

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11th May 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/1952/15/OL

Parish: Cottenham

Proposal: Outline Application for demolition of existing barn and construction of up to 50 dwellings with all matters reserved except for access.

Site address: Land at 36 Oakington Road, Cottenham.

Applicant(s): Mr Tim Holmes, Endurance Estates Strategic Land

Recommendation: Delegated Approval

Key material considerations: Housing Land Supply
Principle of Development
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: Yes

Departure Application: Yes

Presenting Officer: Graham Nourse, Planning Team Leader

Application brought to Committee because: Departure Application

Date by which decision due: 23rd September 2015 (Extension of Time agreed)

Executive Summary

1. This application seeks permission for a residential development outside the Cottenham village framework on a greenfield site in the countryside. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its scale and location. However it is

recognised 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 considered not up to date. The local planning authority must determine the appropriate weight to apply to relevant development plan policies. The NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when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.

2. In this case the impact of developing up to 50 dwellings (including 40% affordable units) is considered to significantly and demonstrably outweigh the policy constraints contained under policy DP/7). Cottenham is considered a sustainable location which can accommodate the proposed level of development taking into account existing transport links and the level of local services within the village. The application is therefore recommended for approval.

Planning History

Site

3. No planning history.

Adjacent Sites

S/1818/15/OL – Outline application for up to 225 dwellings (including upto 40% affordable houses) and up to 70 apartments with care (C2), demolition of 117 Rampton Road, introduction of structural planting and landscaping, informal public open space.

PRE/0424/15 – Land to North West of Oakington Road, Cottenham.

Planning Policy

5. The following policies are considered relevant to this application. Policies considered 'out of date' in respect of the lack of a five year housing land supply are referred to later in this report.

National Guidance

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

Development Plan Policies

7. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres
8. **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/5 Cumulative Development
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

9. **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

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

S/3 Presumption in Favour of Sustainable Development
 S/5 Provision of New Jobs and Homes
 S/6 The Development Strategy to 2031
 S/7 Development Frameworks
 S/9 Minor Rural Centres
 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/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

11. **Cottenham Parish Council** - Recommends refusal and makes the following comments:-

Cottenham Parish Council recommends refusal of the above proposal on the basis that Cottenham is a minor rural centre incapable of sustaining a development of this scale, especially outside the village framework **DP/4**. The adverse impacts of this development significantly outweigh the benefits. **NPPF 14** In particular, rather than 'improving' as per **NPPF 9**, it will have a significant negative effect. The additional traffic generated is sufficient in itself to refuse **DP/3 2k**.

We have serious misgivings about the access onto Oakington Road, which is already a busy road feeding traffic to the rest of the village and beyond via busy roundabouts. We believe that vehicle ownership and use has been seriously underestimated given local patterns of vehicle ownership and use in a minor rural centre and the travel plan is unlikely to mitigate this. The increased intensity of traffic and lack of adequate segregation between pedestrians, cycles and vehicles, especially at access point, will significantly increase accident risk at this point which opens onto a limited visibility road, subject to national speed limits. **DP/3 1b**.

In addition:

Affordable Housing: In principle Cottenham does not need more affordable houses but not at the expense of an excessive number of market homes disconnected from the village environment. Even the so-called affordable homes won't be affordable for village residents as we have seen from other local developments. Due to the proximity to the edge of the village the development fails to be sustainable (**DP/1 1b** – minimise the need to travel and reduce car dependency) and **NPPF 34, 35, 37 and 38**.

Pre-school places: the development fails to meet **NPPF 72**. Cottenham has a known excess of demand over places which will get worse with the change of rules from 2016 and the proposal will increase that demand without doing anything about the supply. Contributions under **DP/4.2 2.15** will be required.

Medical/day care facilities: the development will increase both the general population by approx. 3% which will increase demands on our already overburdened facilities. These facilities are located an unsustainable distance from the development site. The development fails to meet **DP/1 1m and DP/3 1f**.

Employment: the development fails to meet **NPPF 17 and 19**. Without local provision it will increase local commuter traffic. (**DP/1 1b** – minimise the need to travel and reduce car dependency).

Leisure: our current demand for leisure facilities outstrips supply. A 3% increase in population will only worsen this problem. The proposed development is located an unsustainable distance away from the core of the village. The development fails to meet **DP/1 1m and DP/3 1f**. There is no meaningfully sustainable way for residents from established areas of the village to use any facilities on site due to its remoteness **NPPF 58**.

Easier movement in/out/around the village: the proposed development acknowledges that it will increase traffic on an already busy road. This traffic will then flow onto junctions with known congestion problems. They also haven't taken into account local car ownership so the estimated number of vehicles will be significantly higher than Endurance claim. Furthermore traffic volumes quoted are from a non-neutral month and will be higher. This in itself **DP/3 2k** is sufficient to refuse this application. The distance of the site from the village central facilities will increase parking **NPPF 39**. Pedestrian access does rely on significant improvements to speed

management on Oakington Road and also the quality of pavements between the site and Rampton Road. The proposed new access would bring traffic onto Oakington Road with a national speed limit with limited visibility SW requiring some form of speed management over the section up to and including the slight bend. **DP/3 1b&f and DP/4 1** apply. Increased traffic volumes are inconsistent with Cottenham village design statement **H/2**.

The Endurance travel plan is flawed and is not appropriate in a rural location. We lack confidence in the plan to decrease the number of traffic movements. Contrary to **DP/11 b, NPPF 32, 34, 35, 37, 38 and 39**.

Conservation/village core: NPPF 131, 132, 134 and 138. The distance of the development from the village core will lead to an increase in traffic and parking, therefore damaging the character of the village core and the views approaching the village from Oakington. Also contrary to **Cottenham Village Design Statement and DP/11 p, DP/21, DP/32 and m and DP/71**. The development is incongruous to the built development of Cottenham – a developed core with only linear development on arterial roads. Contrary to **NPPF 17** and the **Cottenham Village Design Statement**.

Noise/pollution: Contrary to **NPPF 110, 123 and 58**. There is nothing to lessen effects of increased traffic on existing residents on Oakington Road or indeed the rest of the village. **DP/3 2j, k&n**.

Overloading of Primary School: Contrary to **NPPF 72**. The new extension was built to cope with the current capacity. Any increase in capacity would need to be handled sensitively to limit damage to the cohesive role that the school plays in the village. **DP/1 1m, DP/4 2 15**.

Drainage: NPPF 102. They have not taken into account the flood risk. Cottenham is a fen edge village and within the village is Cottenham Lode, the main route from which surface water is taken from a large area (including Bar Hill, Oakington and, under some circumstances Northstowe) via the Catchwater Drain out to the Wash. We are particularly concerned about anything that adds water flow to the route.

Loss of agricultural land: Contrary to **NPPF 112**.

Following receipt of amended site access details the Parish Council do not consider the design is adequate to mitigate the safety issues presented by traffic using a single access point to enter a busy national speed limit road with limited visibility.

Note the Parish Council are undertaking their own traffic measurements to demonstrate that the TRICS based predictions in the Transport Plan are unreliable.

Do not consider the traffic plan effective. Consider that traffic generation is higher in this locality due to higher than average car ownership and use. This position aggravated due to reduction in bus services.

It is suggested that car movements will be exacerbated by the need to undertake car journeys to the High Street.

12. **Urban Design Officer** – Notes need to ensure higher density to centre of site with lower density at site boundaries to allow built form to fragment into existing landscape. Need to ensure provision of footpath along Oakington Road.
13. **Landscape Design Officer** – In principle no objection to the proposed scheme but

notes careful landscape mitigation and enhancement measures required via condition.

14. **Arboricultural Officer** – No objections subject to necessary condition requiring details and implementation of high quality landscape scheme.
15. **Ecology Officer** - Has no objections but requires a condition securing the permanent retention of the western boundary hedge to maintain a corridor of a minimum of 10 metres so that Badgers (a sett is located 70 metres to the north of the site) can move across the site unaffected by residential development. The proposed masterplan has been amended to accommodate this requirement.
16. **Local Highways Authority** – Notes revised access drawings are acceptable and requests conditions securing appropriate visibility splays, removal of permitted development rights in respect of additional access points, provision of pedestrian crossing point, pedestrian footway visibility, surface water falls, new access to be constructed of bound material, need for traffic management plan.
17. **Cambridgeshire County Council Transport Assessment Team** – initial objection to required visibility splays now resolved. Also suggest need for pedestrian link to village secured under s106 agreement as well as conditions securing appropriate visibility splays, removal of permitted development rights in respect of additional access points, provision of pedestrian crossing point, pedestrian footway visibility, surface water falls, new access to be constructed of bound material, need for traffic management plan.
18. **Cambridgeshire County Council Flood and Water Team** – Following revised Surface Water Assessment details no objection is raised subject to conditions requiring submission of a detailed surface water management scheme and detailed management arrangements for the implementation of this scheme.
19. **Old West Internal Drainage Board** – Note that Cambridgeshire County Councils Flood and Water Team should be consulted. The Board is aware that flooding has occurred to the south of the application site along Histon Road and the proposed development should not exacerbate this. Requests consultation at Reserved Matters stage to further assess impact on their drainage area.
20. **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 surface water drainage. Also requests informatives to be attached to any Approval.
21. **Anglian Water** - Comments that the foul drainage from this development is in the catchment of the Cambridge 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 4003 in Oakington Road. Request condition requiring surface water management strategy.
22. **Environmental Health Officer** - Has no objections in principle to the proposed development but requests conditions relating to Construction Noise/Vibration & Dust, Artificial Lighting, a Waste Management Strategy and a scheme for the recharging of electric vehicles.
23. **Contaminated Land Officer** – Raises no objection but requests that a condition requiring the works required in the Phase II Ground Investigation Report are fully implemented. Need for ground gas protection measures.

24. **Historic Buildings Officer** – Notes the site is east of Cottenham, outside the conservation area. No objections raised.
25. **Cambridgeshire County Council Education Team** – Required contribution as set down with s106 requirements contained at Appendix A.
26. **NHS England** – Consider that due to lack of capacity with existing services the development would give rise to a need for an improvement to capacity by way of extension, refurbishment or reconfiguration or relocation of the existing practices the cost of which would have to be met at least in part by the developer. A capital cost (contribution) is therefore requested of £16,440.
27. **CCC Architectural Liaison Officer** – raises no objection but notes need to ensure that parking areas have adequate surveillance.
28. **Natural England** – responded noting they had no comments in respect of this application.
29. **Cottenham Village Design Group** – the CVDG object to this application due to the remote location of the site relative to village facilities and have concerns regarding cumulative impact of this scheme and similar applications on Oakington and Rampton Roads. The CVDG consider that the proposed scheme offers no meaningful new facilities and offers nothing to extend employment opportunity within Cottenham. It is considered that the scheme projects into open countryside and is significantly more distant from the services in the village core. It is suggested that to compliment proposed open space a new pedestrian and cycle access through to Rampton Road (via other potential development sites) is created. The CVDG have raised concern at the increase in traffic generation (due to site location relative to village core), impact on cyclists and the relatively poor public transport network.

Representations

30. Seven letters of representation have been received from local residents. The following concerns are raised:
 - i) Highway danger due to new access
 - ii) Increase in traffic and associated dangers
 - iii) Need for additional footpaths/cycleways
 - iv) Impact on drainage ditches
 - v) Lack of village infrastructure to support development
 - vi) Primary school lacks capacity
 - vii) Doctor surgeries lack capacity
 - viii) Potential flooding issues
 - ix) Cumulative impact of proposed adjoining development (Gladmans).
 - x) Cumulative impact of this site with other development sites in the village
 - xi) Impact on wildlife
 - xii) Premature to development of Local Plan
 - xiii) Need for affordable housing in the village
 - xiv) Site in unsustainable location
 - xv) Poor quality of existing footpath/cycle links
 - xvi) Concerns relating to overlooking/loss of light/loss of view
 - xvii) Potential for coalescence

Planning Assessment:

Site and Surroundings

32. The site is located outside the Cottenham village framework and in the countryside. It is situated on the south east edge of the village on Oakington Road and located on an area of arable land set between existing residential development located on 'The Rowells' and a residential dwelling (Redlands) with agricultural buildings to the south east. The site measures 1.90 hectares in area and is square shaped in nature. The western boundary is characterised by mature hedgerow with the site frontage to Oakington Road also containing some mature planting. Boundaries to north west and north east are mainly bounded by post and wire fencing. Agricultural land exists to the north of the site and also to the south of Oakington Road. The site is located in Flood zone 1.

Proposed Development

33. The proposed development seeks outline permission for a residential development of up to 50 dwellings along with a new vehicular access direct from Oakington Road. A footpath link into the village is also provided. The layout, design and external appearance of the site, and landscaping are matters reserved for later approval. The scheme provides for a mix of housing types including 6 x 1 bed dwellings, 10 x 2 bed dwellings, 16 x 3 bed dwellings, 12 x 4 bed dwellings and 5 x 5 bed dwellings. The dwellings would be predominantly 2 storey with some at 2.5 storey height. An illustrative masterplan submitted with the scheme identifies that the south west boundary hedging will be retained with a full landscape scheme provided to other site boundary edges. A public open space has been provided within the development. A 'protected corridor' to accommodate badger movement is also shown to the south west boundary of the site. Further detail would be provided under any future Reserved Matters application. Parking spaces would be in accordance with the Council's parking standards. Design and materials would also be considered at Reserved Matters stage but would be expected to reflect and compliment the existing village character.

Principle of Development

Housing Land Supply

34. 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.
35. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
36. Further guidance as to which policies should be considered as 'restricting housing

land supply' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court extended the definition of 'relevant policies for the supply of housing' from, 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what weight should attach to such relevant policies.

37. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/5 of the adopted Core Strategy, adopted policies DP/7 and NE/17 (Development Control Policies) and S/7, S/8, and NH/3 of the draft Local Plan.
38. 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 for instance).
39. The site is located outside the Cottenham 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 be permitted. The proposed residential development would therefore not normally be acceptable. However as noted above under policy contained within the NPPF this policy is considered out of date due to the current lack of a 5 year housing land supply and therefore has limited weight.
40. It falls to the Council as decision maker to assess the weight that should be given to the existing policy. The Council considers this assessment should, in the present application, have regard to whether the policy continues to perform a material planning objective and whether it is consistent with the policies of the NPPF. Cottenham 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 good range of services and facilities and residential developments of up to 30 dwellings are supported in policy terms. The erection of up to 50 dwellings would exceed the amount of residential dwellings normally allowed in such locations. However this must be balanced against the need for housing land and the fact that Cottenham is a sustainable location which is capable of accommodating this level of additional housing. Therefore only limited weight can be applied to policy ST/5. In all other respects the proposed scheme complies with adopted and emerging policy.

Deliverability

41. There are no known technical constraints to the site's delivery. Officers are therefore of the view that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.

Sustainability of development

42. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.

Economic.

43. The provision of up to 50 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social.

44. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 50 residential dwellings. 40% of these units will be affordable (20 units). Officers are of the view the provision of up to 50 houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process.
45. Public open space is shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. It will be mainly utilised by occupiers of the proposed development, and is not likely to become used by the wider population of the village, given its location at the edge of the village.

Environmental:

Trees/Landscaping

46. As noted the site has a mature hedge to the west boundary which should be retained as part of this development. The hedge makes a significant contribution to the visual appearance of the site when viewed from the western approach to the village. There are few trees of any note on the site. A detailed landscape scheme will be required at Reserved Matters stage and will be required to provide further mitigation against the visual impact of the development. The proposed development is not considered to cause wider harm to the surrounding landscape or adjoining urban area.

Biodiversity

47. As previously noted a Badger sett is located some 70 metres to the north of the site. The applicant has acknowledged the need to allow for movement of Badgers across the site and has indicated provision of a 3 metre protected corridor to enable this. Further detailed design of this corridor will be negotiated at Reserved Matters stage but in principle is acceptable. The site generally has low ecological value.

Housing Density

48. The site measures 1.90 in area. The development equates to a density of 26 dwellings per hectare (including the public open space), 28 dwellings to the hectare (excluding the public open space). This would not 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 Cottenham. However only limited weight can be applied to HG/1 in this case and therefore it is considered that this relatively low density development would be appropriate to a site located on the village edge.

Affordable Housing

49. It is proposed that 20 of the 50 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. Affordable housing will be secured by s106 agreement.

Housing Mix

50. As noted above an acceptable mix of dwellings (1 – 5 bed units) is proposed and would assist in addressing local needs and compliant with Policy HG/2 of the LDF or Policy H/9 of the emerging Local Plan.

Developer Contributions

51. A full description of the required Developer Contributions, for this site, are contained in Appendix A. This includes Public Open Space, education provision, healthcare etc.

Design Considerations

52. The application is currently at outline stage only with only 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 for determination at Reserved Matters stage.
53. The Urban Design Officer has recommended that lower density development should be located next to the site boundaries to soften the impact of the development on the edge of the village where it joins with the countryside. Officers will work with the applicant to ensure this guidance is implemented at the detailed design and layout stage. An area of public open space is proposed within the site – additional off site contributions will be required (see Appendix A).
54. The indicative layout demonstrates that the site can accommodate 50 dwellings without significant harm to the landscape, visual amenity or the character of the site. Although encroaching into the countryside this must be balanced against the weight given to the delivery of housing.

Highway Safety

55. The site entrance is located centrally to the site frontage and direct from Oakington Road. The site is within a 60 mph zone which slows to a 30mph limit just before 'The Rowells'. The road is however straight in nature and The Highway Authority have indicated their acceptance of the site entrance and proposed visibility splays subject to necessary planning conditions. Additionally a new footpath will be constructed linking the site entrance to the existing footpath on the north side of Oakington Road to be secured by s106 agreement. Additional footway improvements to create a shared pedestrian and cycle way to the south side of Rampton Road are also proposed. A scheme to move the current 30mph speed limit to the western edge of the new development will also be secured by s106 agreement.

56. The width of the new access road into the site is 5.5 metres with 2.0 metre footpaths on each side. These widths meet the required highway standards for a development of this size. The Highway Authority have not raised objection to the level of traffic generated by the development but have requested a full travel plan to be submitted following first occupation of the dwellings (secured by condition).

Flood Risk

57. The site is located within Flood Zone 1 (low risk). There are no significant watercourses located within close proximity to the site and it is noted that neither the Environment Agency or the County Council Flood and Water team raise objection to the scheme, but require provision and implementation of acceptable surface water schemes to be secured by condition.

Neighbour Amenity

58. Clearly new development creates a certain level of impact on existing residential amenity but the siting and design of the new dwellings in this case can be planned in a manner which will minimise impact on existing residential amenity. At Reserved Matters stage the applicant will be expected to ensure neighbour amenity is protected in terms of mass, light and overlooking. In addition 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.

Services and Facilities

59. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

Cottenham is served by a large range of services and facilities which includes Pre-school, Primary school, Secondary school, Sixth form college, fire station, library, mobile library service, five food shops, a post office, two doctors surgeries and a range of other retail outlets and community facilities. Although there is some local employment generated within the village it is accepted that the majority of residents would seek employment outside the village.

Cottenham is considered as a 'Minor Rural Centre' in the Core Strategy settlement hierarchy. Villages such as Cottenham, which have a good level of services, provide services and facilities for surrounding smaller villages. The village is also well served by regular bus services to Cambridge, Chatteris and Ely. This includes a daily service to Cambridge which runs every 20 minutes.

Although the current scheme is above the guideline of 30 dwellings as the indicative maximum scale of new development this must be balanced against the need for additional housing land and the good provision of local services compared to less sustainable locations.

Other Matters

60. 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 and to ensure that ground gas protection measures are implemented as

part of the development.

61. The proposal would not result in the loss of any important features of archaeological interest and following site evaluation the County Council Historic Environment team conclude that no significant archaeological remains are likely to be present within the development area.
62. 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.

Conclusion

63. 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/2: Housing provision
ST/5: Minor Rural Centres – indicative maximum scheme size of 30 dwellings
DP/1: Sustainable Development
DP/7: Village Frameworks
HG/1: Housing density
HG/2: Housing mix
NE/6: Biodiversity
NE/17: Protecting high quality agricultural land

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.

64. The proposed development raises relatively few technical concerns and accordingly little weight can be given to the above 'out of date' policies, although it is acknowledged that the development does have some visual impact and does encroach into the countryside. The possible cumulative impact of other proposed developments in the locality is also a consideration. However these concerns must be weighed against the following benefits of the development:
 - i) The provision of 50 additional dwellings and their contribution towards the 1400 dwellings required 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 in the recent Waterbeach Appeal decisions.
 - ii) The provision of 20 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) Provision of a new footpath linking the development to the village.
 - vi) Employment during construction to benefit the local economy.
 - vii) Greater use of local services and facilities to contribute to the local economy and improve their sustainability.

65. 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 the conflict with out of date policies of the LDF relating to housing delivery.

Recommendation

66. 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

1. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason - The application is in outline only.)
3. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing Nos 338_366_002; 338_366_003; 1411-55_PLO3_Rev_D.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment

[for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. No development shall take place until a plan showing the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each have been submitted to and approved in writing by the Local Planning Authority.

i) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model(CSM) of the site indicating potential sources, pathways and receptors, including those off site.

ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised CSM.

iii) Based on the risk assessment in ii) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

iv) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in iii). The long term monitoring and maintenance plan in iii) shall be updated and implemented as approved.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with, and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

10. Development shall not begin until a scheme for surface water drainage disposal

has been submitted to, and approved in writing by, the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approved details.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

11. Piling or other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

12. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

13. No development shall be commenced until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 30% allowance for climate change. The submitted details shall be in accordance with Flood Risk Assessment ref. 41323 dated July 2015 and:

i) Provide 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;

ii) Provide a management and maintenance plan for the lifetime of the development.

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

14. Prior to the first occupation of the development, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted drawings Nos. 1411-53_PLO3_Rev_D . The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the

adjacent highway carriageway.
(Reason - In the interests of highway safety.)

15. The proposed accesses shall be constructed so that the falls and levels are such that no private water from the site drains across or onto the public highway, and shall be constructed using a bound material to prevent debris spreading onto the public highway.
(Reason - For the safe and effective operation of the highway, and in the interests of highway safety.)
16. No demolition or construction works shall commence on site until a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The principle areas of concern that should be addressed are:
 - i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street
 - iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv) Control of dust, mud and debris. (Note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.)
(Reason - In the interests of highway safety.)
17. Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.
(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)
18. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
19. The dwellings, hereby permitted, shall not be occupied until parking for cars, and covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
20. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the

Local Planning Authority.

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

21. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless otherwise inspected by a suitably qualified ecologist and found not to be providing for nesting birds, or a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.
(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
22. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
23. No development including demolition or enabling works shall take place until a Site Waste Management Plan for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.
(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007.)
24. During the period of demolition and construction, no power operated machinery shall be operated on the site, and no construction/demolition dispatches from or deliveries to the site shall take place before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
25. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site, during the demolition/construction period, or relevant phase of development, has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details/scheme unless the Local Planning Authority approves the variation of any detail in advance in writing.
(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)
26. No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development, and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in

writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing with the Local Planning Authority.

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)

27. Prior to the occupation of any dwelling, an assessment of the noise impact of plant and/or equipment, including any renewable energy provision sources such as any air source heat pump, on the proposed and existing residential premises, and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant or equipment, shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is occupied, and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

(Reason – To protect the amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

- (a) Affordable housing
- (b) Footpath along northern side of Oakington Road to connect to existing footpath.
- (c) Widening of existing footway between site and Rampton Road junction.
- (d) Widening of existing footway along south side of Rampton Road between its
- (e) junction with Oakington Road and the B1049.
- (f) Bus stop upgrades
- (g) Education contribution
- (h) Open space
- (i) 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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