

## 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/1766/16/FL

**Parish(es):** Gamlingay

**Proposal:** Replace existing flats with 8 no. houses and 6 no. flats (14 units in total)

**Site address:** Robinson Court, Grays Road, Gamlingay

**Applicant(s):** Mrs Sarah Lyons, South Cambridgeshire District Council

**Recommendation:** Delegated Approval

**Key material considerations:** Housing land supply and principle of development, density, housing mix and affordable housing, impact on the character and appearance of the area, residential amenity impact, highway safety and parking, ecology, flood risk and drainage, contamination, renewable energy and planning obligations

**Committee Site Visit:** Tuesday 01 November 2016

**Departure Application:** No

**Presenting Officer:** Lydia Pravin, Senior Planning Officer

**Application brought to Committee because:** Application made by South Cambridgeshire District Council

**Date by which decision due:** Extension of time until 04 November 2016

### **Planning History**

1. S/2383/07/F – Residents parking bays – approved  
S/1024/05/F – Additional residents parking areas – approved  
SC/0651/69/D – Grays Road, Gamlingay - Erection of aged persons flats, wardens flat and three houses – approved

### **Planning Policies**

2. *National Planning Policy Framework (NPPF) 2012*  
*National Planning Practice Guidance*
3. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*

ST/5 Minor Rural Centres

4. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure in 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/6 Biodiversity  
NE/9 Water and Drainage Infrastructure  
NE/10 Foul Drainage – Alternative Drainage Systems  
NE/11 Flood Risk  
NE/12 Water Conservation  
NE/14 Lighting Proposals  
NE/15 Noise Pollution  
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

5. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

District Design Guide SPD – adopted March 2010  
Affordable Housing SPD – adopted March 2010  
Trees and Development Sites SPD – adopted January 2009  
Landscape and new development SPD – adopted March 2010  
Biodiversity SPD – adopted July 2009

6. *Draft Local Plan*

S/1 Vision  
S/2 Objectives of the Local Plan  
S/3 Presumption in favour of sustainable development  
S/5 Provision of new jobs and homes  
S/7 Development Frameworks  
S/9 Minor Rural Centres  
CC/1 Mitigation and adoption to climate change  
CC/3 Renewable and low carbon energy in new developments  
CC/4 Sustainable design and construction  
CC/6 Construction methods  
CC/7 Water quality  
CC/8 Sustainable drainage systems  
CC/9 Managing Flood Risk  
HG/1 Design Principles  
NH/4 Biodiversity  
H/7 Housing Density  
H/8 Housing mix  
H/9 Affordable housing  
SC/8 Open space standards  
SC/11 Noise pollution

T/I Parking provision

### **Consultation**

7. **Gamlingay Parish Council** – supported the scheme commenting:
8. Residents from 38, 39 and 40 attended with concerns about existing resident car parking provision and loss of rental garages within the development site boundary.
9. Concerns were raised about the width of access to Waresley Road, and congestion of roadway during construction works. Access and parking for existing residents is not clear.
10. The application information on drainage does not show the correct site plan extract and clarification is required to ensure that all drains flow through Avenells Way to Church Street and not to Waresley Road needs to be confirmed.
11. An access for refuse vehicle to turn around is needed. Suggestion from residents for a larger turning head at the sub station entrance. Grays sub station is faulty and requires proper reconstruction.
12. **District Council Trees Officer - commented:**  
I have no objections to this application. If the application is to be approved please apply a condition to the following effect:  
Prior to the commencement or the delivery of materials to site the existing retained trees must be protected in accordance with the tree protection plan and report of Hayden's Arboricultural Consultants and the tree protection measures must remain in position undisturbed until practical completion of the implementation of the development.
13. **District Council Affordable Housing Officer - commented:**  
Although there are 22 existing affordable dwellings on the site, it has been identified for redevelopment and to be taken out of the Councils Housing Revenue Account (HRA) debt settlement, on the grounds that it is no longer financially sustainable and that it would be redeveloped for the provision of affordable housing.
14. The Councils Affordable Housing Policy H/9 (South Cambridgeshire District Council Proposed Submission Local Plan (July 2013) requires 40% affordable homes on all developments that increase the net number of on the site by 3 or more homes. This scheme shows 71% affordable housing which exceeds the requirement.
15. In terms of meeting affordable housing need in Gamlingay, there are currently 54 applicants on the housing register with a local connection to the village, the majority requiring 1 and 2 bed homes. The proposed scheme adequately addresses the need for smaller dwellings, providing 4x 1 bed flats and 2x 2 bed flats for affordable rent, with 2x 1 bed houses and 2x 2 bed houses for shared ownership.
16. The provision of four dwellings for open market sale enables the redevelopment of the remainder of the site for affordable housing, whilst also providing high quality new homes suitable for first time buyers.
17. **Lead Local Flood Authority – commented:**  
We have reviewed the updated Drainage Assessment Report (1415-0042, Rev P2 dated 23/09/2016). The applicant has proposed two options 1) if infiltration testing is found positive the applicant proposes to use permeable paving to infiltrate into the

ground 2) if infiltration is not feasible the applicant proposes to discharge into Anglian Water surface water sewer at 2l/s. The applicant has addressed our initial concerns and we are therefore content to remove our objection.

18. We recommend conditions which should include a detailed surface water drainage scheme for the site based on the agreed Drainage Assessment Report (1415-0042, Rev P2 dated 23/09/2016 which should include infiltration testing undertaken in accordance with BRE365 which should be agreed by the Local Planning Authority, in conjunction with the Lead Local Flood Authority.

19. Reason:  
To ensure a satisfactory method of surface water drainage, and to prevent the increased risk of flooding to third parties.

20. **Condition**  
Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDs components, control structures, flow routes and outfalls. In addition the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan should be carried out thereafter in full.

21. **Reason:**  
To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

The applicant will be required to receive consent from Anglian Water to discharge into their surface water, in the event that infiltration is not found feasible.

22. **Anglian Water – commented:**  
We are satisfied there is sufficient capacity in the public foul sewer network to accommodate foul flows from the development.

23. Anglian Water do not own dedicated public surface water sewers in the vicinity of the development, and a new surface water connection to a designated foul water sewer is not considered to be a sustainable solution.

24. Anglian Water's surface water policy is that where a brownfield site is being demolished, the site should be treated as if it was greenfield. No historic right of connection will exist. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate.

25. However, the Drainage Assessment Report states that a survey carried out by MKsurveys shows that surface water for the current development discharges to the foul sewer. Should this be the case, and there is absolutely no alternative option for discharging surface water (having followed the surface water hierarchy) we may permit the 1 in 1 year calculated rate to the public foul sewer.

26. The MKsurveys drainage survey does not appear to be available in the provided documents, until such time that we have reviewed the survey we would not permit a surface water discharge to the foul sewer.

27. At present our stance for surface water flows remains as per the planning application dated 08/09/16 which recommended a planning condition:
28. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority. Reason: to prevent environmental and amenity problems arising from flooding.
29. The MKsurveys drainage survey was sent to Anglian Water and further comments were made that the MKsurveys drawing shows surface water flows currently discharging to soakaways towards Gray's Road, a final discharge point to the public foul sewer is not shown, therefore this is not considered to be sufficient evidence to support the claim that the existing site discharges surface water to the public foul sewer. We would require a survey showing the final surface water discharge point being to a foul sewer, ideally a CCTV survey.
30. Our stance remains that should all alternative methods of surface water drainage prove unfeasible, we will allow a surface water connection to the foul sewer, and subject to capacity permit the 1 in 1 year storm event discharge from the roof area only.
31. **District Council Contaminated Land Officer – commented:**  
Considered the implications of the proposals in relation to potential risks from contaminated land. Specifically in relation to Ground Engineer's 'Phase 1 Desk Study Report' dated August 2015, their reference C13611.
32. The site doesn't appear to be high risk in terms of contamination but it is being developed into a sensitive end use. There is agreement with the findings of the report in that a confirmatory site investigation should be carried out, due to potential risks identified in the report. We have not reviewed the geotechnical elements of the report in terms of foundation design as it is not within our remit.
33. Unless information is made available prior to the determination of the application a condition should be added with details of a remediation method statement.
34. **Environment Agency – commented:**  
No objection in principle to the proposed development and offers the following recommendations and informatives:
35. The application falls within Flood Risk Standing Advice. In line with current government guidance on Standing Advice, it will be necessary, in this instance, for your Council to respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues. Please refer to the relevant standing advice, which can be found at: <https://www.gov.uk/food-risk-assessment-standing-advice>
36. The site is identified as being within flood zone 1 and less than 1 ha in area, it would therefore fall under the Agency's Floodrisk Standing Advice. See following link: <https://www.gov.uk/flood-risk-standing-advice-frsa-for-loca-planning-authorities>
37. Whilst the Agency would be unlikely to have any fundamental objection to the proposal, any subsequent planning application must address the following issues:

38. Informatives:  
Surface Water Drainage:  
All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
39. A sustainable scheme for the disposal of uncontaminated surface water will be required. Only clean uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
40. Foul Water Drainage:  
Foul drainage and Trade Effluent where appropriate, from the proposed development shall be discharged to the public foul sewer unless it can be satisfactorily demonstrated that a connection is not reasonably available.
41. Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either the sewers, the Agency must be re-consulted with alternative methods of disposal.
42. **District Council Environmental Health - commented:**  
Recommends the following conditions:
- Details of contractors access arrangements for vehicles, plant and personnel, contractor site storage areas(s) and compound(s), parking for contractors vehicles and contractors personnel vehicles and method statement for the control of debris, mud and dust arising from the development during the construction period. Reason: To ensure nuisance is not cause to local residents.
  - Restricting construction site machinery, noisy works and construction related deliveries to between 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public Holidays.
  - No burning of any waste or other materials on the site without prior consent from the environmental health department.
  - Should driven pile foundations be proposed then before works commence a statement for the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
  - If a lighting scheme is proposed these details should be conditioned.
43. Informatives:
- Minimise disturbance to neighbouring properties in terms of noise and dust during the construction phase.
  - Before any buildings are demolished a demolition notice will be required from Building Control.
  - Building Control should be consulted in regards to ensuring the fire safety measures within the proposed flats are adequate.
44. **District Council Landscape Officer - commented:**  
Approval of Landscape scheme.
45. **District Council Ecology Officer - commented:**  
The Ecological Impact Assessment provided by Greenwillow Associates is welcomed. This was completed in 2015 and so is considered sufficiently up-to-date to inform the application. Although a small number of bat droppings were found in the lofts of the

existing building, very limited bat activity was recorded during the two re-entry surveys. The avoidance and mitigation measures detailed in the report are considered to be sufficient to ensure compliance with UK and EU legislation.

46. Therefore, please attach an appropriately worded condition to cover the following to any consent granted:  
Mitigation – The development shall be carried out in strict accordance with the recommendations listed in Table 7 of Ecological Impact Assessment (Greenwillow Associates, August 2015) including measures to protect nesting birds and roosting bats. Reason: To protect wildlife in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended) and adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.
47. In accordance with SCDC planning policy, Biodiversity SPD and NPPF, biodiversity enhancement should be sought with applications. To meet SCDCs biodiversity SPD, in-built bat, bird and invertebrate habitat should be sought in 50% of new dwellings. Therefore, please attach the following condition so that biodiversity enhancement can be secured:  
Biodiversity Enhancement – No development shall commence until a scheme for ecological enhancement including nature planting, in-built features for nesting birds and roosting bats and measures to provide access for hedgehogs has been provided and agreed by the Local Planning Authority. The measures shall be implemented in accordance with the agreed scheme.  
Reason: To provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NE/6 of the adopted Local Development Framework 2007.
48. The enhancement plan should also include planting of native species of local provenance. I note that the current landscape strategy includes *Cotoneaster simonsii*. This is a non-native invasive species which is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). It is therefore, an offence to deliberately cause the spread of species and therefore, the species should be removed from the planting schedule. It would be preferable if the hedge shrub mix comprised native species of local provenance. Consideration should also be given to seeding more diverse and species-rich grass mixes such as Emorsgate seed mixes which are beneficial to wildlife.
49. **Local Highways Authority - commented:**  
Prior to the commencement of development full details in the form of written specification shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:  
a) The layout of the site, including roads, footways, cycleways, buildings, visibility splays, parking provision and surface water drainage.  
b) The radii of the entrance to the site as the Local Highway Authority would request that this be reduced to 6m radii to reduce the vehicle entrance speeds into Robinson Court.  
Reason: In the interest of highway safety.
50. Please remove the proposed visitor parking as shown and continue the footway to the front of number 38 improving pedestrian connectivity which is at the top of the County Councils hierarchy.
51. The proposed car parking layout appears to show the length of some of the Plots driveways for example plot 6 as being significant in length and this has the potential to

encourage irregular parking which could lead to the overhang of vehicles into the proposed access route obstructing the footway, forcing pedestrians which includes the most vulnerable road users into live carriageway.

52. Requested conditions including:
- Proposed drives be constructed using a bound material and the falls and levels ensure no private water drains onto the public highway.
  - Traffic Management Plan
53. **Cambridgeshire County Council, Education and Waste - commented:**  
Despite the net loss of dwellings there is a net gain in the number of children (as the existing dwellings (22 in total) are all 1-bed flats which don't generate children). Therefore it is reasonable to seek education contributions from this development.
54. Early Years need  
According to the County Council guidance the development is expected to generate a net increase of 3 early years aged children, 2 of which are entitled to free school provision. There is insufficient capacity in the area in the next 2 years to accommodate the early years aged children arising from this development. Therefore a contribution will be required towards mitigating the early years impact.
55. The early years project that has been identified is an early years classroom (providing 26 places) at Gamlingay First School. The total cost of this project is £480,000. The cost per place is therefore £18,462 (£480,000/ 26).
56. Therefore a contribution of **£36,924** for early years provision is sought (£18,462 x 2 places).
57. There have not been 5 or more contributions currently pooled towards this project. Triggers for payment are as follows:
- 50% prior to commencement
  - 50% prior to the occupation of the 8<sup>th</sup> dwelling.
58. Primary need  
According to the County Council guidance the development is expected to generate a net increase of 1 child aged 4-8. This development lies within the catchment area of Gamlingay First School.
59. County Education Officers have confirmed that there is insufficient capacity at the school in the long term to accommodate the primary aged children arising from this development. Therefore a contribution will be required towards mitigating the primary education impact being generated by the development.
60. The identified project is the expansion of Gamlingay First School by a further classroom (to accommodate 30 children). The total cost of this project is £561,736 (at 1Q16 – contributions in the S106 would need to be index-linked from this date). The cost per place is therefore £18,725 (£561,736/ 30 pupils).
61. Therefore a contribution of **£18,725** for primary education is sought (£18,725 x 1)
62. There have not been 5 or more contributions currently pooled towards this project.
63. Triggers for payment are the same as the early years outlined above.
64. Secondary need



According to County Council guidance the development is expected to generate a net increase of 1 child aged 9-13. This development lies within the catchment area of Gamlingay Village College 9 (ages 9-13) and Stratton Upper School (ages 14-16).

65. Country education officers have confirmed that Gamlingay Village College has sufficient capacity over the next five years to accommodate the places generated by the development for children aged 9-13.
66. Therefore no contribution for secondary education is sought towards Gamlingay Village College.
67. Stratton Upper School provided for children aged 14-16. This is located in the Central Bedfordshire area and they should be contacted directly for details of their requirements.
68. **Libraries and Lifelong Learning**  
The County Council provides a statutory library provision service in Gamlingay via 2 mobile library stops. Normally a contribution would be sought from new development in the area. However, there is 33 existing residents (22 dwellings x 1.50 average household) and 26 new residents (14 x 1.79 average household). Given that this is a net loss of 8 residents in the area no contribution towards libraries and lifelong learning is sought.
69. **Strategic waste**  
The development falls within St Neots HRC catchment area of which there is insufficient capacity. For new development within this area contributions are sought on the basis of £181 per dwelling.
70. However, given that there is a net loss of 8 dwellings (22 dwellings – 14 dwellings) from this development no contribution towards Strategic Waste is sought.
71. **Monitoring fees**  
S106 monitoring fees of £650 are sought in this application. This is calculated on the basis of hourly officer rates of £50 to monitor various triggers within the S106 agreement
72. Proposals were published on 27 September 2016 to move Gamlingay to be part of the catchment of Comberton Village College (from September 2017) and for there to be one school in Gamlingay, a full primary school. The contribution towards early years provision would remain as outlined above. The County Council outlines if this takes place the number of primary aged children being generated will change to up to 2 from 1. Previously the number of children reflected 5 year groups in the First School. The new primary school would accommodate 7 year groups. Therefore the contribution required would be **£37,450** for primary education (£18,725 x2 places).
73. Comberton Village College would replace Gamlingay Village College and Stratton Upper School as the catchment school for secondary provision for the village. Comberton Village College has sufficient capacity over the next five years to accommodate placed and no contribution would be sought toward education provision.
74. **Central Bedfordshire Council – commented:**  
Unlikely to require Upper School contributions from the 14 dwelling development at Robinson Court in Gamlingay. A development of this size is likely to create fewer than 3 upper school pupils which should be accommodated within the planned expansion

at Stratton Upper School.

## **Representations**

75.. **Owner/ Occupier of 38 Grays Road, Gamlingay commented:**

Questions were raised about the development:

- a) Are all new sewerage drains going to join the mains sewer on Avenells Way?
- b) Is the proposed access to the sub station adequate?
- c) Rents a garage from the Council and now there are no parking spaces proposed.
- d) Concerns about access by car to their house during the building work with lorries and most workmen arriving on site in cars.
- e) With approx. 28 more cars coming to Grays Road will it be widened so that two vehicles can pass easily and the speed limit reduced to 20 otherwise an accident will take place?

76. **Owner/ Occupier of 10a Waresley Road, Gamlingay commented:**

My property is the one that is most affected by the proposed development and enclose a copy of a letter dated 29 January 2015 which is still relevant and gives some history regarding my property/ Robinson Court.

77. Suggests to shift plots 1 to 6 to the East (ie to reduce the garden size of plots 7 and 8 and the size of the paved area in front of plot 10). This would:

- 78.
- a) Reduce the large amount of wasted space currently shown as access to the electricity sub-station by replacing this with car parking spaces and eliminate the need to install the gates shown.
  - b) The creation of six or seven additional car parking spaces which is much needed by the site. There are concerns that Avenells Way may be used for parking for plots 9 to 14 and the width of this road is too narrow for this purpose.
  - c) Move the location of plot 1 to a more reasonable distance from my property.
  - d) Increase the size of the garden of plot 1 and therefore its market value.
  - e) Reduce the future requirement for the council to maintain the excessively large pavement area in front of plot 10.

79. The letter dated 29 January 2015 was in response to a consultation event and below summarises the comments made:

80. **Overall proposal for the site**

The accommodation at Robinson Court provides adequate affordable accommodation to those presently occupying them. Accept that the buildings are somewhat "run down" but we have no doubt that they are structurally sound and could easily be refurbished and/or extended and reconfigured. This action would be more economical than to flatten the site and start afresh.

81. Concerns about demolishing the site and unsuitability of the access road for both removal of the demolished buildings and the delivery of new building materials. Pleased that the proposal did not try to add significantly more properties that might further increase the vehicle traffic in Grays Road.

82. **Proposed layout of the new buildings in Robinson Court**

One property is on the western edge of the site which we estimate no further than 10 feet from the boundary and 13 feet from the property. This property will block out our light and affect the value of the property.

83. Pleased to see that there are no windows on this property to the west that would overlook our property or garden. Spoke with the architects and assured that a hip roof could be installed to improve the light situation and re address the layout of the properties on the site and if necessary reduce the number so that the nearest property to us is no closer than the existing property. This would create additional parking spaces and perhaps eliminate the need to use the spaces proposed on what is currently grass.
84. **Owner/ Occupier of 11 Avenalls Way, Gamlingay commented:**  
Directly opposite there is a one bedroom flat suitable for 2 people but with only one parking space and potentially two cars and is concerned about the level of car parking.
85. Concerned about the very narrow road with a sharp turn which is a private road payed for through our service charge. Concerns about dust and noise caused from the development and request their windows and roads are kept clean. Concerns about planting directly on the corner blocking vision.

### **Site and Proposal**

86. The site currently consists of a two storey L-shaped block of 22 bedsit flats owned and managed by South Cambridgeshire District Council accessed along Grays Road. It is bordered to the western side by a 1.8m high brick wall and a flat roofed block of four garages adjacent to 10a Waresely Road which leads to a sub station. The southern boundary is bordered by properties along Bell Foundry Close and Avenalls Way which continues on the eastern side. The proposed development is within the village framework of Gamlingay and in Flood Zone 1.
87. The proposed development is to replace the existing flats with 8 houses and 6 flats (14 units in total).

### **Planning Appraisal**

#### ***Housing Land Supply and Principle of Development:***

88. 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.
89. 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.
90. 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.

91. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/5 of the adopted Core Strategy and adopted policies DP/1 (by virtue of criterion 1a) and DP/7 of the adopted Development Control Policies.
92. 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.
93. Paragraph 55 of the National Planning Policy Framework (NPPF) states that new housing in rural areas should be located where it will enhance or maintain the vitality of rural communities, and new isolated homes in the countryside should be avoided unless there are special circumstances. Local Policies DP/1 and DP/7 share this aim in restricting development outside of urban and village frameworks to agricultural, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside, as well reducing car dependency and the need to travel.
94. It falls to the Council as decision maker to assess the weight that should be given to the existing policy. The Council considers this assessment should, in the present application, have regard to whether the policy continues to perform a material planning objective and whether it is consistent with the policies of the NPPF. For the purposes of paragraph 55 of the NPPF, the proposed development is not considered to be isolated and involves replacing existing flats with 8 houses and 6 flats, totalling 14 units. The site is located within the village framework of Gamlingay and is grouped close to several dwellings located within relatively easy walking or cycling distance to the centre of Gamlingay.
95. In accordance with the Core Strategy policy ST/5 Gamlingay is a Minor Rural Centre and in Policy S/9 of the emerging Local Plan where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are normally supported in policy terms.
96. Therefore the principle of redeveloping the site from the existing 22 flats to 8 houses and 6 flats totalling 14 units is considered acceptable subject to all other material considerations and consider that little weight can be given to policy DP/7 in relation to this particular application.
97. **Density:**  
Housing density Policy HG/1 is applicable in this instance and seeks a minimum density of 30 dwellings per hectare and up to 40 dwellings per hectare in more sustainable locations close to a good range of existing or potential services and

98. facilities and where there is, or there is potential for, good local public transport services. The site is 0.39 hectares and the proposed development constitutes a density of 35 dwellings per hectare. Gamlingay is considered to be one of the more sustainable villages in South Cambridgeshire with a range of local services and facilities and access to local public transport. Therefore the density of the development is considered acceptable.

99. ***Housing Mix and Affordable Housing:***

In terms of housing mix, some weight is being attached to the Draft Local Plan policy H/8 which only sets requirements on the mix contained within schemes of 10 market dwellings or more. It requires at least 30% 1 or 2 bedroom dwellings, at least 30% 3 bedroom homes and at least 30% 4 bedroom or more homes with a 10% flexibility allowance homes or more. The scheme proposes x2 two bedroom and x2 three bedroom market houses.

100. Policy H/9 of the Draft Local Plan requires 40% affordable homes on all developments that increase the net number of dwellings on the site by 3 or more homes. This scheme shows 71% affordable housing which exceeds the requirement and is considered to be of significant benefit.

101. In terms of meeting affordable housing need in Gamlingay, there are currently 54 applicants on the housing register with a local connection to the village, the majority requiring 1 and 2 bed homes. The proposed scheme adequately addresses the need for smaller dwellings, providing x4 one bed flats and x2 two bed flats for affordable rent, with x2 one bed houses and x2 two bed houses for shared ownership.

102. The provision of four dwellings for open market sale enables the redevelopment of the remainder of the site for affordable housing, whilst also providing high quality new homes suitable for first time buyers. Therefore the housing mix and affordable housing is considered appropriate and meets the housing need in Gamlingay.

103. ***Impact on the Character and Appearance of the Area:***

Policies DP/2 and DP/3 are not considered to be housing supply policies and are not therefore considered to be out of date. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area and be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportions and materials.

104. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character.

105. Robinson Court currently comprises a two storey L-shaped block of 22 bedsit flats owned and managed by South Cambridgeshire District Council accessed along Grays Road. The layout of the site broadly continues the L shaped layout of the existing site with the exception of pedestrian access between plot 8-10 and Plots 7 and 8 being set nearer Avenells Way which is not considered to cause significant harm to the character of the area.

106. The dwellings will be two storey in height as per the existing flats and Plot 7's roof has been amended from a hipped roof to a gable roof to match block A and create symmetry with the roof profiles. The dwellings have well proportioned windows and simple porches which together with the variety of render walls with brick plinth and

brick work walled dwellings, slate roof and dark grey upvc windows frames will add variety and interest to the street scene. It would be reasonable to condition specifications of the materials and details of the pv panels on the roof to ensure there is not significant harm to the character of the area in accordance with policies DP/2 and DP/2 of the adopted Local Development Framework 2007.

106. With regard to the trees located within the vicinity of the development and on site it would be reasonable to add the condition as detailed by the Trees Officer to ensure the trees are protected in accordance with policy DP/3 of the adopted Local Development Framework 2007. The District Design Guide SPD adopted March 2010 states each one or two bedroom dwelling should have 40m<sup>2</sup> of private garden space in urban areas and three bedroom dwellings or more, 50m<sup>2</sup> of private garden space and the dwellings meet these standards. For flats there should be 25m<sup>2</sup> of communal space and the x4 one bedroom flats and x2 two bedroom flats will have 157m<sup>2</sup> of communal space which meets the District Design Guide Standards.

107. ***Residential Amenity Impact:***

In terms of the impact on residential amenity with regard to any overbearing and loss of light on number 10A Waresely Road this property consists of a bungalow on the western boundary. There is currently a 1.8m high brick wall and a flat roofed block of four garages. The block of garages is in close proximity to the conservatory of 10a Waresley Road and there is a sub station beyond. The lounge extends the full width of the east facing side of the dwelling and leads into the conservatory with two windows serving this room along this elevation. These windows are blocked a significant amount by the existing boundary treatment.

108. The existing development has 15m separation between the nearest dwelling on Robinson Court and 10a Waresely Road. There is 4.2m between Plot 1 and the boundary of 10a Waresely Road and although this dwelling will be nearer the degree of separation is considered to be acceptable. Plot 1 is also significantly set back from this property and it will not block the light to the first window along 10a Waresely Road which serves the lounge. Therefore there is not considered to be a significant overbearing issue and loss of light to this dwelling.
109. There are no windows proposed on the first floor western side elevation of Plot 1 and it would be reasonable to remove permitted development rights along this elevation in terms of any windows to ensure there is not a significant overlooking impact caused to the rear garden of 10a Waresely Road in accordance with policy DP/3 of the adopted Local Development Framework 2007.
110. It would be reasonable to also removed permitted development rights in relation to any further windows or openings from the first floor eastern side elevation of Plot 2 as it is set further back than Plot 3 and would cause an overlooking issue to this plots direct private amenity space. It would be reasonable to remove these rights from the first floor eastern side elevation of Plot 6 due to the overlooking impact this would cause on the rear gardens of Plots 7 and 8 and from the first floor southern elevation of Plot 10 to ensure there is not a significant overlooking impact on Plot 8s rear garden. This will ensure there is not considerable harm in terms of residential amenity impact on the rear gardens of these plots in line with policy DP/3 of the adopted Local Development Framework 2007.
111. The southern side of the proposed development looks out onto the side of number 7 Bell Foundry Close and number 30 Avenells Way both of which are bungalows. The 1.8m high boundary fencing will mitigate any overlooking impact and there is

considered to be a sufficient degree of separation from the proposed development to not cause a significant overbearing impact or loss of light.

The Environmental Health Officer has requested conditions and informatives which it would be reasonable to add.

***Highway Safety and Parking:***

112. In terms of highway safety the proposed development involves removing 22 one bed units and redeveloping the site into 14 units consisting of 8 houses and 6 flats. The existing entrance to the site is considered to be acceptable and the road has a speed limit of 30mph. Therefore it is not considered reasonable to require this be reduced to 6m radii as requested by the Local Highways Authority. The existing turning circle at the end of Grays Road will remain as it currently is with capacity for a 4.6 tonne light van shown on the site plan layout which provides adequate turning.
113. The proposed site plan indicated on drawing number 1333-P-501 Rev B shows the layout of the site including roads and footways with access through to Avenells Way as well as the configuration of the buildings and parking provision.
114. There is currently a footpath which links along Grays Road and along the front of 38-40 Grays Road which will be maintained as part of the proposed development. Along the side of 38-40 Grays Road there is a grass verge which links to the flat roofed garages along the western boundary of the existing site. As part of the proposed development two visitor car parking spaces are proposed where there is currently the grass verge. The Local Highways Authority have requested the two visitor car parking spaces are removed. However, this will now only provide access to the sub station which will be closed off with gates. Pedestrians will be able to walk along the footpath outside Plots 2-6 and cross the footpath to access Plot 1 which is considered acceptable.
115. There is a greater need to enable visitor parking on the site with policy TR/2 of the adopted Local Development Framework 2007 which states that this should not fall below 0.25 spaces per dwelling provided with 2 parking spaces. The provision of two visitor parking spaces is in line with this policy. It would be reasonable to condition the proposed drives are constructed using a bound material and the falls and levels ensure no private water drains onto the public highway including a Traffic Management Plan in the interests of highway safety.
116. Policy TR/2 Car and Cycle Parking Standards states car parking should provided in accordance with the maximum standards set out in Appendix 1, to reduce over reliance on the car and promote more sustainable forms of transport. Appendix 1 Standards for Car Parking Provision states use class order C3: dwelling houses states an average of 1.5 spaces per dwelling across the district (up to a maximum of 2 per 3 or more bedrooms in poorly accessible areas).
117. The site currently contains 22 one bedroom flats with 22 car parking spaces. The proposed development will create 14 units with 20 spaces provided. This allows two car parking spaces for the two and three bedroom houses and flats and once space for the one bedroom houses and flats and is considered to be in line with policy TR/2 of the adopted Local Development Framework 2007.
118. Concerns have been raised about the loss of the garages along the western boundary and car parking provision for 38-40 Grays Road. Housing and Property Services Department have confirmed they are looking to create further parking on the estate

which is not included in this application.

119. There are sheds in the rear gardens of Plots 1-8 for cycle provision and integrated cycle provision for each of the flats. No details are provided of the design and materials of the sheds in Plots 1-8 which it would be reasonable to condition to ensure they are in keeping with the character of the area in line with policies DP/2 and DP/3 of the adopted Local Development Framework 2007.

***Ecology:***

120. The application is accompanied by an Ecological Report. The Ecology Officer has raised no objection, subject to safeguarding conditions and the submission of an ecological enhancement scheme. The landscape strategy has removed *Cotoneaster simonsii* as requested by the Ecology Officer and overall the planting scheme is considered appropriate for the location in accordance with policy NE/6 of the adopted LDF.

***Flood Risk and Drainage:***

121. The site lies within Flood Zone 1 and the Environment Agency has no objection to the proposed development. The Lead Local Flood Authority have reviewed the Drainage Assessment Report (1415-0042, Rev P2 dated 23/09/2016). Two options are proposed 1) if infiltration testing is found positive the applicant proposes to use permeable paving to infiltrate into the ground 2) if infiltration is not feasible the applicant proposes to discharge into Anglian Water surface water sewer at 2l/s.
122. The applicant has addressed the initial concerns of the Lead Local Flood Authority. However, conditions are requested showing a detailed surface water drainage scheme. This will ensure the option of discharging into Anglian Waters surface water sewer which runs towards Church Street is the most appropriate as raised by Anglian Water. It would also be reasonable to condition maintenance arrangements which can also be detailed in the Section 106 agreement in accordance with policy NE/11 of the adopted Local Development Framework 2007.
123. Anglian Water has stated that there is currently capacity in the public foul sewer network to accommodate foul flows from the development. It is proposed that the foul water will discharge to the mains sewer on Robinson Court Way, or downstream of the proposed surface water connection and would be reasonable to condition further details. There will be an Anglian Water pre-planning enquiry and Anglian Water Section 106 application.

***Contamination:***

124. It would be reasonable to condition a remediation method statement as outlined by the Contaminated Land Officer in accordance with policy DP/1 of the adopted LDF.

***Renewable Energy:***

125. The Renewable Energy Report by Waldeck dated June 2016 outlines the energy and carbon reduction strategy which outlines that PV is the most suitable option which is proposed on the roof which will create a 10.8% reduction in CO2 emissions for the whole development and includes energy efficiency measures to the dwellings in line with policies NE/1 and NE/3 of the adopted LDF.

***Planning Obligations***



126. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, Local Planning Authorities (LPAs) had been able to combine planning obligation contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are longer be able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.
127. The Council can confirm that there have been 5 Section 106 agreements in respect of developments in the village of Gamlingay since 6 April 2010 contributing towards (i) offsite open space and (ii) offsite indoor community space improvements. As such the CIL Regulations prevent the LPA from lawfully securing further tariff style contributions towards unidentified offsite open space improvements in accordance with development control policies and the open space in new development SPD.
128. The LPA recognises that the Planning Practice Guidance requires that 'In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind'. It goes on to say that 'Planning obligations must be fully justified and evidenced' and as such the LPA take the view that a project should be identified in order to ensure CIL compliance.
129. In consultation with Cambridgeshire County Council Education and Waste, and Central Bedfordshire Council despite the net loss of dwellings there is a net gain in the number of children (as the existing dwellings (22 in total) are all 1-bed flats which don't generate children).
130. The development is expected to generate a net increase of 3 early years aged children, 2 of which are entitled to free school provision. There is insufficient capacity in the area in the next 2 years to accommodate the early years aged children arising from this development. Therefore a contribution will be required towards mitigating the early years impact.
131. The early years contribution will be designated to an unknown project for the Parish Council to administer in conjunction with Cambridgeshire County Council on the same terms as the site at Green End, Gamlingay which was discussed at October's Planning Committee.
132. The second option is for the contribution to be towards an early years project that has been identified is an early years classroom (providing 26 places) at Gamlingay First School. The total cost of this project is £480,000. The cost per place is therefore £18,462 (£480,000/ 26).
133. A contribution of **£36,924** for early years provision is sought (£18,462 x 2 places).
134. In terms of primary education the development is expected to generate a net increase of 1 child aged 4-8. This development lies within the catchment area of Gamlingay First School. There is also insufficient capacity at the school in the long term to accommodate the primary aged children arising from this development. Therefore a contribution will be required towards mitigating the primary education impact being generated by the development.

135. The identified project is the expansion of Gamlingay First School by a further classroom (to accommodate 30 children). The total cost of this project is £561,736 (at1Q16 – contributions in the S106 would need to be index-linked from this date). The cost per place is therefore £18,725 (£561,736/ 30 pupils). Therefore a contribution of **£18,725** for primary education is sought (£18,725 x1).
136. Proposals were published on 27 September to move Gamlingay to be part of the catchment of Comberton Village College (from September 2017) and for there to be one school in Gamlingay, a full primary school. Cambridgeshire County Council has outlined that if this takes place the number of primary aged children being generated will change to up to 2 from 1 and would increase the primary contribution required. Previously the number of children reflected 5 year groups in the First School. The new primary school would accommodate 7 year groups. Therefore the contribution required would be **£37,450** for primary education (£18,725 x2 places).
137. The planning obligations required in connection with primary education will depend on whether the changes proposed to education are agreed. Flexibility is proposed in the Section 106 for the options identified above.
138. Household Waste Receptacles charged at £72.50 per dwelling and £150 per flat would also be required and a monitoring fee of approximately £500 (dependent on number of Council employee hours involved).
139. Appendix 1 provides details of the developer contributions required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF.

### **Recommendation**

140. Officers recommend that the Committee approved the application, subject to the followingt:

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

- (a) Early years and primary school provision
- (b) Off Site Childrens playspace
- (c) Details of affordable housing mix
- (d) Management and Maintenance of Surface Water Drainage system
- (e) Waste Receptacles
- (f) Monitoring

### **Conditions**

- (a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: Number 1333-P-500, 1333-P-501 Rev B, 1333-P-502, 1333-P-503, 1333-P-504, 1333-P-505 Rev C, 1333-P-001 Rev A, 1333-P-002 Rev A, 1333-P-003 Rev B, 1333-P-004 Rev A, 1333-P-005, 1333-P-210 Rev B, 4253-D, 405-01 Rev B

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- (c) No development shall take place until details of the materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (d) The development shall be carried out in strict accordance with the recommendations listed in Table 7 of Ecological Impact Assessment (Greenwillow Associates, August 2015) including measures to protect nesting birds and roosting bats.  
(Reason: To protect wildlife in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended) and adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
- (e) No development shall commence until a scheme for ecological enhancement including nature planting, in-built features for nesting birds and roosting bats and measures to provide access for hedgehogs has been provided to and agreed by the Local Planning Authority. The measures shall be implemented in accordance with the agree scheme.  
(Reason: To provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NE/6 of the adopted Local Development Framework 2007.)
- (f) No development shall not commence until a detailed surface water drainage scheme for the site, based on the agreed Drainage Assessment Report (1415-0042, Rev P2 dated 23/09/2016 including details of infiltration testing undertaken in accordance with BRE365 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed and thereafter retained.  
(Reason: To ensure a satisfactory method of surface water drainage, to prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policies DP/3 and NE/11 of the adopted Local Development Framework 2007.)
- (g) Prior to the first occupation of the dwellings details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDs components, control structures, flow routes and outfalls. In addition the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan should be carried out in accordance with the approved details.  
(Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.)

- (h) No development approved by this permission shall be commenced until:
- a) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
  - b) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
  - c) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.  
(Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007)
- (i) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
- (j) No demolition or construction works shall commence until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are: -
- (1) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).
  - (2) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street.
  - (3) Movements and control of all deliveries (all loading and unloading should be undertaken off the public highway).
  - (4) Control of dust, mud and debris).
- (Reason – In the interests of highway safety in accordance with policy DP/3 of the adopted Local Development Framework 2007)
- (k) Prior to the first occupation of the dwellings details of the materials and specifications of the PV panels shall be provided for the written approval of the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason: To ensure the development is properly assimilated into the area in accordance with policy DP/2 of the adopted Local Development Framework 2007),
- (l) Prior to the first occupation of the dwellings details of the design and materials of the sheds used for cycle provision in conjunction with plots 1-8 shall be

provided in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason: To ensure there is adequate cycle provision and does not cause harm to the character and appearance of the area in accordance with policies DP/3 and TR/2 of the adopted Local Development Framework 2007).

- (m) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and report of Hayden's Arboricultural Consultants particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.  
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (n) No power operated machinery or construction related deliveries shall be taken at or despatched from the site except between the hours of 0800 – 1800 Monday to Friday, 0800 – 1300 Saturday and at no time on Sundays or Bank or Public Holidays.  
(Reason – In the interests of residential amenity in accordance with policy DP/3 of the adopted Local Development Framework 2007.)
- (o) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
- (p) All hard and soft landscape works including boundary treatment shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (q) The garage, hereby permitted at Plot 7, shall not be used as additional living accommodation and no trade or business shall be carried on therefrom.  
(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (r) Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the western side elevation of Plot 1, eastern side elevation of Plot 2, eastern side elevation of Plot 6 and southern side elevation of Plot 10 at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (s) The surface of the driveway to serve the dwellings hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the highway and shall be constructed from a bound material to prevent displacement of materials onto the highway. The development shall be retained as such thereafter.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

### **Informatives**

- (a) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- (b) Before any existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
- (c) There shall be no burning of any waste or other materials on the site, without prior consent from the Environmental Health Department to ensure nuisance is not caused to local residents.
- (d) Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
- (e) Building Control should be consulted in regards to ensuring the fire safety measures within the proposed flats are adequate.

### **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 Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies

- (adopted July 2007)
- S/1766/16/FL

**Report Author:**

Lydia Pravin  
Telephone Number:

Senior Planning Officer  
01954 713020