

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 January 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/1431/15/OL

Parish: Waterbeach

Proposal: Residential Development (144 Dwellings) and Associated Works including Access

Site address: Land North of Bannold Road

Applicant(s): Persimmon Homes East Midlands

Recommendation: Delegated Approval

Key material considerations: Housing Land Supply
Principle of Development
Housing Land Supply
Proposed Green Belt
Character and Appearance of the Area
Density
Housing Mix
Affordable Housing
Developer Contributions
Design Considerations
Trees and Landscaping
Biodiversity
Highway Safety
Flood Risk
Neighbour Amenity

Committee Site Visit: No

Departure Application: Yes

Presenting Officer: Karen Pell-Coggins, Principal Planning Officer

Application brought to Committee because: Departure Application

Date by which decision due: 4 September 2015 (Extension of Time agreed)

Executive Summary

1. This proposal, as amended, seeks permission for a residential development outside the Waterbeach village framework and in the countryside. This development would not normally be considered acceptable in principle as a result of its location. However,

two recent appeal decisions on the site and an adjoining site have shown that the district does not currently have a 5 year housing land supply and therefore the adopted LDF policies in relation to the supply of housing are not up to date. The NPPF states that there is a presumption in favour of sustainable development and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. In this case the adverse impacts of the development in terms of limited visual harm are not considered to demonstrably outweigh the benefits that consist of a contribution of 144 dwellings towards the required housing land supply including 58 affordable dwellings, a location with good transport links and a range of services, and creation of jobs during the construction period that would benefit the local economy. Given the above balance, the application is recommended for approval.

Planning History

2. **Site**
S/1359/13/OL- Residential Development (90 Dwellings) and Access - Appeal Allowed
3. **Adjacent Sites**
S/1907/14/OL - Residential Development (36 Dwellings) and Access - Approved
S/0558/14/OL - Residential Development (57 Dwellings) and Access - Approved
S/0645/13/FL - Residential Development (60 Dwellings) - Appeal Allowed

National Guidance

4. National Planning Policy Framework (NPPF)
National Planning Practice Guidance 2014 (NPPG)

Development Plan Policies

5. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres
6. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Lighting Proposals
NE/15 Noise Pollution
NE/17 Protecting High Quality Agricultural Land

CH/2 Archaeological Sites
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

7. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

8. **South Cambridgeshire Local Plan Submission 2014**

S/3 Presumption in Favour of Sustainable Development
S/4 Cambridge Green Belt
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/9 Minor Rural Centres
SS/5 Waterbeach New Town
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/9 Managing Flood Risk
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

9. **Waterbeach Parish Council** - Recommends refusal and makes the following comments:-

Original Plans

- i) This is Greenfield land and outside the village envelope in order to protect the rural character of the village from this type of development. This ought not to be changed without consultation with the people of Waterbeach. There are also doubts about whether the way the site meets policies DP/1, DP/2, and DP/4.
- ii) The site is susceptible to flooding and building on it will endanger nearby properties.

We note that the Flood Risk Assessment (2.10) states *"logically however any frontage units should have floor levels set slightly higher above the channel of the existing road to ensure that water conveyed in this way does not pose any risk of inundation"*; unfortunately for the existing residents in this area their floor areas cannot be raised!! In the last 2 years Bannold Road has been severely flooded with both rain water and sewerage at least 6 times which has infiltrated residents properties. Anglian Water cannot cope with the current levels of surface water and sewerage in bad weather conditions.

iii) 144 dwellings is over development of the site. Whilst the existing street scene in the locality of Bannold Road comprises of large front gardens leading to detached housing and the ex-army quarters to the north enjoy spacious public areas. The Inspector's agreement to 90 houses was much more in keeping with the area. The conditions he proposed in his judgement should also be applied with rigour including a footpath from the site to the Doctor's surgery which does not appear on the plans. 144 dwellings may increase the number of vehicles by 300. This will further reduce road safety in the already congested streets of Waterbeach in particular around the area since the sale and occupation of the ex MOD homes to the north of the site. This is in addition to the ever increasing level of HGV and large farm vehicles using Bannold Road.

iv) There are 2 existing junctions directly opposite the proposed access to the site creating road safety issues for motorists and pedestrians. The main access could be positioned at the proposed emergency access which appears surplus to requirements.

v) The sensible conditions included by the Inspector who approved 90 houses for this site should be applied. In particular 40% affordable housing should be included in any proposal.

vi) Loss of green highway used by wildlife including foxes, hedgehogs, deer, owl and bats.

vii) Inadequate bus service

viii) The road infrastructure around Waterbeach is at breaking point and needs improvement in capacity and traffic calming before any more building is allowed if our village is to be sustainable.

ix) Primary School also creaking at the seams needs expansion to cope with the population increase which will result from this unplanned development.

Revised Plans

i) Point 2.8 of the Flood Risk Assessment states that "Bannold Road and Bannold Drove are not known to have generated any flooding issues". The Drainage Board disagrees with this statement which also contradicts local knowledge of flooding.

ii) Point 4.7 of the Traffic Assessment comments on the bus stops on Bannold Road and Cody Road, however, the village is not well served by public transport.

iii) Point 4.20 of the Traffic Assessment stating information from the 2011 UK Census - this information is out of date as this data includes the former barracks which no longer employs personnel that could walk to work.

iv) There appear to be little or no provision of front gardens for the properties.

v) The central green area would benefit from the inclusion of trees.

10. **Policy Team** - Comments that this application seeks to increase indicative dwelling numbers to 144 from the existing permission for 90. The principle of residential development on this site has been determined and is no longer at issue. A density of 41 dph would be acceptable with reference to DC policy HG/1 which refers to densities of at least 40 dph in more sustainable locations. Planning Committee made a decision recently that accepts that this location is a more sustainable location. Little weight can be attached to the density policy in the submission Local Plan H/7 because it is subject to objections.

11. **Affordable Housing Officer** - Comments that there are currently 1,700 applicants on homelink in South Cambs and this proposal will meet some of the housing need in in the district. The number of affordable properties being provided is in accordance with policy H/9 of the Proposed Local Plan, which states that for a development of 3 or more dwellings, there is a requirement to provide 40% affordable housing. A good mix of properties should be provided in order to ensure the development remains sustainable. Generally in South Cambs there is a large demand for 1 and 2 bedroom properties, predominantly due to the Welfare Reform legislation. So, the mix should consist of a higher proportion of 1 and 2 bedroom dwellings. The tenure split should be 70% rented and 30% intermediate housing as stated in the Affordable Housing SPD. The affordable dwellings should be distributed through a residential development in small groups or clusters, typically 6-8 units, and integrated with the market housing to ensure sustainable communities.
12. **Urban Design Officer** - Comments that the indicative masterplan has now been amended to address previous comments and concerns and is now a much improved layout. The location of the open space in the centre would provide a central focus to the housing and allows a stronger frontage to be formed along Bannold Road. The open space is well overlooked. It may be that primary and secondary routes be swapped so that the road surrounding the open space is more like mews with higher pedestrian priority. Bespoke individual housing designs may be required along the entrance road to create a legible route. Careful consideration needs to be given to parking to ensure that hard standing and cars do not dominate the development.
13. **Landscape Design Officer** - Comments that the site is located to the north of Bannold Road on the north eastern edge of Waterbeach. The site is agricultural land, partly fronting Bannold Road, but mostly to the rear of linear residential development. Situated in an area of relatively open land between the edge of the village and the Barracks to the north. A public right of way is situated to the east of the site which runs north to south along Bannold Drove. The site is situated within the national character area of 46 The Fens as assessed by Natural England. The biggest changes in views will be from the immediate periphery of the application site from Bannold Road and Cody Road. There will also be major / moderate changes in views to the east of the site (dwellings visible above existing hedge line) particularly from the Public Right of Way. Has no objections subject to landscape recommendations in the form of hedges on the boundaries to mitigate the potential adverse impacts of the development and conditions in relation to hard and soft landscaping, details of trees to be retained and the method of protection, no-dig construction within the Root Protection Areas of trees to be retained, boundary treatments, surface water drainage, external lighting, waste/recycling bins, cycle bat brick/boxes and bird nest boxes, log piles, hedgehog and insect houses and swale pond.
14. **Ecology Officer** - Has no objections. The site has been assessed by an ecologist and no particular biodiversity constraints were identified except for a possible water vole burrow in the boundary ditch. This has been re-evaluated in the appropriate season and dismissed as water vole. No trees are to be removed that are considered to offer bat roost potential. There is no particular vegetation on site as it is an arable field, as such I do not require a condition to control vegetation removal during the bird breeding season in this instance. A condition should be used to secure a season of ecological enhancement along the lines of bird and bat box provision.
15. **Local Highways Authority** - Comments that the revised drawings are acceptable.
16. **Cambridgeshire County Council Transport Assessment Team** - Comments that the impacts of the development are not considered to be significant and no objections

are raised subject to a footpath along the northern side of Bannold Road from just north of Cody Road (to connect to the existing footpath), the installation of a bus shelter and raised kerb, a contribution to the Parish Council for maintenance costs for the bus shelter and a contribution to the County Council for installation and maintenance of real time information, a traffic signals engineer to revalidate the MOVA at the Denny End Road/ Bannold Road junction, a full travel plan and residential welcome pack being secured via a Section 106 or condition attached the any consent.

17. **Cambridgeshire County Council Flood and Water Team** – Comments that the previous concerns have been addressed and no objections are raised subject to a condition to agree a detailed surface water drainage scheme including information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters and a management and maintenance plan for the lifetime of the development.
18. **Waterbeach Level Internal Drainage Board** - Comments that the watercourse does not have the residual capacity to accept increased storm flows from new developments and any new development would therefore have to provide attenuation works to limit the capacity to 1.1 l/s/ha to prevent any increase in flood risk. The submitted flood risk assessment has addressed this restriction and the surface water scheme is acceptable in principle. However, further details on the design including the detailed design of the sustainable drainage system, the design of the discharge pipework and headwall to the watercourse and the adoption of the on-site drainage system are required at the detailed planning stage.
19. **Environment Agency** - Has no objections subject to conditions in relation to any contamination found on site during works and a scheme of pollution control of the water environment to include foul and surface water drainage. Also requests informatives.
20. **Anglian Water** - Comments that the foul drainage from this development is in the catchment of Waterbeach Water Recycling Centre that will have available capacity for these flows and that the sewerage system at present has available capacity for these flows via a gravity connection to manhole 0801 in Bannold Road.
21. **Environmental Health Officer** - Has no objections in principle to the proposals subject to conditions in relation to hours of construction works and construction related deliveries, dust suppression measures, piling method statement, a construction programme, noise impact assessment for renewable energy measures such as wind turbines or air source heat pumps, external lighting, and a waste management and minimisation strategy. Also requests informatives.
22. **Contaminated Land Officer** - Comments that a 'Phase I Desk Study' and a 'Phase II Site Appraisal' has been submitted to support the application. This information fulfils the necessary requirements for the assessment of contaminated land and no further investigation, risk assessment or remedial measures are necessary. However, a condition should be attached to any consent in case any contamination is found during works.
23. **Cambridgeshire County Council Historic Environment Team** - Has no objections but recommends a condition for an archaeological investigation to ensure that no unrecorded loss of potential archaeological remains occurs through construction.

24. **Section 106 Officer** - Comments that contributions are required towards off-site open space, community facilities, burials and monitoring to ensure that the development is acceptable in planning terms. A meeting has been held with Waterbeach Parish Council to identify projects and details and costings have been submitted.
25. **Cambridgeshire County Council Education Team** – Comments that there is insufficient capacity in the area for early years and primary places to accommodate the need generated by the development. The development would result in the need for additional accommodation in the form of an early years room and two classrooms and ancillary works at Waterbeach Primary School. No contribution towards secondary education is required as Cottenham Village College has sufficient capacity. Requests a contribution towards an additional route stop and resources for the mobile library in the village. No contribution towards strategic waste is required as five contributions have been pooled already towards a replacement Household Waste Recycling Centre at Milton. Requests a monitoring contribution.
26. **NHS England** – Comments that the development is likely to have an impact on the services of 1 GP Practice within the locality, Waterbeach surgery. This GP practice does not have capacity for the additional growth as a result of this development. The development would give rise to a need for improvements to capacity by way of extension, refurbishment, reconfiguration or relocation at the existing practice(s).

Representations

27. Approximately 50 letters of representation have been received from local residents surrounding the site. They raise the following concerns: -
- i) Increased traffic.
 - ii) Road infrastructure.
 - iii) Highway safety issues at access point as opposite two junctions.
 - iv) High density urban development out of keeping with area.
 - v) Loss of rural character of the village.
 - vi) Loss of high grade agricultural land.
 - vii) Brownfield land should be developed first.
 - viii) Green Belt land.
 - ix) No lack of housing land supply.
 - x) Cumulative impact with adjacent developments.
 - xi) Flood risk.
 - xii) Impact upon amenities of neighbours through noise, disturbance, overlooking, overbearing, loss of privacy and loss of outlook.
 - xiii) Impact upon views from the public right of way.
 - xiv) Sewage and surface water drainage issues in area.
 - xv) Lack of school spaces.
 - xvi) Capacity of doctors.
 - xvii) Affordable housing should be limited to people in Waterbeach.
 - xviii) Impact upon wildlife.
 - xix) Inadequate bus service.
 - xx) Lack of capacity for rail service.
 - xxi) Loss of train station.
 - xxii) Housing quality and reputation of developer.

Planning Appraisal

28. The key issues to consider in the determination of this application are whether the principle of development is acceptable in the countryside and proposed Green Belt land taking into account the 5 year housing land supply, housing density, housing mix,

affordable housing, developer contributions and and impact of the development upon the character and appearance of the area, design considerations, trees and landscaping, biodiversity, highway safety, flood risk and neighbour amenity.

Site and Surroundings

29. The site is located outside the Waterbeach village framework and in the countryside. It is situated on the north eastern edge of the village between Bannold Road and the former barracks. The site measures approximately 4 hectares in area and currently comprises an arable field. There is high fencing and landscaping along the northern boundary of the site, a hedge along the eastern boundary of the site and a drainage ditch, fence and row of small trees along the southern boundary of the site. The western boundary of the site is open. Residential properties are located on Kirby Road to the north of the site and Bannold Road to the south of the site. Open agricultural land lies to the east and west of the site.

Proposal

30. The proposal seeks outline permission for a residential development on the site of up to 144 dwellings along with vehicular access from Bannold Road. The layout, design and external appearance of site, and landscaping are matters reserved for later approval. 58 dwellings would be affordable in nature. The mix is not known at this stage but would meet local needs. The tenure would be 70% social rented and 30% intermediate. The remaining 86 dwellings would be available for sale on the open market. The mix is not known at this stage but would consist of a range of sizes and types of properties. The development would be predominantly two-storeys in height and a range of detached, semi-detached and terraced properties arranged in blocks to reflect the characteristics of the surrounding area. The materials would replicate those found within the vicinity of the site. A public open space has been provided within the development. Parking spaces would be in accordance with the Council's parking standards.

Principle of Development

31. The site is located outside the Waterbeach village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the emerging Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will permitted. The erection of a residential development of up to 144 dwellings is not therefore considered acceptable in principle. However, this is policy is considered out of date due to the current lack of a 5 year housing land supply.
32. Waterbeach is identified as a Minor Rural Centre under Policy ST/5 of the LDF and Policy S/8 of the emerging Local Plan where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are supported in policy terms. The erection of up to 144 dwellings would significantly exceed the amount of residential dwellings allowed in such locations and would not support the strategy for the location of housing across the district. However, this is policy is considered out of date due to the current lack of a 5 year housing land supply.

Housing Land Supply

33. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.

34. On the 25 June 2014 in two appeal decisions for sites in Waterbeach, on the site and an adjoining site, the Inspector concluded that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. This is against the Strategic Housing Market Assessment figure for objectively assessed needs of 19,000 homes between 2011 and 2031, which he concluded had more weight than the Core Strategy figure. It is appropriate for the conclusions reached within these appeal decisions to be taken into account in the Council's decision making where they are relevant. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF which states that adopted policies which are "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. Those policies were listed in the decision letters and are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be policies "for the supply of housing".
35. Where this is the case, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans.

Proposed Green Belt

36. The site is proposed to be designated as Green Belt under Policy S/4 of the emerging Local Plan in order to ensure separation from Waterbeach New Town that is allocated for new residential, commercial and mixed use development under Policy SS/5 of the emerging Local Plan. The Inspector in a recent appeal decision on the site considered that little weight can be attached to the designation of the land as Green Belt in the emerging plan given the objections which have been made to the designation. He considered that the function of spatial separation could be achieved on the land allocated as the Waterbeach New Town to ensure that the existing village would not merge with the new town and that the dismissal of the appeal on the grounds of prematurity would not be justified.

Character and Appearance of the Area

37. The site is currently a piece of arable land that is situated outside the Waterbeach village framework and in the countryside. The Council considered in a recent appeal on the site and an adjoining site that it performed two significant functions: first to provide an important visual break between the two settlements that comprise the village of Waterbeach and the former Barracks and second to provide a pleasant visual setting for both settlements. However, the Inspector considered that both physically and functionally the former Barracks now forms part of Waterbeach village as does not have a distinct identity given that recent residential development has already resulted in some coalescence and that the barracks have recently been sold off as private housing and has a similar character to the main part of the village. It is also important to note that the former barracks is physically linked to the existing village via Cody Road which has public footpaths on both sides and that residents would be likely to consider themselves part of the village and use the facilities within the village.

38. The development is considered to result in a loss of openness and rural character that would significantly change the appearance of the site when viewed from Bannold Road and the setting of the village. However, the Inspector considered that these views would only result in limited harm to the setting of the village given the visible backdrop of existing housing and lack of long distance views within the wider context of the site and that the development would continue the pattern of coalescence that has already taken place within the vicinity of the site. The development is not therefore considered to harm the character and appearance of the area.

Housing Density

39. The site measures approximately 4 hectares in area. The erection of 144 dwellings would equate to a density of approximately 36 dwellings per hectare (including the public open space). The net density would equate to 41 dwellings per hectare (excluding the public open space). This would comply with Policy HG/1 of the LDF that seeks a density of at least 40 dwellings per hectare in the more sustainable villages across the district such as Waterbeach. It is also not considered to be out of keeping with the character and appearance of the area.

Affordable Housing

40. 58 of the 144 dwellings would be affordable dwellings. This would comply with the requirement for 40% of the development to be affordable housing as set out in Policy HG/3 of the LDF and Policy H/8 of the emerging Local Plan to assist with the identified local housing need across the district. The mix is unknown at this stage but would address local needs. The tenure split of 70% social rented and 30% intermediate is satisfactory.

Housing Mix

41. The remaining 86 of the 144 dwellings would be market dwellings. The mix is not known at this stage but this would need to comply with Policy HG/2 of the LDF or Policy H/9 of the emerging Local Plan. This policy can be given some weight given that although a large number of objections were received, these are seeking additional flexibility above that set out in the policy.

Developer Contributions

42. Development Control Policy SF/10 adopted July 2007 states that 'All residential developments will be required to contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities) and informal open space to meet the additional need generated by the development in accordance with the standards in Policy SF/11'.
43. The recreation study of 2013 highlighted that Waterbeach experienced a deficit of 1.29 ha of sports space, a deficit of 3.46 ha of children's play space and a deficit of 0.13 ha of informal open space against policy SF/11.
44. This assessment was undertaken based on the population at 2011, however as there have been a number of large developments approved in Waterbeach over the previous 2 years the deficit of open space (in particular sports space) will be increased.
45. In accordance with Development Control Policy DP/4 infrastructure and new

developments, all residential developments generate a need for the provision of, or improvement to, indoor community facilities. Where this impact is not mitigated through onsite provision a financial contribution towards offsite improvement works will be required.

46. Whilst not formally adopted as an SPD, an informal approach was considered and approved at the Planning and New Communities portfolio holder's meeting on 5th December 2009 and is therefore considered Council policy. The policy, which requires the provision of 111 square metres of indoor community space per 1,000 people, is based on the recommendations of an external audit and needs assessment undertaken in 2009 in respect of all primary community facilities in each village. The audit also established a tariff for securing indoor community space provision/improvements.
47. The external audit highlighted that there was a deficiency of indoor community space in Waterbeach.
48. In conjunction with Cambridgeshire local authorities, the RECAP waste management design guide was adopted by South Cambridgeshire District Council on 13th March 2008. The guide contains a toolkit outlining the basis for planning conditions and obligations, and applicants should demonstrate that they have considered this in their application submission. It became a supplementary planning document under Cambridgeshire County Council's new Minerals and Waste Plan when adopted by the County Council on 22nd February 2012. In accordance with the guide and development control policies DP/4 Infrastructure and new developments, developers are required to provide for the household waste receptacles as part of a scheme. The local cost of providing and delivering each household waste receptacle has been calculated at £72.50 per house and £150 per flat.
49. In addition to the above a development of this scale would generate the requirement for a financial contribution in respect of the monitoring and administrative activities undertaken for each planning obligation. A policy was approved at the Planning and New Communities portfolio holder's meeting on 5th December 2009 and was implemented on 1st January 2010. The level of financial contribution varies between different scales of development, and therefore is in direct relation to the work involved. Financial contributions are necessary to fully fund a dedicated resource for the purpose of the monitoring and delivery of District and Parish Council planning obligations. Here the Council is seeking the sum of £4,500.
50. The Council is aware of the Judicial Review for Oxfordshire County Council dated 3rd February 2015 where the Honourable Mrs Justice Lang determined that on straight forward matters, securing a section 106 monitoring fee would not meet the CIL tests. Due to the nature of this application where onsite provision of services and facilities (including public open space, play equipment and affordable housing) are being secured officers consider that securing a monitoring contribution does accord with the CIL tests.
51. Furthermore the request for a District Council monitoring contribution was considered by the planning inspector when approving the previous application for 90 dwellings (APP/W0530/A/13/2209166) and in reaching his decision the planning inspector determined that 'In these circumstances I am satisfied that provisions set out in the Agreement are compliant with paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy [CIL] Regulations 2010'.

The restriction on the use of section 106 agreements

52. The effect of CIL Regulation 123(3) is such that if there are agreements in place for more than five S106 contributions after 6 April 2010 for a project or type of infrastructure, from 6 April 2015 a Local Planning Authority will not be able to collect any more contributions for that purpose.
53. As Waterbeach has exceeded 5 general offsite open space and community facility contributions what this means in practice is that a qualifying project must be identified before the Council can lawfully give weight to the planning obligation.
54. The Planning Practice Guidance (PPG) confirms that tariff style charges may still be used (i.e. the formula set out in the open space in new developments SPD) but that the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. The District Council has been successful in defending the continued use of its tariff style policies during planning appeals.
55. The PPG goes on to say that planning obligations must be fully justified and evidenced and District Council officers have been working with Waterbeach Parish Council in order to determine how monies arising from the developments along Bannold Road will be appropriated such that the necessary mitigation may be safeguarded. The details of some of these projects are still being worked up therefore officers request delegated approval allowing some flexibility in the final wording in consultation with Waterbeach Parish Council.
56. As this is an outline planning application, with the housing mix to be approved at reserved matters stage, the Council must establish a framework in order to (a) provide the requisite amount of public open space to accord with development control policies SF/11 (b) a mechanism for calculating the offsite contributions.

On-Site Public Open Space Provision

57. In terms of informal open space the requisite quantum in accordance with SF/11 would be:

1 bed - 5.4m²
2 bed - 7m²
3 bed - 9.7m²
4+ bed - 13.3m²

In terms of children's play space (both formal and informal) the requisite quantum in accordance with SF/11 would be:

2 bed - 14m²
3 bed - 19.4m²
4+ bed - 26.6m²

58. Furthermore the public open space will need to be offered to Waterbeach Parish Council for adoption along with a commuted sum for maintenance equivalent to £10.17 per square metre of adopted public open space.
59. In the event that the reserved matters application is approved with a quantum of public open space less than that set out above a further contribution will be required equivalent to £67.09 of each square metre not provided onsite.

Off-Site Contributions

Formal Sports Space

60. The open space in new developments SPD would require the following offsite sports contributions to be paid:
1 bed - £625.73
2 bed - £817.17
3 bed - £1,130.04
4+ bed - £1,550.31
61. Waterbeach Parish Council wishes to use this money to provide and maintain additional tennis court(s) on the recreation ground.

Children's Play Space

62. The open space in new developments SPD would require the following children's play space contributions to be paid:
2 bed - £1,202.78
3 bed - £1,663.27
4+ bed - £2,281.84
63. This money will be used by Waterbeach Parish Council to (a) provide and maintain children's play space within the development and (b) provide play equipment for older children on the village recreation ground. The section 106 agreement will be worded such that, in the event that Waterbeach Parish Council elects not to adopt the onsite open space that the developer will be required to provide onsite play equipment.

Indoor Community Space

64. The community facilities contribution external audit approved by the Council would require the following contributions to be paid:
1 bed - £284.08
2 bed - £371
3 bed - £513.04
4+ bed - £703.84
65. Waterbeach Parish Council wishes to finance refurbishments to Waterbeach Tillage Hall including installation of acoustic works.

Cemetery

66. Although the Development Control Policies DPD does not contain a policy for the provision of cemetery space, policy 'SC/4: Meeting Community Needs' of the proposed submission South Cambridgeshire Local Plan says that 'All housing developments will include or contribute to the provision of the services and facilities necessary to meet the needs of the development'. Included in the list of 'Range of services and facilities to be provided' is the 'provision for burials'.
67. The proposed Local Plan is currently in state of suspension with the Council consulting on a number of changes before the hearings will reconvene in the New Year.
68. Despite there being a recognised shortfall in burial places in Waterbeach (i.e. there

are no plots remaining that are either unsold or unreserved), the District Council has not previously been able to support securing financial contributions as the land for providing burial space had not been secured. However, there is now agreement in place between Waterbeach Parish Council and Urban and Civic to release some land adjacent the existing burial ground.

69. The total cost of providing the new cemetery exceeds £105,000 and Waterbeach Parish Council has requested a contribution towards these works (including the provision of new pathways, boundary treatment and upgrade of access driveway to serve the new cemetery).
70. Officers consider that although limited weight may be given to this new policy there is a case for securing a contribution. The proposed local plan does not establish the mechanism for how a contribution might be calculated.
71. Officers have therefore simply assessed the likely population of the proposed development against the existing population of Waterbeach in order to understand the percentage increase. In applying this methodology to the cost of £105,000, a contribution of £7,500 would be payable.

Early Years and Primary Education

72. The development is expected to generate a net increase of 44 early years aged children, of which S106 contributions would be sought for 22 children. In terms of early years capacity, County education officers have confirmed that there is insufficient capacity in the area in the next 3 years to accommodate the places being generated by this development. The early years project that has been identified is an additional early years room at Waterbeach Primary School. The estimated cost of this provision is £500,000 and it will accommodate 52 early years aged children at 15 hours per week. As the County Council is not aware of any other planning applications coming forward in the village, and which could be required to provide funding for the difference, this development is required to pay the full costs of the project. Therefore a contribution of £500,000 is sought for early years. There have not been 5 or more contributions currently pooled towards this project.
73. The development is expected to generate a net increase of 51 primary education aged children. This development lies within the catchment area of Waterbeach Community Primary School. County Education Officers have confirmed that there is insufficient capacity in the school in the next 5 years to accommodate the places generated by this development. Therefore a contribution will be required towards primary education provision. The identified project is the second phase of the 1FE expansion to Waterbeach Community Primary School to accommodate the additional children arising from the new developments in the area. This is an additional two classrooms (accommodating 60 pupils) and ancillary work, which is estimated to cost £1m. As the County Council is not aware of any other planning applications coming forward in the area, and which could be required to provide funding for the difference, we require this development to pay the full costs of the project. Therefore a contribution of £1,000,000 for primary education is sought.
74. The development mix is currently not confirmed therefore County Council General multipliers have been applied. These are as follows:
Early Years = 30 children per 100 dwellings
Primary = 35 children per 100 dwellings
Secondary = 25 children per 100 dwellings
Once a more detailed housing mix is known (size of dwellings and tenure), for both

the market and affordable elements of the scheme, then more precise pupil generation figures can be calculated. This may change the County Council requirements

Libraries and Life Long Learning

75. The County Council provide a statutory library provision service in Waterbeach via 5 mobile library stops. This new development would result in an increase in population of 360 residents (144 x 2.5). This would place demand on the Libraries and Lifelong Learning facilities in Waterbeach which requires a contribution of £28.92 per head of increase of population to mitigate. Therefore a contribution of £10,411.20 for libraries and lifelong learning is sought (£28.92 x 360 new residents). The libraries and lifelong learning contribution would be used to contribute towards the provision of an additional route stop and to purchase additional resources required to meet the library and lifelong learning needs of this new population. There have not been 5 or more contributions currently pooled towards this project.

Health

76. This development is likely to have an impact on the services of 1 GP Practice within the locality, Waterbeach surgery. This GP practice does not have capacity for the additional growth as a result of this development. Therefore a HIA has been prepared by NHS England to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.
77. The table below provides a summary of the capacity position for the GP Catchment Practice once the additional floorspace requirements arising from the development proposal are factored in, including an estimate of the costs for providing new floorspace and/or related facilities. The costs for additional car parking capacity are not addressed in the table as NHS England has yet to undertake a detailed audit of the transportation position.

Premises	Weighted List Size 1	NI A (m²)²	Capacity³	Spare Capacity (NIA m²)⁴	Additional Population Growth (144 Dwellings)⁵	Additional floorspace required to meet growth (m²)⁶	Capital required to create additional floor space (£)⁷
Waterbeach Surgery	5272	223.10	3254	-138.41	346	23.73	£47,460.

Notes:

1. The weighted list size of the Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice
3. Patient Capacity based on the Existing NIA of the Practice
4. Based on existing weighted list size
5. Calculated using the South Cambridgeshire DC Average household size of 2.4

78.

taken from the 2011 Census:

Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number).

6. Based on 120m² per GP (with an optimal list size of 1750 patients) as set out in the NHSE approved business case incorporating DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"

7. Based on standard m² cost multiplier for primary healthcare in the East Anglia Region from the BCIS Q1 2014 price Index, adjusted for professional fees, fit out and contingencies budget (£2,000/m²), rounded to nearest £.

As shown in the table above, there is a capacity deficit in the catchment practice and a developer contribution of £47,460 is required to mitigate the 'capital cost' to NHS England for the provision of additional healthcare services arising directly as a result of the development proposal.

79. The open space, community facilities, waste receptacles, cemetery and District Council monitoring contributions are considered to meet the CIL tests. A contribution towards early years and primary education is agreed but no details of calculations have been provided to date to justify that the development would meet the CIL tests. These details have been requested. Therefore, at present, officers only consider that the standard tariff based contributions towards educational needs can be sought. The contribution towards libraries and life long learning is considered to meet the CIL tests. County Council monitoring is not considered to meet the CIL tests. The health contribution is considered to meet the CIL tests. Confirmation is awaited from the applicant's agent to agreement of the contributions. The contributions should be secured through a section 106 legal agreement along with on-site affordable housing, on-site open space (informal) and the requirements of the County Transport Assessment Team.

Design Considerations

80. The application is currently at outline stage only with access to be considered as part of any approval. All other matters in terms of the layout of the site, scale, external appearance and landscaping are reserved for later approval.
81. The original concerns of the Urban Design Officer have been addressed. The comments in relation to primary and secondary routes, vehicle parking layouts and house designs are noted and will be considered at the reserved matters stage. A condition would be attached to any consent to exclude the submitted indicative layout.
82. The provision of of public open space on the site is satisfactory. This would need to include a Local Area of Play (LAP). The exact size is dependent upon the housing mix and will be determined at the reserved matters stage.
83. The landscaping along the boundaries of the site is considered appropriate and a condition would be attached to any consent to agree the final details of the scheme.

Trees/Landscaping

84. The proposal would not result in the loss of any important trees and hedges that

significantly contribute towards the visual amenity of the area. The majority of the trees and hedges along the eastern and southern boundaries of the site that are in a good condition would be retained and protected and new landscaping would be provided along the northern and western boundaries to mitigate the impact of the development upon the surrounding area.

Biodiversity

85. The site is dominated by arable land and is surrounded by species poor hedgerows and some trees along with a ditch. It is considered to have a low ecological value as the trees do not offer bat roost potential, the burrow in the ditch is not that of a water vole and the hedge will be retained. A condition should be attached to any consent to agree ecological enhancements such as the provision of bird and bat boxes.

Highway Safety

86. Bannold Road is a long straight road that bends as its western point where it meets the High Street. It is a fairly quiet road that has a speed limit of 30 miles per hour.
87. The development would result in a significance increase in the level of traffic in the area. However, no objections have been raised by Cambridgeshire County Council Transport Assessment Team in relation to the impact of the development upon the capacity and functioning of the public highway. The proposal would not therefore be detrimental to highway safety. A Section 106 legal agreement would be required to secure a traffic signals engineer to revalidate the MOVA at the Denny End Road/Bannold Road junction.
88. The access width of the main road into the site at 5.5 metres would accommodate two-way traffic into the site and would be acceptable. The 2.0 metres footpaths on each side are adequate and would provide safe pedestrian movements. The proposed vehicular visibility splays of 2.4 metres x 43 metres in both directions are considered appropriate. The access would therefore accord with Local Highways Authority standards.
89. There are bus stops on Bannold Road and Cody Road approximately 400 metres to the west of the site. They gives direct public transport access to Cambridge and Ely by an hourly service Monday to Saturdays. This is accessible by walking via a public footpath along the southern side of Bannold Road.
90. Waterbeach railway station is located approximately 1.5km from the site on the southern side of Waterbeach. It gives direct public transport access to Cambridge and London beyond and Ely and Kings Lynn beyond by an hourly service. It is accessible by walking via footpaths and cycling along local roads.
91. The site is considered fairly sustainable given that it has access to two different modes of public transport within close proximity to the site by walking and cycling. This would ensure that there is not over reliance upon modes of transport such as the private car to travel outside the village. A Section 106 legal agreement would be required to secure the provision of a footpath along the northern side of Bannold Road to connect to the existing footpath, the installation of a bus shelter and kerb, a contribution to the Parish Council for maintenance of the bus shelter and a contribution to the County Council for the installation and maintenance of real time information.
92. The Transport Statement commits to the provision of a framework travel plan to

encourage the use of alternative modes of transport other than the private motor vehicle for occupiers of the new dwellings prior to occupation. Measures include the appointment of a travel plan co-ordinator and the provision of information packs to new residents. However, further details are required and a full travel plan would need to be submitted following first occupation of the dwellings. These would be conditions of any consent.

Flood Risk

93. The site is located within Flood Zone 1 (low risk). The River Cam is the most significant watercourse in the area that is located 500 metres to the east of the site. The other notable watercourse within the immediate vicinity of the site is the IDB drain that runs along the eastern side of Bannold Drove. The southern boundary of the site comprises a ditch.
94. The surface water drainage system would comprise water storage tanks on the site in the form of roadside swales and shallow detention basin with a flow control device to ensure that surface water discharging from the development would not exceed existing greenfield run-off rates and the limit of 1.1 l/s/ha as identified by the Waterbeach Level Internal Drainage Board for discharge into the IDB watercourse. The storage tanks could accommodate surface water from a 1 in 100 year storm event plus climate change. It would not be appropriate to discharge water to the existing ditch along the southern boundary of the site so it is proposed that there is a direct connection to the IDB watercourse through a pipe. The design of the surface water drainage system would be agreed through a condition attached to any consent along with the management and maintenance of the system.

Neighbour Amenity

95. Whilst it is acknowledged that there would be a change in the use of the land from an open field to residential dwellings, the development is not considered to result in a significant level of noise and disturbance that would adversely affect the amenities of neighbours. A condition would be attached to any consent in relation to the hours of use of power operated machinery during construction and construction related deliveries to minimise the noise impact upon neighbours.
96. The impact of the development itself on neighbours in terms of mass, light and overlooking will be considered at the reserved matters stage.

Other Matters

97. The development is not considered to result in a risk of contamination providing a condition is attached to any consent to control any contamination identified during the development.
98. The proposal would not result in the loss of any important features of archaeological interest providing a condition is attached to any consent to secure an archaeological investigation on the site.
99. The affordable housing provision on the site cannot be limited to people from the village as it is not an exceptions site.
100. Although it is noted that the development would result in the loss of high grade agricultural land, the need for housing in the district is considered to outweigh the loss of a very small proportion of agricultural land in the district.

101. The proposal would not lead to the loss of the train station in the village. No evidence has been submitted to demonstrate that the bus and trains services in the village are inadequate.
102. The quality of housing and reputation of the developers is not a planning consideration that can be taken into account in the determination of this application.

Conclusion

103. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:
ST/5: Minor Rural Centres – indicative maximum scheme size of 30 dwellings
DP/7: Village Frameworks
This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
104. This report sets out how a number of potential adverse impacts can be addressed. However, an adverse impact that cannot be fully mitigated is the limited visual harm arising from the development of the site itself and a cumulative impact when considered in relation to the adjoining developments at Bannold Road and Cody Road.
105. This adverse impact must be weighed against the following benefits of the development:
- i) The provision of 144 dwellings towards the 1400 dwellings to achieve a 5 year housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - ii) The provision of 58 affordable dwellings towards the need of 1,700 applicants across the district.
 - iii) Developer contributions towards public open space and community facilities in the village.
 - iv) Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
 - v) Improvement of footpath along northern side of Bannold Road
 - vi) Upgrade of bus stop on Cody Road.
 - vii) Employment during construction to benefit the local economy.
 - viii) Greater use of local services and facilities to contribute to the local economy.
106. The adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Planning permission should therefore be granted because material considerations clearly outweigh the limited harm identified, and conflict with out of date policies of the LDF.

Recommendation

107. It is recommended that the Planning Committee grants officers delegated powers to approve the application (as amended) subject to the following conditions and section

106 agreement.

Conditions

- (a) Submission of reserved matters details
- (b) Implementation of reserved matter consent
- (c) Approved plans
- (d) Layout excluded from consent
- (e) Access layout drawing number
- (f) Traffic management plan
- (g) Framework travel plan
- (h) Full travel plan
- (i) Boundary treatment
- (j) Hard and soft landscaping
- (k) Landscaping implementation
- (l) Tree protection
- (m) Ecological enhancement
- (n) Surface water drainage
- (o) Pollution control
- (p) Contamination investigation
- (q) Archaeological investigation
- (r) Hours of use of power operated machinery and construction related deliveries
- (s) Dust suppression
- (t) Piling method statement
- (u) Construction programme
- (v) Waste management strategy
- (w) External lighting
- (x) Renewable energy statement
- (y) Water conservation strategy
- (z) Fire hydrants
- (zi) Drainage during construction

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

- (a) Affordable housing
- (b) Footpath along northern side of Bannold Road to connect to existing footpath
- (c) Bus stop upgrades
- (d) Education
- (e) Open space
- (f) Community facilities

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.

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- South Cambridge Local Plan Submission 2014
- Planning File References S/1431/15/OL, S/1359/13/OL, S/0645/13/FL, S/0296//15/FL, S/1907/14/OL and S/0558/14/OL

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