuring pavements are appropriate for visually impaired pedestrians could be included as part of the landscaping scheme to be submitted under condition. No play equipment would be provided as discussed previously.
- 8.131 Whilst several third party comments in support of the application are acknowledged, including the long-term sustainability of the school, it is not however considered that the application site is an appropriate location for the proposed scheme as discussed in this planning assessment.
- 8.132 The adjacent site currently undergoing construction (20/01209/FUL) within referred to part of the application site being for drainage and biodiversity. Subsequently, the relevant drainage and biodiversity conditions have been discharged and do not need this area of land for the development to be achieved.

8.133 Conclusion

- 8.134 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 8.135 The application site lies outside of the development framework. The proposed development would provide significant affordable housing which meets identified local need. This is attributed substantial weight in the planning balance.
- 8.136 The proposed dwellings would achieve a high level of sustainable construction above policy requirements, which is attributed minor weight.
- 8.137 The proposal would make a useful contribution to the local economy and support services including the school and employment within the village. This is attributed minor weight.
- 8.138 However, the scale of development would be excessive for a group village and the limited services/facilities contained within Fowlmere, whilst there is limited public transport available to surrounding villages. Therefore, it is considered that there would be a heavy reliance on car-use, contrary to

the spatial strategy for the district. Moreover, the proposed development would fail to be small scale in its nature and its location would neither adjoin the Fowlmere Development Framework nor would it relate well to existing built form, therefore failing to accord with the requirements of Policy H/11 for a rural exception site. This is attributed substantial weight against the development.

- 8.139 In addition, whilst tempered with the fact that the proposed development comprises a rural exception site which by its nature is located outside development frameworks, nonetheless, the proposal would result in encroachment of built form into the open countryside, harming the character and appearance of the area, which is attributed moderate weight.
- 8.140 The proposal would result in a loss of BMV agricultural land, however, this is tempered by the limitations of the site to bring the land back into agricultural production. Therefore, this is attributed limited weight.
- 8.141 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is on-balance recommended for refusal.
- 8.142 There are no material considerations which indicate the planning application should be determined other than in accordance with the Development Plan.

8.143 Recommendation

REFUSE for the following reasons:

- 8.144 By virtue of its excessive scale, the proposal would neither meet the definition of 'small sites' nor be of a scale appropriate to the size and facilities of the settlement. Given the application site would neither adjoin the development framework boundary nor be well related to the settlement's built-form and taking into account the limited facilities and services within the village of Fowlmere, the proposal would fail to be in an appropriate location to comply with Policy H/11 of the Local Plan 2018. The proposal is therefore contrary to policies S/2, S/6, S/7 and TI/2 of the Local Plan 2018. These policies seek to provide land for housing in sustainable locations and reduce the need to travel, particularly by car.
- 8.145 By virtue of the presence of significant built development encroaching into the open countryside further to the south and west, beyond the established development framework, and the resultant loss of grade 2 agricultural land, the proposal would cause harm to the rural character and appearance of the open countryside and the loss of best and most versatile agricultural land, contrary to policies HQ/1, NH/2 and NH/3 of the Local Plan 2018.

Background Papers:

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs