

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 November 2016

**AUTHOR/S:** Head of Development Management

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**Application Number:** S/1566/16/OL

**Parish(es):** Bassingbourn

**Proposal:** Outline planning permission for development of 26 dwellings, with associated vehicular access, pedestrian links, public open space, parking and landscaping

**Site address:** Land to the west of the Cemetery and North of the Causeway, Bassingbourn

**Applicant(s):** Mr R. Scott, M. Scott Properties Ltd and Parker Farms

**Recommendation:** Delegated approval (to complete section 106)

**Key material considerations:** Five year supply of housing land  
Principle of development  
Sustainability of the location  
Density of development and affordable housing  
Character of the village edge and surrounding landscape  
Ecology  
Highway safety  
Residential amenity of neighbouring properties  
Surface water and foul water drainage  
Provision of formal and informal open space  
Section 106 Contributions

**Committee Site Visit:** 02 November 2016

**Departure Application:** Yes

**Presenting Officer:** David Thompson, Principal Planning Officer

**Application brought to Committee because:** The officer recommendation of approval conflicts with the recommendation of Bassingbourn Parish Council and approval would represent a departure from the Local Plan

**Date by which decision due:** 02 November 2016 (extension of time agreed)

### Executive Summary

1. The application site is located outside of the Bassingbourn village framework, the boundary of which skirts the western boundary of the site. Residential development is

located west of the site, a cemetery to the east. The site is currently accessed from the Causeway on the southern boundary of the site, via a field gate recessed back behind the hedgerow. The land is surrounded by established hedging on all four boundaries. There are no specific designations on the site in terms of flood risk or ecology, the site is east of the Bassingbourn conservation area. There is a tree on the common boundary of the site with 8 Elbourn Way (to the west of the site) but this is located within land owned by that neighbouring property. The linked Chapel buildings within the grounds of the cemetery are Grade II listed building.

The application is outline only and the only matters to be decided at this stage are the means of access and the principle of the erection of 26 dwellings and the other facilities listed in the description of development on the site. It is considered that the illustrative masterplan submitted with the application demonstrates that 26 units could be provided on the site, within adequately sized plots along with the required access routes, level of formal and informal open space and surface water attenuation measures. It is considered that the illustrative layout indicates that this could be achieved without having an adverse impact on the character of the village edge by including a significant landscape 'buffer' on the eastern edge of the development and retention of the hedgerow on the full extent of the eastern boundary following revisions to the scheme.

There are no objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency following the receipt of additional information and none of the Council's internal consultees have recommended refusal. The indicative proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development.

Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the social benefits that would result from the development outweigh any potential disbenefits. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

### **Planning History**

2. S/0727/84/O – full planning permission for the erection of 6 dwellings – refused and appeal dismissed.

SC/0360/72/O - full planning permission for residential development – refused and appeal dismissed.

SC/0040/58 - full planning permission for residential development – refused

### **National Guidance**

3. National Planning Policy Framework 2012 (NPPF)  
Planning Practice Guidance (PPG)

### **Development Plan Policies**

4. The extent to which any of the following policies are out of date and the weight to be attached to them is addressed later in the report.

5. **South Cambridgeshire LDF Core Strategy DPD, 2007**  
 ST/2 Housing Provision  
 ST/6 Group Villages
  
6. **South Cambridgeshire LDF 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/8 Groundwater  
 NE/9 Water and Drainage Infrastructure  
 NE/11 Flood Risk  
 NE/12 Water Conservation  
 NE/14 Lighting Proposals  
 NE/15 Noise Pollution  
 NE/17 Protecting High Quality Agricultural Land  
 CC/7 Water Quality  
 CC/8 Sustainable Drainage Systems  
 CC/9 Managing Flood Risk  
 CH/2 Archaeological Sites  
 SC/9 Protection of existing Recreation Areas, Allotments and Community Orchards  
 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  
 Affordable Housing SPD - Adopted March 2010  
 Trees & Development Sites SPD - Adopted January 2009  
 Landscape in New Developments SPD - Adopted March 2010  
 Biodiversity SPD - Adopted July 2009  
 District Design Guide SPD - Adopted March 2010  
 Health Impact Assessment SPD– Adopted March 2011
  
8. **South Cambridgeshire Local Plan Submission - March 2014**  
 S/1 Vision  
 S/2 Objectives of the Local Plan  
 S//3 Presumption in Favour of Sustainable Development  
 S/5 Provision of New Jobs and Homes  
 S/6 The Development Strategy 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  
NH/14 Heritage Assets  
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/2 Heath Impact Assessment  
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. **Bassingbourn Parish Council** – the Parish Council recommend refusal of the application for the following reasons:

- Significant weight should be given to the emerging Local Plan, which provides evidence of how the District Council will achieve a 5 year supply of housing land and is currently going through examination. This site is not allocated for housing in the emerging Local Plan or the current Local Development Framework (LDF).
- The site currently forms a significant part of the gap between the development frameworks of Bassingbourn and Kneesworth which are two separate settlements. This has been one of the reasons for refusal of planning applications on the site in the past.
- The site is approximately 30 metres from the Grade II listed Chapels in the Basingbourn Cemetery and the development would have an adverse impact on the setting of the listed buildings.
- It was identified in 1984 that the sewage infrastructure was nearing capacity. This has not been addressed and there have been occurrences over the years of raw sewage in the Causeway.
- Insufficient parking on the site would result in additional parking on the Causeway which would have an adverse impact on highway safety. This will be particularly problematic during funeral services at the cemetery.
- The proposal would result in over development of the village. Windmill Close and Butterfield Drive have been added to the village in recent times and an outline planning application has been approved for 20 houses on the old factory site behind 131 The Causeway.

- The design and appearance of the flats at the front of the development does not reflect the design and appearance of the single storey properties on the opposite side of the Causeway and the development would therefore have an adverse impact on the character of the streetscene. The Causeway has been described as having a predominantly linear character.

10. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment (HIA) is acceptable the scale of the scheme and the resulting impacts can be assessed without requiring the revision of the HIA.

Further assessment of the potential noise generated by the noise of traffic on The Causeway and the impact that this may have on the residential amenity of the occupants of the dwellings will be required to ensure that adequate attenuation measures are put in place, if required. Details of any lighting to be installed will also need to be provided.

Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.

The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.

11. **District Council Urban Design Officer** – no objection to the principle of development at the density proposed. Initially had concerns in relation to the provision of parking associated with the potential flatted development at the front of the site as there is a need to avoid large parking courts. An area of formal open space has now been identified in the north western corner of the site to ensure compliance with the Open Space SPD for a development of this scale. The pedestrian link to the equipped play space beyond the north western corner of the site is supported to enhance the social and environmental sustainability of the scheme.

12. **Natural England** - no comments to make on the application.

13. **District Council Landscape Design Officer** – No objection to the proposals. The site is located in the East Anglian Chalk National Character Area and the Lowland Village Farmlands Regional Character Area. Agrees with the visual assessment submitted in support of the application and concludes that, following the revision to retain the hedge on the front boundary of the site, the proposed development would not result in a harmful impact to the character of the landscape from close public views. The existing planting on the northern boundary would be enhanced as part of the scheme and the LDO considers that the building heights have considered the scale of development in the surrounding locality.

14. **Cambridgeshire County Council Local Highway Authority** – no objections to the

proposals following the submission of a revised Transport Statement, subject to conditions relating to the management of traffic and materials during the construction phase of the development and details of the construction of the site access. These details, along with a scheme for the upgrading of pedestrian facilities on the High Street can be secured by condition at this outline stage. A sum of £8,666 is also required to upgrade the pedestrian facilities on High Street. This commuted sum should be included in the Section 106 Agreement.

15. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – No objection to the principle of development. The site is considered to be of potentially high archaeological significance. The site is adjacent to the cemetery which itself is on the Historic Environment Record, as are the two listed cemetery chapels. Archaeological investigations to the south east of the site have revealed evidence of pre-historic and post medieval occupation. There is a medieval moated site 300 metres to the south west and evidence of medieval occupation on a site to the west.

As such, a standard condition requiring a scheme of investigation to be agreed and any necessary measures carried out prior to the commencement of development, to ensure that any risk to archaeology is mitigated is required.

16. **Cambridgeshire County Council Flood & Water Team (LLFRA)** – no objection to the application on the basis that the 3.3 litres per second discharge rate that the applicant has indicated in the Flood Risk Assessment would be achieved being secured by condition. This is considered to be reasonable. In relation to infiltration, the LLFRA have commented that the SUDS planter area detailed in the flood risk assessment should be utilised and this can be secured via condition to secure the details of a flood risk strategy and the fixing of the layout at the reserved matters stage.
17. **Environment Agency** - The site lies in Flood Zone 1. The Environment Agency has no objection to the scheme, highlighting the need for the LLFRA to be consulted on the contents of the drainage strategy submitted with the application.
18. **Anglian Water** - Anglian Water (AW) has commented that in relation to foul drainage, waste water from the development would be treated at Bassingbourn Water Recycling Centre and that the facility currently has capacity to deal with flows from the development. The sewerage system is also considered to have available capacity to accommodate the additional demands placed on the infrastructure by the proposed development. Advise that the Environment Agency and the LLFRA should be consulted with regard to surface water drainage.
19. **Contaminated Land Officer** - low risk in relation to land contamination and as such it is considered that a phase I contaminated land assessment can be required by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
20. **Air Quality Officer** – No objection and no further assessment of air quality is considered to be necessary. To ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy

21. **Affordable Housing Officer** - The proposed site is located outside the development framework and should therefore be considered on the basis of an exception site for the provision of 100% affordable housing only to meet the local housing need. This would be in accordance with Policy H/10 of the emerging Local Plan.

However, should this application not be determined as an exception site, then the council will seek to secure at least 40% affordable housing, which is in line with policy H/9 of the emerging Local Plan.

The developer is proposing 26 dwellings, which consists of 16 market dwellings and 10 affordable dwellings which meets the 40% requirement.

There are approximately 1,700 applicants on the housing register and our greatest demand is for 1 and 2 bedroom dwellings. There are currently 75 people on the Housing Register within the parish of Bassingbourn.

The district wide tenure split is 70% rented and 30% shared ownership – equating to 7 for affordable rent and 3 for shared ownership. The mix across the 10 affordable units would be:

***Affordable Rented:***

2 x 1 beds  
4 x 2 beds  
1 x 3 beds

***Intermediate/Shared Ownership:***

2 x 2 beds  
1 x 3 beds

8 properties should be allocated to those with a local connection to Bassingbourn and the remaining 2 should be allocated on a 50/50 split basis between applicants with a local connection to Bassingbourn and those with a District wide connection.

A registered provider should be appointed to manage the affordable housing; we would like to be informed when a Registered Provider has been appointed so that we can discuss the delivery of the affordable housing with them.

The rented properties should be advertised through homelink and be open to all applicants registered in South Cambs. The shared ownership properties should be advertised through BPHA (Bedfordshire Pilgrims Housing Association) who are currently the governments appointed home buy agent in this region.

22. **Section 106 Officer** – details of the summary of section 106 requirements are appended to this report (Appendix 1) and discussed in detail in paragraphs 99-101 of this report and under the consideration of highway safety. Specific policy compliant contributions (final figure dependent on housing mix to be determined at the reserved matters stage under scale of development) are requested towards the extension and improvement of the pavilion at the recreation ground and the upgrading of that building which is also used as an indoor community facility.
23. **Cambridgeshire County Council Growth Team** – This scheme has been considered alongside the planning application on land to the east of Spring Lane for residential development of up to 30 dwellings (Ref. S/1745/16/OL also on this

committee agenda). The County Council indicate that there is capacity in the early years provision and that the 3 child spaces in that age bracket (the number calculated for s.106 purposes) could be accommodated as there is sufficient capacity in the next 3 years to mitigate the impact of the development.

The proposed development would result in a projected increase of 5 primary school aged children. There is considered to be sufficient capacity at Bassingbourn primary school, to accommodate this demand.

No contribution is sought in relation to secondary school provision as Bassingbourn Village College, the catchment area for which the site is within, has capacity to accommodate the additional 3 pupils within this age group projected to result from the proposed development.

The proposed increase in population from the development will be approximately 59 new residents (30 dwellings x 2.24 average households). Bassingbourn is served by a weekly mobile stop and a volunteer library service (independent from the County Council provision) for 8.5 hours a week. The County Council confirm that there is sufficient capacity to accommodate the demand arising from the development for these services.

No pooled strategic waste contribution can be sought despite there being insufficient capacity in the Cambridge and Thriplow Household Recycling Centre catchment area as five such contributions have already been agreed.

In light of the above, no monitoring fee is requested.

24. **Historic Buildings Officer** – no objection.
25. **District Council Conservation Officer** – no objections raised
26. **NHS England** – no comment to make on the application due to the size of the scheme (below 50 dwellings). However, officers have contacted Ashwell and Bassingbourn surgery and the Practice Manager has confirmed that there are currently 8000 patients enrolled across the two surgeries (all enrolled residents have access to both sites) and 4 Partner GP's with at least one Registrar GP at any one time. The Royal College of GP standard guidance of 1,800 enrolled patients per GP would therefore not be breached by the anticipated population of this development (approximately 73) or that of the land north of the Causeway scheme (approximately 63).
27. **District Council Ecology Officer** – no objection, subject to the attachment of conditions to the outline planning permission.

No objection to the proposals following the completion of a reptile survey which confirms no evidence of these protected species being evident on the site. There is a need to retain and protect the hedgerows on the boundaries of the site within the detailed design should outline permission be granted. Biodiversity enhancements should be secured by condition and reflected in the scheme at the reserved matters stage. All works must proceed in strict accordance with the recommendations detailed in Section 6.2 of the *Preliminary Ecological Appraisal* report (Geosphere Environmental Ltd., June 2016). This shall include avoidance and mitigation measures for hedgerows, nesting birds, badgers and bats.

28. **Sustainability Officer** – No objection to the proposals although there is a need for



more detail on the type of renewable energy technologies to be used to reach the policy compliant level of 10% of energy needs of the development to be achieved through renewable sources. No reference is made to water conservation and efficiency measures in the application. Details of these measures can be secured by condition at the outline stage.

29. **District Council Tree Officer** – Trees and hedgerows are confined to the boundaries of the site. The presence of a TPO protected tree in the garden of no. 8 Elbourn Way to the west is acknowledged in the tree constraints and protection plan. No objections to the proposed development and the low density of the scheme would allow sufficient space to be retained to the rear of the buildings to allow protection of the landscaping on the site boundaries. A detailed protection scheme will be required at the reserved matters stage when the location of the buildings, internal roads and boundary treatments will be fixed.
30. **South Cambridgeshire Design Enabling Panel** – consider that the site could accommodate 26 units. There is a need for refinement of the layout at the more detailed stage but the density of development is considered to be acceptable.
31. **Cambridgeshire Fire and Rescue** – No objection to the proposals subject to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.
32. **Cambridgeshire Constabulary** – no comments to make in relation to ‘Secured by Design’ standards at this outline stage.

### **Representations**

33. Two petitions of 187 names (combined) objecting to the application and 66 letters of objection (including representations made via the Council’s website) have been received which raise the following concerns (summarised):
  - Bassingbourn is facing a potential additional 200 houses being built as a result of planning applications that have either been approved or are awaiting a decision. This cumulatively represents unsustainable development.
  - The site is outside of the village framework and has not been included in the emerging Local Plan and is not allocated in the current LDF and therefore should not be considered appropriate for development.
  - This proposal must be considered alongside the approved applications at South End for 10 dwellings and the 20 houses to the rear of 131 The Causeway as well as the proposal at Spring Lane.
  - There are insufficient employment opportunities within walking or cycling distance of the site for future residents of the development.
  - Public transport services are limited and so there would be a reliance on the use of the car for residents to access services. The bus from Bassingbourn to Royston arrives in Royston at 08.40 and there is only one service back at commuting time.
  - Traffic congestion on High Street and the Causeway is already severe at rush hour, causing air pollution. The proposed development will result in significant increase in traffic volumes and will make this situation even worse.
  - The development is premature as there is no planned allocation of the site and the Local Plan is not yet adopted.
  - The doctors and dentist are at capacity and the additional numbers in the schools would strain the ability of these services to provide a good standard of education.

- The retail offer in the village is insufficient to meet more than basic needs.
- There are flood risk issues in the surrounding area and a history of flooding in Basingbourn. Approval of this application would increase this risk.
- Electricity and sewage supplies may have to be re-directed through neighbouring properties.
- The proposals would result in an adverse impact on the residential amenity of the properties to the west of the site.
- The proposed housing development would put significant pressure on the capacity of the dentist in the village, the pharmacy and the shop.
- A plan for 12 traveller pitches was refused due to the impact on highway safety – this planning application should be refused on the same grounds.
- Development should be concentrated in the larger settlements and new towns in the Districts such as Northstowe, Cambourne and Trumpington Meadows.
- The housing mix should be altered to increase the number of smaller houses and therefore negating the need for the flats.
- The potential re-occupation/development of the Barracks would have an adverse impact on the capacity of services. The schools are already full to capacity.
- Flatted development would be detrimental to the character of the surrounding area, as would be the provision of large areas of parking associated with these units at the front of the site.
- It is not possible to commute directly to Cambridge or London from Basingbourn and the limited employment opportunities within easy commute reduces the sustainability of the scheme.
- Brownfield sites should be developed before greenfield development is approved.
- The cemetery will soon be at capacity and this proposal would develop land into which it could logically extend.
- The congestion on High Street is already causing a highway safety hazard, this would be made worse by the traffic generated by the proposed scheme.
- The land is prime agricultural land and should remain undeveloped and used for that purpose.
- The foul water sewage infrastructure does not have capacity to deal with the additional demands that will be placed on the network as a result of the proposed development. Regular blockages of the system have been reported to Anglian Water.
- The development is of poor design and does not reflect the character of the village.
- There will be an increase in noise, disturbance and pollution that will have an adverse impact on the amenity of neighbouring residents during the construction phase and once the properties are occupied.
- The loss of open space would have an adverse impact on the enjoyment of the users of the Public Right of Way which runs through part of and parallel with the southern boundary of the site.
- The landscaping on the open site is of biodiversity value.
- The Transport Statement is unrealistic in considering cycling to Melbourn and Royston from the site a viable proposition.
- Infill plots within the framework should be developed before this site to prevent the urbanisation and sprawl of the village.
- Concerns regarding the level of community involvement in the application.
- The creation of public open space within the site is a poor substitute for the loss of space adjacent to the public footpath.
- The fact that the site is not allocated in the emerging Local Plan should be given significant weight in the determination of the application due to the advanced stage of the Local Plan examination.

- Noise generated by the construction phase and then on occupation of the development would have an adverse impact on the residential amenity of neighbouring properties.
- The Transport Statement submitted with the application is considered to underestimate the level of trip generation associated with the proposed development and cumulative impact of this scheme with other developments (including the application for 30 dwellings on land east of Spring Lane). Consequently the Transport Statement underestimates the impact of the proposals on the capacity of the highway network. In addition, no mention is made of the volumes of traffic travelling to Kneesworth via Metal Hill or down the A1198 from Whaddon.
- Insufficient parking provision within the development will lead to additional parking on Elbourn Way and other neighbouring streets, which will result in harm to residential amenity and highway safety.
- The proposals would have an adverse impact on the wider setting of the listed chapels within the cemetery to the east of the site.
- The South Cambs SHLAA assessment in 2012 considered this site (no. 066) and stated at that time that the sewerage system was approaching capacity. Since that time, 2 further developments have been completed and another is under construction. This has resulted in overflows of sewage into the front gardens of properties along The Causeway.
- In assessing the 2004 Local Plan, the Inspector considered this site for allocation and considered that the site form part of a significant open gap between this site and the edge of Kneesworth. In 1973 and 1985 appeals for development on the site were dismissed on landscape grounds for the same reason.
- The development of an agricultural field would have an adverse impact on biodiversity.

### **Site and Surroundings**

34. The application site is located outside of the Bassingbourn village framework, the boundary of which skirts the western boundary of the site. Residential development is located west of the site, a cemetery to the east. The site is currently accessed from the Causeway on the southern boundary of the site, via a field gate recessed back behind the hedgerow. The land is surrounded by established hedging on all four boundaries. There are no specific designations on the site in terms of flood risk or ecology; the site is east of the Bassingbourn conservation area. There is a tree on the common boundary of the site with 8 Elbourn Way (to the west of the site) but this is located within land owned by that neighbouring property. The linked Chapels buildings within the grounds of the cemetery are Grade II listed buildings.

### **Proposal**

35. The applicant seeks outline planning permission with full details of access only (matters of landscaping, scale, appearance and layout are reserved) for the erection of 26 residential units with associated access, parking and landscaping.

### **Planning Assessment**

36. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals. An assessment is required in relation to the impact of the proposals on the character of the village edge and surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health,

surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

### **Principle of Development**

Five year housing land supply:

37. 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.
38. 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.
39. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "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".
40. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted '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,' but also 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 (if any) weight should attach to such relevant policies, having regard to, amongst other matters, the purpose of the particular policy.
41. Where a Council cannot demonstrate a five year supply of housing land, 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.

42. 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, unless other national policies indicate an exception to this, Green Belt land is one such exception. Sustainable development is defined in paragraph 7 of the NPPF as having environmental, economic and social strands. When assessed these objectives, unless the harm arising from the proposal 'significantly and demonstrably' outweighs the benefits of the proposals, planning permission should be granted (in accordance with paragraph 14).
43. The site is located outside the Bassingbourn village framework, although adjacent to the north eastern boundary of the village, and in the countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of 26 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply as set out above.
44. It falls to the Council as decision maker to assess the weight that should be given to the existing policy. Officers consider 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.
45. Development in Group Villages (the current status of Bassingbourn) is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.
46. It is proposed to elevate Bassingbourn from a Group Village to a Minor Rural Centre in the emerging Local Plan. Existing Core Strategy policy ST/5 normally limits development in Minor Rural Centres is normally limited to schemes of up to 30 dwellings and this threshold would be retained in the emerging Local Plan Policy S/9. This limit is considered to be a significant consideration as it emphasises that such villages are less sustainable rural settlements with a more limited range of services to meet the needs of new residents in a sustainable manner than in Rural Centres. Such villages are, however, amongst the larger settlements within the District.
47. Within the context of the lack of a five year housing land supply, Officers are of the view that sites on the edges of these locations generally and Bassingbourn specifically, can, in principle, accommodate at least the indicative maximum of 30 units and still achieve the definition of sustainable development due to the level of services and facilities provided in these villages. Due to the extent of the evidence base behind the proposed elevation of the status of the village to a Minor Rural Centre in the emerging Local Plan and the maximum size of the scheme, it is considered that emerging policy S/9 should be afforded significant weight in the determination of this application.
48. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.

49. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.
50. The environmental issues are assessed in the following sections of the report. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grade 2 (in this case) agricultural land unless :
  - a. Land is allocated for development in the Local Development Framework
  - b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
51. The site is not allocated for development in the existing or the emerging Local Plan. However, given the sustainable location of the site for residential development and the fact that the Council cannot demonstrate a five year supply of housing land, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with criteria b of NE/17 should be afforded more weight than the conflict with criteria a.

Social sustainability:

52. 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.
53. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 26 residential dwellings. 40% of these units will be affordable (10 units).
54. Ensuring that the housing mix of the market dwellings complies with emerging policy H/8 (being afforded more weight than the existing policy due to compliance with the NPPF and the nature of the unresolved objections to the policy) can be secured by condition at this outline stage. The affordable housing can be secured through a Section 106 Agreement.
55. The indicative mix given in the application form is 4 x 2 bed, 5 x 3 bed and 7 x 4 or more bed units. This mix has been revised to increase the number of 2 bed units to 5 and the number of 3 bed units to 6. This would meet the requirements of emerging policy H/8, which requires a mix of at least 30% of each category with 10% to be distributed across the development.
56. Officers are of the view the provision of 26 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a significant need for affordable housing in Bassingbourn (75 people with a local connection on the Register).
57. The adopted Open Space SPD requires the provision of approximately 750 square metres of open space on site for a development on the scale proposed, based on a compliant housing mix. At the density proposed, this scheme could deliver a minimum of 750 square metres of open space, with garden sizes on the western edge exceeding the required standard substantially in a number of cases (those on the

eastern edge would also be larger than required although this provides a 'buffer' to the cemetery and open fields to the east and so would be a design requirement). When combined with the size of private garden space, the amount of open space to be provided is considered to represent a significant social benefit of the scheme. The 750 square metres measurement is a conservative estimate based on open space in the north western corner of the site in the indicative layout in addition to the areas indicated in the centre of the development and adjacent to the entrance to the site. Another social and environmental benefit of the scheme would be the provision of a pedestrian link through to the footpath beyond the north eastern corner of the site, linking through to the recreation ground.

58. Given that Bassingbourn has an identified short fall in play space and informal open space (particularly in relation to play space), this level of provision is considered to be a significant social benefit of the proposals.
59. This level of open space is considered to be achievable in the detailed layout stage which would follow should this outline application be approved. In the majority of cases, the dwellings could achieve a minimum of 15 metre long gardens (as required by the Design Guide) and would achieve the garden space standards of 50 metres squared for properties below 3 bedrooms in size and 80 square metres for larger dwellings (the 'rural' guideline has been applied in this case due to the sensitivity of the village edge location.)
60. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The indicative layout plan demonstrates that the site can be developed for the number of dwellings proposed, although there are aspects which require further consideration at the reserved matters stage.
61. This scale of development must be considered in light of the facilities in Bassingbourn and the impact of the scheme on the capacity of public services.
62. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
  - necessary to make the scheme acceptable in planning terms
  - directly related to the development
  - fairly and reasonably related in scale and kind to the development proposed.
63. There are bus stops within 140 metres to the west of the site on High Street. These bus stops are accessible from the site via public footpaths. There is 1 morning bus to Royston and 2 back (17:10 and 18:25) at commuting times on weekdays with a bus going to Royston every 2 hours and 3 scheduled journeys back throughout the day on those days. A similar level of service operates on a Saturday, no services are available on Sundays. Given the close proximity of the site to the bus service and the frequency of the service at commuting times as well as during the day, it is considered that the site is well served by public transport to Royston, a two a range of facilities and employment to meet more than day to day needs. This enhances the environmental sustainability of the scheme by reducing reliance on car travel.
64. The County Council as the relevant Authority has identified that the number of children estimated within the population increase that would result from the development would not require an increase in the capacity of provision of any of the three tiers of education (early years, primary and secondary). The comments confirm

that Bassingbourn Community pre-school, Bassingbourn Community Primary School and Bassingbourn Village College would not require extension to meet the demands of this proposal and have made the same assessment in relation to the application for up to 30 units at land east of Spring Lane.

65. This information is considered to enhance the social sustainability of this scheme and the cumulative impact of the larger scale proposals currently being considered as live applications in Bassingbourn. Whilst it is acknowledged that smaller schemes also contribute to the cumulative impact, the fact that no contributions at all are being sought indicates that existing infrastructure would not be adversely affected by the proposed scheme.
66. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment concludes that the number of GP's and the resulting amount of patients that can be accommodated by Bassingbourn surgery indicate that the existing infrastructure could cope with the increased demand. NHS England has not provided a response on the application as it is below their threshold of 50 dwellings for providing comments.
67. However, officers have contacted the Bassingbourn surgery direct and they have confirmed that the surgery employs 5 doctors (up to 6 depending on whether there are 1 or 2 Registrar GP's which fluctuates over time) and has 8000 enrolled patients. On that basis, the anticipated population increase of approximately 65 (dependent on final mix) would not increase demand beyond the Royal College of General Practitioners guideline of 1 doctor per 1,800 enrolled patients. In terms of social sustainability therefore, it is considered that the scheme would not have an adverse impact on healthcare provision in Bassingbourn and the increase in car parking provision could be considered a benefit of the proposals
68. In addition to the GP surgery (which opens the majority of the daytime Monday, Thursday and Friday, half day hours on Tuesdays and Wednesdays), Bassingbourn has a library (not funded by the County Council and limited opening on Thursdays and Saturdays), a dentist (the Practice Manager of which has confirmed that there is currently capacity to take on NHS patients, with a 2 week waiting time for appointments, a pharmacy, a village store and a bakery. There is a childcare facility and a public house. Cumulatively, give the close proximity of the site to public transport links to Royston, it is considered that Bassingbourn offers a range of services to meet day to day needs for occupants of the proposed development. This level of provision, including the GP surgery and Village College is reflected in the proposal to elevate the status of the village as a Minor Rural Centre i.e. second in the list of sustainable groups of villages in the district in the emerging Local Plan.
69. The village also has 3 community halls: the United Reform Church Hall, Knutsford Road Community facility and The Limes community facility on the High Street. The Village College also provides a variety of indoor and outdoor community facilities.
70. Given the above assessment and the supporting evidence, it is considered that the adverse impacts of the development in terms of social sustainability would not represent a demonstrable level of harm that would outweigh the benefits of the provision of additional housing within the context of the Council's lack of a 5 year housing land supply.

Economic sustainability:

71. The provision of 26 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.

72. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

### **Density of development and housing mix**

73. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (30 dwellings per hectare) at approximately 26 dwellings per hectare. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and that development within the framework to the west is of low density (heading eastwards from the centre of the village), it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
74. Under the provisions of policy HG/2, the market housing provision of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories, with the 10% margin to be applied flexibly across the scheme.
75. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF quoted above. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme policy compliant.

### **Character of the village edge and surrounding landscape**

#### **Landscape Impact**

76. The Strategic Housing Land Availability Assessment (SHLAA) refers to the South Cambridgeshire Village Capacity Study (1998) which identified this part of Basingbourn of having a linear character, with the majority of housing set back from the road, creating a 'bleak open character.' The gardens of the residential development on Elbourn Way were considered to 'form a distinct edge to the village of Basingbourn.' The report also refers to the exposed southern boundary of the site which affords long views over arable fields.
77. The assessment states that 'the site is located in an areas of enclosed fields that create a separation between the villages of Basingbourn and Kneesworth' and from this draws the conclusion that 'development of this site has a significant adverse impact on the landscape and townscape of this area as it would result in a reduction of the green separation between the villages if Basingbourn and Kneedsworth.'
78. In relation to the separation between Basingbourn and Kneesworth, it is acknowledged that development of the site would have an adverse landscape impact through reducing that gap. However, the proposal would not completely close this gap, the cemetery site would remain within this gap. Due to the constraints provided by the listed status of the chapels and the sensitivity of the cemetery site as the

setting of these buildings, it is considered that approval of this planning application would not lead to a precedent for developing that site. As such, whilst there would be landscape harm from reducing the gap between Bassingbourn and Kneesworth, the fact that this separation would not be physically or visually lost is considered to be the critical factor in determining that the landscape harm would not outweigh the benefits of the scheme including reducing the housing supply shortfall (assessed as 'chronic' by the Inspector when determining the Melbourn appeal).

79. In relation to the specific proposals, the Landscape Design Officer (LDO) agrees with the visual assessment submitted in support of the application and concludes that, following the revision to retain the hedge on the front boundary of the site, the proposed development would not result in a harmful impact to the character of the landscape from close public views. The existing planting on the northern boundary would be enhanced as part of the scheme and the LDO considers that the building heights have considered the scale of development in the surrounding locality. The scheme has also been amended to include retention of the hedgerow in the south eastern corner, made possible following the revision to the housing mix, which will retain the sense of containment of the site within the wider landscape.
80. In addition to this, the indicative layout plan is considered to demonstrate that the proposed density of development would allow the retention of a landscape 'buffer' through the provision of long gardens on the eastern edge of the development, providing a transition to the more open sites to the east. The two refused applications on the site preceded the development of 20 affordable dwellings on the opposite side of the road which provides a frontage directly opposite two thirds of the frontage of the application site.
81. This site had been approved and build out had started when the SHLAA assessment was being undertaken. However, there has been a change in the planning policy context relating to the lack of five year housing land supply since that assessment, which requires that the harm identified must be significant enough and demonstrable to the extent that it outweighs the benefits of the proposals.
82. The Landscape Officer has not objected to this proposal and this scheme is of lower density than the proposal put forward in the SHLAA (30 units suggested), allowing for a landscape 'buffer' on the eastern edge of the development. These factors alongside the benefits of the scheme lead officers to conclude that, on balance, the landscape harm through the reduction of the landscape 'gap between Bassingbourn and Kneesworth is not to an extent that outweighs the benefits of the proposals.
83. Details of landscaping can be provided at the reserved matters stage to ensure that the development would assimilate into the character of the surrounding landscape.
84. In relation to the height of development, a number of the consultation responses have referred to two storey development being out of character with the surrounding area. Whilst it is acknowledged that the properties on the opposite side of the road are predominantly single storey, the majority of the properties in Elbourn Way and the adjoining streets to the west of the site are two storey. Within that context and given the low density of the scheme, the development of the site with two storey units would not be incongruous with the character of the surroundings. In relation to flatted development at the front of the site, the detail of the mix and number would be secured at the reserved matters stage, including whether flats or two storey dwellings are proposed. A condition limiting the height of all buildings to two storey would avoid any adverse impact on the character of the village edge when the detailed scheme is being considered.

85. In relation to the indicative layout, the Design Officer initially had concerns in relation to the provision of parking associated with the potential flattened development at the front of the site as there is a need to avoid large parking courts. An area of formal open space has now been identified in the north western corner of the site to ensure compliance with the Open Space SPD for a development of this scale. The pedestrian link to the equipped play space beyond the north western corner of the site is supported to enhance the social and environmental sustainability of the scheme.
86. The Design Enabling Panel has also considered the proposal. It concluded that the proposed number of units could be accommodated on the site in a manner that would reflect the grain of development on the edge of the village and would allow a scheme to respect the open character of the land to the north and east, including the sensitive cemetery site and listed chapel buildings.

#### Trees

87. Trees and hedgerows are confined on the boundaries of the site. The presence of a TPO protected tree in the garden of no. 8 Elbourn Way to the west is acknowledged in the tree constraints and protection plan. The Tree Officer has no objections to the proposed development and the low density of the scheme would allow sufficient space to be retained to the rear of the buildings to allow protection of the landscaping on the site boundaries. A detailed protection scheme will be required at the reserved matters stage when the location of the buildings, internal roads and boundary treatments will be fixed.

#### Ecology

88. The application has been supported by an Ecological Appraisal. The Ecology Officer originally raised a holding objection until a reptile survey on the site was completed, as information contained within the initial survey was inconclusive.
89. The Ecology officer has no objection to the proposals following the completion of a reptile survey which confirms no evidence of these protected species. There is a need to retain and protect the hedgerows on the boundaries of the site within the detailed design should outline permission be granted. Biodiversity enhancements should be secured by condition and reflected in the scheme at the reserved matters stage. All works will need to proceed in strict accordance with the recommendations detailed in Section 6.2 of the *Preliminary Ecological Appraisal* report (Geosphere Environmental Ltd., June 2016). This shall include avoidance and mitigation measures for hedgerows, nesting birds, badgers and bats. Compliance with these measures can be secured by condition at this outline stage.

#### Highway safety and parking

90. The Highway Authority has raised no objections to the scheme. Standard conditions in relation to the management of traffic and materials during the construction phase of the development, the level of the access being constructed to prevent displacement of surface water onto the highway can be added at this outline stage. The Highway Authority has also requested a condition that the proposed footpath widening works to the front of the site are completed before the occupation of the 10<sup>th</sup> dwelling. A scheme for this work, including a completion trigger can be secured by condition.
91. The scheme is considered to be sustainable from an access point of view as the proposal includes a footpath link from the entrance of the site, connecting to The

Causeway where the existing footpath provides a connection to the public transport links and other services on the High Street and a link to the existing recreation ground beyond the north western corner of the site. A planning condition requiring this obligation to be secured can be added at the outline stage. A sum of £8,666 is also required to upgrade the pedestrian facilities on High Street. This commuted sum should be included in the Section 106 Agreement.

92. Given the low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.

### **Residential amenity**

93. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties. The indicative layout plan is considered to indicate that the separation distances as prescribed in the adopted design guide (25 metres between elevations with habitable windows, 12 metres from elevations with windows facing blank elevations) can be achieved in terms of loss of light, overbearing and overlooking issues. It is considered that sufficient separation could be retained to the rear elevations of the plots on Elbourn Way could be adequately preserved at the detailed stage.
94. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of neighbouring properties or the occupants of the proposed development.

### **Surface water and foul water drainage**

#### Surface water drainage

95. Cambridgeshire County Council as LLFRA have raised no objection to the application on the basis that the 3.3 litres per second discharge rate that the applicant has indicated in the Flood Risk Assessment would be achieved being secured by condition. This is considered to be reasonable. In relation to infiltration, the LLFRA have commented that the SUDS planter area detailed in the flood risk assessment should be utilised and this can be secured via condition to secure the details of a flood risk strategy and the fixing of the layout at the reserved matters stage.
96. The Environment Agency has raised no objection to the application. The site is located within flood zone 1 and is therefore considered at a low risk of flooding. As Anglian Water and the LLFRA have not objected to the proposals in relation to the surface water run off rates if the development was permitted, it is considered that the applicant has demonstrated that flood risk would not increase (on or off site) beyond the existing situation, which is the requirement set out in national policy.

#### Foul water drainage

97. Anglian Water has commented that the existing Bassingbourn Water Recycling Centre, which would treat wastewater from the proposed development, does currently

have capacity to treat the flows from the development. They have no objection to the application in this regard therefore. It should be noted that issues of blockages within the system causing overflow/flooding are issues of maintenance as opposed to capacity and it is the latter that is material in assessing the impact of this, or any other, proposed development.

98. In terms of foul water. Anglian Water has confirmed that there is capacity within the sewage network to cope with the additional demands placed on the existing infrastructure.

### **Section 106 contributions**

99. The Section 106 Officer has confirmed that the level of open space to be provided is compliant with the Open Space SPD for developments of this size. A contribution of approximately £26,000 (made up of a tariff based contribution based on housing mix) is considered necessary to provide a contribution to the upgrading and extending of the sports pavilion at the recreation ground. As there have not been 5 pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations. The on site informal public open space provision is considered to be sufficient to ensure that no offsite requirement should be sought.
100. It is considered that a contribution of £13,000 towards the upgrading and extension of the pavilion as a community facility would allow the scheme to comply with current and emerging local policies which require the impact of development on the capacity of community indoor facilities to be mitigated. As there have been no other pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations.
101. Household Waste Receptacles charged at £72.50 per house, £150 per flat and a monitoring fee of £1,000 (flat fee) are also required by the District Council. The County Council's requirements as Highway Authority in terms of the upgrading works to pedestrian facilities along High Street (a commuted sum of £8,666) is in addition to this.

### **Other matters**

#### Archaeology and Heritage

102. The site is considered to be of potentially high archaeological significance. The site is adjacent to the cemetery which itself is on the Historic Environment Record, as are the two listed cemetery chapels. Archaeological investigations to the south east of the site have revealed evidence of pre-historic and post medieval occupation. There is a medieval moated site 300 metres to the south west and evidence of medieval occupation on a site to the west.
103. As such, a standard condition requiring a scheme of investigation to be agreed and any necessary measures carried out prior to the commencement of development, to ensure that any risk to archaeology is mitigated.
104. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay "special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses."

105. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
106. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
107. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
108. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
109. It is considered that the indicative layout would preserve the setting of the setting of the grade II listed chapels to the east of the application site. These buildings are set within the substantial grounds of the cemetery which place the buildings in context as a religious site. The cemetery is well contained within existing mature hedgerows and the properties within the development could be set a substantial distance from the eastern boundary |(as indicated on the indicative plan) at the density proposed. Views of the buildings from the Causeway would not be obscured except when directly in front of the new development. On the approach to this point it would be appreciated that this would be a separate development as the indicative layout shows that, at the density proposed, space could be retained in the southern portion of the site to allow visibility through to the cemetery from the west.
110. From within the application site and from views to the east, the low density of the scheme would allow sufficient separation to be retained between the rear building lines of the plots in the eastern portion of the site and the common boundary with the heritage asset to ensure that the setting of the chapel and the significance of the heritage asset would be preserved.
111. The District Council Historic Buildings Officer has raised no objections to the outline proposals.

#### Environmental Health

112. The Public Health Specialist has commented that the Health Impact Assessment (HIA) submitted with the application is considered acceptable given the scale of the proposed development.
113. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the

applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.

114. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on The Causeway is required and the implications in terms of sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition at the outline stage. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.
115. The site is considered to be a low risk in relation to land contamination and as such it is considered that a scheme of investigation into any potential harm and suitable remediation can be secured by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
116. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
117. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
118. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on the B1050 and adjacent primary routes is required and the implications of this in terms of sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition at the outline stage. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.
119. The site is considered to be a low risk in relation to land contamination and as such it is considered that a scheme of investigation into any potential harm and suitable remediation can be secured by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
120. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the

development.

121. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement. The developer should ensure that the highway design allows for the use of waste collection vehicles and this is a detailed matter relating to the layout of the scheme at the reserved matters stage.
122. The applicant has indicated that a minimum of 10% of the energy needs generated by the development can be secured through renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated.

#### Prematurity

123. As outlined above in light of the appeal decisions at Waterbeach regarding the 5 year land supply this application needs to be considered against policies in the NPPF. However Members also need to address the issue of whether the approval of development on this site would be premature in respect of the consideration of the Submission Local Plan.
124. The Planning Practice Guidance states that the NPPF explains how weight may be given to policies in emerging plans. It states that in the context of the NPPF and the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify refusal of planning permission, other than where it is clear that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, taking the NPPF policies and any other material considerations into account.
125. The PPG indicates that such circumstances are likely to be limited to situations where both the development proposed is so substantial, or its cumulative effect would be so significant, that to grant planning permission would undermine the plan-making process by predetermining decisions about the scale, location of phasing of new development that are central to an emerging local plan; and the emerging plan is at an advance stage but is not yet formally part of the development plan for the area.
126. Where permission is refused on grounds of prematurity, the PPG states that a Local Planning Authority will need to clearly indicate how the grant of permission would prejudice the outcome of the plan-making process.
127. Following the assessment in throughout this report, it is considered that the harm arising from the proposal would be less than substantial when conducting the balancing act of weighing the benefits against the harm caused by the scheme.

#### Cumulative Impact

128. Officers are aware that there is another large scale application for residential development in Bassingbourn where the principle of development relies on the District Council's deficit in five year housing land supply, land east of Spring Lane (ref. S/1745/16/OL). This application is also on the agenda for this committee and officers have considered the cumulative impact of both schemes on the capacity of services



and facilities in Bassingbourn.

129. The County Council as Education Authority have considered the anticipated population increase if both schemes came forward and have come to the conclusion that no mitigation is required at all in terms of the capacity of education provision at any of the pre-school, primary or secondary tiers. The GP surgery has also confirmed that there is sufficient capacity to accommodate the cumulative population increase within the limits of the existing provision.
130. Given this information, it is considered that there is insufficient evidence to substantiate a refusal of this application as part of a cumulative effect on the capacity of social infrastructure within Bassingbourn.
131. In relation to drainage, it is considered that the revised information submitted with this application would achieve the requirement not to result in additional surface water on the site once the development has been constructed. This is evidenced by the removal of the LLFRA's initial objection and the lack of objection from Anglian Water to the proposed scheme. In relation to landscape impact, it is considered that the two schemes would be sufficiently separated to avoid cumulative impact in this regard.
132. Following this assessment, officers are content that the sustainability credentials of this proposal have been demonstrated satisfactorily when assessed alongside the proposal at land north of the Causeway and that approval of this application would not prejudice the outcome of the other application.

### **Conclusion**

133. In considering this application, the following relevant (to varying degrees, as assessed in the report) adopted Core Strategy and Development Plan policies are to be regarded as out of date while there is no five year housing land supply:
134. Core Strategy  
ST/2: Housing Provision  
ST/6: Group Villages
135. **Development Plan**  
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  
CH/2: Archaeological Sites  
CH/4: Development Within the Setting of a Listed Building  
CH/5: Conservation Areas
136. 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.
137. Policies ST/6 and DP/7 of the LDF are considered to carry some weight in the determination of this application. Despite being considered out of date, the purpose of these policies is to restrict the number of residential units permitted in Group Villages as third behind Rural Centres and Minor Rural Centres in the hierarchy of settlements. This remains a valid purpose in assessing the overall impact of the proposal.

138. Emerging policy S/9 is considered to carry some weight in the determination of this application. This assessment is made on the basis that the two objections received to the emerging policy suggest that no evidence has been presented to demonstrate that there are sites within the village that could accommodate 30 units and that the basis of upgrading the village primarily due to the presence of a village college is flawed.
139. In terms of those objections, the 2012 Village Classification Report contains an assessment of the services and facilities of the villages in the District and is part of the evidence base behind the emerging Local Plan. This document acknowledges that Bassingbourn does not perform the same function as some Minor Rural Centres because of its relatively close proximity to the bigger settlement of Royston but it does have a greater range of services and facilities than most Group Villages. The evidence points to the Village College in this assessment but also the presence of a full time post office and a doctors surgery.
140. Within the context of a lack of five year housing land supply and the consequent status of ST/6 and DP/7 as out of date, it is considered that the fact that this site is not within the existing village framework is not sufficient to warrant refusal, unless harm is identified in relation to the definition of sustainable development as set out in the NPPF. The evidence in the Village Classification Report is considered to respond to the second objection in that there are facilities and services (including but not limited to secondary education) that residents in Bassingbourn can access within the village, or through transport links to larger settlements, more readily than residents in most Group Villages.
141. Policies HG/1, HG/2 and HG/3 are all housing policies which are considered to carry some weight in the decision making process as these relate to the density of development, housing mix and affordable housing, all of which contribute to sustainable development. In relation to the other relevant policies of the LDF quoted in this report are considered to be consistent with the definition of sustainable development as set out in the NPPF and therefore have been given some weight in the assessment of this application.
142. The site is located relatively close to existing amenities, including a GP surgery and pre-school, primary and secondary school provision all which are considered to have capacity to accommodate the population increase arising from the development. The developer has agreed to a package of enhancements including the upgrading of pedestrian facilities on the High Street. The fact that bus services exist close to the site which would allow commuting to and from Royston is both a social and an environmental benefit of the scheme.
143. It is considered that the scheme includes positive elements which enhance social sustainability. These include the provision of 40% affordable housing within the development and public open space, including equipped areas of play. The package of contributions to be secured through the Section 106 towards the enhancement of offsite community facilities would be a wider benefit of the proposals, further enhancing the social sustainability of the scheme.
144. Officers acknowledge that from this assessment, the development of the site would result in an adverse impact to the character of the landscape. However, as assessed in the main body of the report, the lack of a five year housing land supply ensures that the level of harm has to be significant enough to outweigh the benefits of the scheme as opposed to be significant in its own right – the latter being the test that was correctly applied in compiling the SHLAA report.

145. In light of the lack of a five year land supply for housing in the District, proposals for development must be assessed against the definition of sustainable development as set out in the NPPF and the presumption that development should be approved unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework when taken as a whole (paragraph 14 of the NPPF.)
146. Within that context, the Inspector for the New Road, Melbourn appeal (199 dwellings and a care home) provided guidance in a case where landscape harm is identified and balancing this against the need to address the lack of housing land supply. In that case the Inspector concluded that case in relation to landscape harm “while the development of this site would cause very limited harm to the wider landscape, there would be a greater localised harm to the character of the village and its countryside setting, in conflict with development control policies. This carries fairly significant weight (in the planning balance).’ In weighing this harm against the benefit of housing provision in that location, the Inspector concluded that ‘...while there would be some notable adverse impacts, they would not be sufficient to outweigh the very significant benefits of the proposal.’
147. Officers acknowledge that each site must be assessed on its own merits and that the number of houses proposed at Melbourn was far greater than the 26 proposed in this scheme. However, the Inspector acknowledged that there would be ‘screening’ of open views from the edge of the village and a loss of views over open fields in the Melbourn case. This harm applies in a similar way to this scheme and has been commented upon by local residents and reflects the Parish Council’s concern with regard to landscape impact.
148. Whilst the number of houses proposed in this case would be smaller (and therefore the benefit less significant in terms of a contribution to the deficit in supply), the landscape impact would also be less due to the smaller scale of the development and the fact that the low density of the scheme would allow a ‘buffer’ to be retained on the eastern edge of the development in the form long gardens, which are an identified character of the existing village edge.
149. It is considered that the illustrative masterplan sufficiently demonstrates that 26 units could be located on the site in a manner that would respect the built form of the surrounding development, the setting of the adjacent listed chapels and would retain the containment provided by the hedges on the boundaries of the site. The lower density of this scheme in comparison with existing development to the west is considered to ensure that a detailed layout could be devised at the reserved matters stage which would provide a transition in density towards the east and retain a ‘buffer’ through long gardens which would reinforce the open character of the remaining land between Bassingbourn and Kneesworth. This layout would avoid a level of landscape harm which could be considered, in the view of officers, to significantly and demonstrably outweigh the benefits of the scheme within the context of a lack of a five year housing land supply.
150. In addition, the illustrative layout is considered to demonstrate that the density of development proposed would preserve the residential amenity of neighbouring properties. The layout at this stage is indicative only and it is considered that the detailed landscape and design comments can be addressed at the reserved matter stage as the principle of development at the quantum proposed is accepted.
151. It is considered that the issues raised in relation to environmental health, trees and

ecology can be dealt with by condition.

152. It is considered that the scheme includes positive elements which enhance social sustainability. These include:
- the positive contribution of 26 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector
  - the contribution of 40% affordable housing in the context of a significant level of district wide housing need
  - public open space, including equipped areas of play.
  - the package of contributions to be secured through the Section 106 agreement towards the enhancement of offsite community facilities and pedestrian links
  - potential for access to public transport, services and facilities
  - employment during construction to benefit the local economy.
  - potential to result in an increase in the use of local services and facilities
153. Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the social benefits that would result from the development outweigh the potential landscape and environmental disbenefits. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

### **Recommendation**

154. Officers recommend that the Committee grants planning permission, with delegated powers to negotiate a Section 106 Agreement covering the requirement identified in this report and conditions based on the following:

155. **Draft conditions**

- (a) Outline planning permission
- (b) Time limit for submission of reserved matters
- (c) Time limit to implement (within 2 years of approval of reserved matters)
- (d) Approved plans
- (e) Landscaping details
- (f) Contaminated land assessment
- (g) Dust, noise, vibration mitigation strategy
- (h) Noise assessment relating to impact of road traffic on The Causeway on the amenity of the occupants of the proposed development– including necessary mitigation measures
- (i) Details of renewable energy generation (including water efficiency/conservation measures) and within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (j) Foul water drainage scheme
- (k) Surface water drainage scheme
- (l) Sustainable drainage strategy
- (m) Tree Protection measures
- (n) Compliance with flood risk assessment
- (o) Traffic Management Plan
- (p) Time restriction on the removal of trees
- (q) Detailed plans of the construction of the accesses
- (r) Pedestrian visibility splays

- (s) Ecological enhancements including bird and bat boxes
- (t) Scheme of archaeological investigation
- (u) Site waste management plan
- (v) Restriction on the hours of power operated machinery during construction
- (w) Phasing of construction
- (x) Approved ecological surveys
- (y) Compliance with ecological survey submitted
- (z) External lighting to be agreed
- (aa) Cycle storage
- (bb) Housing mix within market element to be policy compliant
- (cc) Screened storage for refuse
- (dd) Boundary treatments
- (ee) Waste water management plan
- (ff) Construction environment management plan
- (gg) Details of piled foundations
- (hh) Fire hydrant locations
- (ii) Cycle storage
- (jj) Restriction on the height of development to 2 storeys
- (kk) Scheme for widening of the footpath in front of the site along The Causeway
- (ll) Vehicle Charging Infrastructure Strategy

**Informatives**

- (a) Environmental health informatives
- (b) Exclusion of indicative plans from approval

**Background Papers:**

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1566/15/OL

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