

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee  
**AUTHOR/S:** Head of Development Management

11 January 2017

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**Application Number:** S/2553/16/OL

**Parish(es):** Linton

**Proposal:** Residential Development of up to 50 Houses and 20 Allotments

**Site address:** Land South of Horseheath Road

**Applicant(s):** Ely Diocesan Board of Finance

**Recommendation:** Delegated Approval

**Key material considerations:** Housing Land Supply  
Principle of Development  
Character and Appearance of the Area  
Density  
Housing Mix  
Affordable Housing  
Developer Contributions  
Design Considerations  
Trees and Landscaping  
Biodiversity  
Highway Safety and Sustainable Travel  
Flood Risk  
Neighbour Amenity  
Heritage Assets

**Committee Site Visit:** No (Members visited the site in April 2015)

**Departure Application:** Yes

**Presenting Officer:** Karen Pell-Coggins, Principal Planning Officer

**Application brought to Committee because:** A Local Member is one of the applicants.

**Date by which decision due:** 29 December 2016

### Executive Summary

1. This proposal seeks permission for a residential development of up to 50 dwellings together with 20 allotments outside the Linton village framework and in the countryside. The residential element of the development would not normally be considered acceptable in principle as a result of (i) its size and (ii) its out of village

framework location. However, the Council acknowledges at present it cannot currently demonstrate a five-year housing land supply and so our housing supply policies must be considered out of date. In light of a recent High Court decision, the Local Planning Authority must determine the appropriate weight to apply to out of date policies relevant to their planning function. The National Planning Policy Framework (NPPF) states that there is a presumption in favour of sustainable development, and as such policies that seek to guide development to the most sustainable locations have a clear planning function. Where relevant policies are out of date, the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

2. In light of the lack of five-year housing land supply and having regard to recent local appeal decisions, the rural settlement policies are considered to continue to have significant weight in the determination of planning applications adjacent to or within close proximity to village frameworks. This will help ensure that development proposals outside and in close proximity to village frameworks have due regard to the availability of an appropriate level of services, facilities, employment and sustainable transport options. For Rural Centres and Minor Rural Centres, subject to all other relevant material considerations, it is considered that there is a case to be made that conflict with those policies should not be given significant weight, under the circumstances of a lack of five-year housing supply. Subject to other material considerations, this would mean in principle that the Council may grant permission for development in and adjacent to our larger villages. This is in the context of paragraph 14 of the NPPF and the test that permission should be granted unless there would be evidence of significant harm. This is consistent with local appeal decisions in this category of village since the lack of five-year supply.
3. The development would have some visual impact upon the landscape setting of the village. However, it is considered that the landscape impact is limited and can be successfully mitigated as part of the outline application.
4. These limited adverse impacts must be weighed against the benefits of the positive contribution of up to 50 dwellings towards the housing land supply in the district based on the objectively assessed 19,500 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector, the provision of 40% affordable homes, allotments for the village, developer contributions towards sport space, children's play space, community facilities in the village and improvements to traffic schemes in the village, employment during construction to benefit the local economy and greater use of local services and facilities to contribute to the local economy.
5. The scale of the development proposed by this application (up to 50 dwellings) exceeds that supported by Policy ST/5 of the adopted Core Strategy of the LDF in relation to Minor Rural Centres (maximum 30 dwellings). Taking account of the range and scale of services and facilities available in Linton, including convenient accessibility to public transport, and in the context of a lack of five-year supply, the departure to policy due to the scale of development proposed by this application and its location adjacent to the village framework is justified, as it would not cause significant demonstrable harm.

## **Planning History**

6. S/1969/15/OL- Residential Development of up to 50 Houses and 30 Allotments - Refused

## **National Guidance**

7. National Planning Policy Framework 2012  
Planning Practice Guidance

## **Development Plan Policies**

8. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**  
ST/2 Housing Provision  
ST/5 Minor Rural Centres
9. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
NE/1 Energy Efficiency  
NE/3 Renewable Energy Technologies in New Development  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/11 Flood Risk  
NE/12 Water Conservation  
NE/14 Lighting Proposals  
NE/15 Noise Pollution  
NE/17 Protecting High Quality Agricultural Land  
CH/2 Archaeological Sites  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact
10. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments SPD - Adopted January 2009  
Biodiversity SPD - Adopted July 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Affordable Housing SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010
11. **South Cambridgeshire Local Plan Submission - March 2014**  
S/3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/6 The Development Strategy to 2031  
S/7 Development Frameworks

S/9 Minor Rural Centres  
 HQ/1 Design Principles  
 H/7 Housing Density  
 H/8 Housing Mix  
 H/9 Affordable Housing  
 NH/2 Protecting and Enhancing Landscape Character  
 NH/3 Protecting Agricultural Land  
 NH/4 Biodiversity  
 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/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**

12. **Linton Parish Council** – Recommends refusal. Comments relate to matters including the location of the site outside the village framework, the scale of the development, unsustainable location due to lack of infrastructure and employment, poor existing infrastructure, landscape and visual impact, impact upon heritage assets, highway safety and parking problems, flood risk, neighbour amenity issues, status of the allotments, housing would not meet village needs, assessments are out of date and lack of community consultation. Full comments are set out in Appendix 1.
13. **Affordable Housing Officer** – Comments that the site is located outside the Linton village framework and if the site is being taken forward as a 5 year housing land supply site, 40% affordable housing should be provided in accordance with development plan policies. 20 affordable properties should be provided. The tenure split should be 70% social rented and 30% intermediate rather than a 50%/50% split as put forward by the applicant. There are 1700 applicants on the Homelink register; 70 applicants have a local connection to Linton. The greatest demand in the District is for one and two bedroom accommodation. The preferred mix is 5 x 1 beds, 6 x 2 beds and 3 x 3 beds social rented, and 3 x 2 beds and 3 x 3 beds shared ownership. The properties should be built in accordance with the DCLG National technical Design and Space Standards. A registered provider should be appointed by the applicant to take on the units. If the development is approved as a 5 year land supply site, the properties should be allocated with the first 8 towards those with a local connection and the remaining 50% with a local connection to Linton and applicants with a District-wide connection.
14. **Landscape Design Officer** – Comments that the character on this edge of Linton comprises of an open and gently rolling landscape with long views available both over lower land and to hills featuring wooded tops. Set above the Granta valley, the village sits between the two. The eastern built edge, adjacent to the proposed site is made up of recent detached and semi-detached bungalows and houses at Lonsdale, Harefield Rise and Kenwood Gardens, forming a harsh edge to the village. However, the

development site represents a potential opportunity to improve the eastern edge in this location if handled sensitively.

15. Comments that the principle of the development is accepted. The development now has a 6 metre wide green buffer to be managed as a unit and this will help integrate the development into the landscape. There would also appear to be some scope for planting large trees into the development and the outlook to the allotments area has been improved. However, there are still some concerns that up to 50 dwellings can be accommodated on the site in terms of back-to back distances and the LVIAA is not robust as it does not provide verified views/photomontages showing the proposed development, how it arrives at the predicted levels of landscape and visual impact or the cumulative effects of possible developments nearby.
16. **Trees and Landscapes Officer** – Has no objections.
17. **Ecology Officer** – Comments that the application is supported by an ecological assessment that has not identified any significant constraints to the development of an area of arable land enclosed by species poor hedgerows and grass margins.
18. Of note from the assessment is a habitat suitable for reptiles associated with field margins such as the common lizard. There is not considered to be a significant likelihood of reptiles being present and impacted based upon the distribution of species in the area and a reptile habitat could be incorporated into the scheme. The applicant should note that the presence of slowworm is uncommon in the district. The report states that should trees be removed with potential for bat roosts, the area should be resurveyed for the presence of this species. The report advises a similar approach for badgers.
19. Requests an updated phase 1 habitat survey to be submitted with any reserved matters application to include an updated assessment of evidence and potential for protected species such as bats, reptiles and badgers. This should include revised avoidance, mitigation and compensation measures based upon the findings. If further surveys are required, they would need to be completed before the determination of the reserved matters application.
20. The indicative landscape masterplan has been reviewed and the it is clear that the provision of new landscaping and allotments would bring biodiversity gain.
21. To compensate for the loss of potential habitat for farmland birds, hedgerows will need to be retained and enhanced. This should include 5 metre wide areas of hedgerow where possible and new orchard/ copse planting. Hedgerows should be retained and protected outside garden curtilages to ensure that they are retained in the long term. Consideration should be given to wildflower buffers adjacent to the hedgerows that border the allotments as these would not be so productive.
22. Biodiversity enhancement would need to be secured by condition in line with the recommendations in the report. This should include bat roost features, bird nest boxes and hedgehog connectivity. A condition would also need to be applied in relation to removal of vegetation in the bird breeding season.
23. **Urban Design Officer** – Has no objections in principle but comments that there are some issues in relation to pedestrian connectivity to adjacent land to enhance permeability, the development providing a clear identity and sense of place through the submission of a design brief prior to any reserved matters application to show how the development has been influenced by the village, the dominance of parking

adjacent to the allotments, storage facilities for the allotments and to that the development should be constructed to lifetime homes standards and the 12 criteria in relation to Building for Life 2015.

24. **Local Highways Authority** – Has no objections subject to conditions in relation to vehicular visibility splays and a traffic management plan. Requests a separate plan to show the visibility splays. Comments that there are some reservations with regards to pedestrian connectivity of the site.
25. **Cambridgeshire County Council Transport Assessment Team** – Comments that having reviewed the Transport Assessment and additional information, the Team is satisfied with the information provided, and as such has no objections subject to a mitigation package to be secured through a section 106 agreement. This will need to include the installation of a footway on Horseheath Road to connect to the existing footway, the widening of the existing footway on Horseheath Road up to its termination point opposite Wheatsheaf Way, the installation of dropped crossings with tactile paving at the crossing over Horseheath Road, the installation of 10 cycle stands at location in the village to be agreed by the parish Council, a contribution of £20,000 towards City Deal proposals for bus priority measures along the A1307 in Linton principally to go towards a review and recalibration of the operation of the junction of the A1307 with Linton Village College and a contribution of £10,000 towards City Deal proposals for reducing bus journey times along Linton High Street. Also requires a condition in relation the submission of a travel plan welcome pack.
26. **Cambridgeshire County Council Historic Environment Team** – Comments that trial trench evaluations have been carried out on the site and archaeological evidence found can be dealt with through investigation, analysis and publication. The human remains found will need removing from the site as a matter of principle to prevent their discovery and disturbance when the new development has been built and their contextual setting will need appropriate investigation accordingly. Recommends a condition to secure a written scheme of investigation prior to the commencement of development to include the statement of significance and research objectives, the programme of methodology of site investigation and recording and the nomination of a competent person/organisation to undertake the agreed works and the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. The development programme should include a timetable of investigation for the agreed scheme.
27. **Cambridgeshire County Council Flood & Water Team** – Has no objections subject to a condition in relation to a detailed surface water drainage scheme and the management and maintenance of that scheme.
28. **Drainage Officer** – Comments that the development is acceptable subject to a condition in relation to a detailed surface water drainage strategy by means of a sustainable drainage system. The system should be designed such that there is no surcharging for a 1 in 30 year event and internal property flooding for a 1 in 100 year event plus 40% allowance for climate change and managed and maintained thereafter.
29. **Environment Agency** – Has no objections as amended subject to a condition in relation to a scheme for surface water disposal. Comments that although the site lies above a principal aquifer within source protection zone 2, the proposal is not considered to be high risk in relation to contamination. Requests informatives.
30. **Anglian Water** – Comments that the foul drainage from the development is in the

catchment of Linton Water Recycling Centre that will have available capacity for these flows and that the sewerage system at present has available capacity for foul drainage flows from the development. Further comments that the preferred method of surface water disposal would be to a sustainable drainage system. The Flood Risk Assessment is unacceptable as it does not set out a final surface water drainage strategy. If connection to the public surface water sewer is required, details of the discharge point and discharge rate need to be submitted.

31. **Environmental Health Officer** – Has no objections subject to conditions in relation to the hours of construction works and construction related deliveries to and from the site, a programme of measures to minimise the spread of dust, a construction programme of activities, external lighting and a noise assessment for any renewable energy provision such as air source heat pumps or wind turbines.
32. **Contaminated Land Officer** – Comments that a condition in relation to contaminated land is not required.
33. **Air Quality Officer** – Has no objections providing the source of energy to the site is not by biomass boiler.
34. **Environmental Health Officer** – Comments that the identification and assessment of the health impacts of the development are satisfactory in the revised Health Impact Assessment.
35. **Cambridgeshire Fire and Rescue Service** – Requests a condition in relation to the adequate provision of fire hydrants.
36. **Huntingdonshire Sustainability Team** – Comments that a document is required in relation to energy efficiency, renewable energy, water conservation and sustainable drainage systems.
37. **Section 106 Officer** – Comments as amended that a Local Equipped Area of Play and 20 allotments have been provided on site to address the need for children's play space and informal open space. Off-site contributions are required towards outdoor sports and indoor community space projects as identified by Linton Parish Council.
38. **Cambridgeshire County Council Growth Team** – Comments that there are sufficient early years, primary and secondary education places available to accommodate the development. Requires a libraries and life long learning contribution towards the reorganisation of the layout of Linton library to enable extra shelving and resources to serve the additional residents. Requires a strategic waste contribution towards an expansion in the capacity of the Thriplow Household Recycling Centre if 5 contributions have not been pooled.
39. **NHS England** – Comments that there is currently GP capacity in the Linton locality and is not requesting any contributions towards health.

### **Representations**

40. **40 letters of objection have been received from local residents** in relation to the application. They raise the following concerns: -
  - i) Outside village envelope and in the countryside and Green Belt- not a brownfield site.
  - ii) Adverse impact upon landscape setting of village due to level changes in area.
  - iii) Visual impact on view approaching the village from the east.

- iv) Impact upon historic character of village.
- v) Scale of development in a Minor Rural Centre where maximum allowance is 30 dwellings- suburban sprawl- smaller infill developments should be encouraged.
- vi) Cumulative impact of development with proposal at Bartlow Road.
- vii) Would set a precedent for future developments around the village.
- viii) Increase in traffic on to the A1307 at a dangerous junction.
- ix) Access point on to Horseheath Road where traffic speeds are high.
- x) Safety of pedestrians along footways in village.
- xi) Distance from services in village and parking congestion in village.
- xii) Flood risk.
- xiii) Impact upon sewers.
- xiv) Loss of agricultural land.
- xv) High density development.
- xvi) Design at odds with Linton traditions.
- xvii) Village infrastructure inadequate- schools, health centre, shops, public transport, employment.
- xviii) Lack of on-site parking.
- xix) Neighbour amenity issues in relation to a loss of privacy, outlook and light.
- xx) Loss of hedges along Horseheath Road
- xxi) Traffic and noise pollution.
- xxiii) Housing mix would not meet needs of the village.
- xxiii) Poor consultation – the whole village should have been notified of the development.
- xxiv) The applicants would not develop the land and the plans could be different.
- xxv) Inadequate reports supporting the application.
- xxvi) Glebe land cannot be sold for profit.

41. **The Headteachers of Linton Heights Junior School and Linton Infants School** are concerned about the impact upon the schools. The Junior School is a tired and unsuitable building. There is not enough space to house the current pupils so for a number of years a temporary portacabin has been used as a classroom. Any increase in children would require significant improvements. The Infant School has had a number of alterations over the years and is at maximum capacity in terms of the hall and toilets and in order to offer a quality education, 4 of 6 classrooms are undersized. Neither school would be able to welcome new families moving into the area.
42. **Chair Linton Village College Governors** – Comments that the County Council assessment in relation to the capacity of Linton Village College (LVC) to take more students is correct. However, this is based upon the designated feeder schools only and the following points should be noted: -
- i) LVC is an Academy and makes its own admissions policy;
  - ii) LVC is oversubscribed. The PAN for 2016/17 is 165 students. 180 have been accepted and there is a waiting list of around 40.
  - iii) LVC has historically admitted 20% of students from outside the catchment area and mostly in Suffolk.
  - iv) LVC has recently expanded its catchment to include some primary schools in Essex. This is because of the expansion of Saffron Walden and that the County High can no longer guarantee places.
  - v) LVC is an OFSTED rated Outstanding school- it has been and is oversubscribed. As the Multi Academy Trust expands, there have been three new applications from primary schools, one in Suffolk. This means that there is pressure to give priority for admissions to members of the Trust.
- Many of these points have not been considered by the County Council and it is considered that the formula for calculating capacity is out of date and should not be given weight.



## **Site and Surroundings**

43. The site is located outside of the Linton village framework and in the countryside. It is situated to the north east of the village and is an “L” shaped parcel of arable land that measures approximately 2.88 hectares in area. There is existing landscape planting along the majority of the northern, western and southern boundaries. The eastern boundary is open. Residential developments lie to the south and west. A dwelling lies to the north. A public footpath lies to the north east. A hedge and public footpath lie to the east with open agricultural land and the A1307 road beyond.
44. The site is situated within the East Anglian Chalk Landscape Character Area on grade 3 (good to moderate) agricultural land. The site lies within Flood Zone 1 (low risk). No. 28 Horseheath Road is a grade II listed building, which lies approximately 150 metres to the west of the site. The Linton Conservation Area is situated 500 metres to the west.

## **Proposal**

45. The proposal, as amended, seeks outline permission for a residential development on the site of up to 50 dwellings and 20 allotments. The access, layout, design and external appearance, and landscaping are matters reserved for later approval.
46. 20 of the dwellings would be affordable in nature. The mix would be 2 x one bedroom houses, 8 x two bedroom houses and 10 x three bedroom houses. The tenure mix would be 50% social rented and 50% intermediate. The remaining 30 dwellings would be available for sale on the open market. The mix would be 10 x two bedroom houses, 10 x three bedroom houses and 10 x four bedroom houses.
47. The development is intended to be predominantly two-storeys in height with a small number of single storey bungalows. There would be a range of detached, semi-detached and terraced properties arranged around a main spine road, with small developments offset. A Local Equipped Area of Play has been provided within the northern part of the development and 20 allotments would be provided to the south east.
48. The allotments would be for community use to respond to local need identified by the Parish Council. They would be managed and controlled by the Parish Council.

## **Planning Assessment**

49. The key issues to consider in the determination of this application relate to housing land supply, the principle of the development, housing density, housing mix, affordable housing, developer contributions and the impacts of the development upon the character and appearance of the area, highway safety, ecology, trees and landscaping, flood risk, foul drainage, heritage assets and neighbour amenity.

## **Housing Land Supply**

50. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing, including by meeting their objectively assessed need for housing and by identifying and maintaining a five-year housing land supply

with an additional buffer as set out in paragraph 47.

51. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having regard to appeal decisions in Waterbeach in 2014, and as confirmed by more recent appeal decisions. The five-year supply as identified in the latest Annual Monitoring Report (December 2016) for South Cambridgeshire is 3.7 years on the basis of the most onerous method of calculation, which is the method identified by the Waterbeach Inspector. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031. This is identified in the Strategic Housing Market Assessment 2013 together with the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions. It uses the latest assessment of housing delivery contained in the housing trajectory November 2015. The appropriate method of calculation is a matter before the Local Plan Inspectors and in the interim the Council is following the method preferred by the Waterbeach appeal Inspector.
52. Paragraph 49 of the NPPF 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. This includes the rural settlement policies and village framework policy.
53. 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 as not to be restricted to '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.
54. In the case of this application, policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/5 of the adopted Core Strategy and adopted policies DP/1, DP/7, CH/3, CH/5, NE/4, NE/6 and NE/17 of the adopted Development Control Policies. Policies S/7, S/9, HQ/1 and NH/3 of the draft Local Plan are also material considerations and considered to be relevant (draft) policies for the supply of housing.
55. However the Court also made clear that 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 be attached to such relevant policies having regard to compatibility with the NPPF.
56. The rural settlement classification in the adopted and emerging development plans identifies the sustainability of villages in South Cambridgeshire, having regard to the level of services and facilities within a village and the availability and frequency of public transport to access higher order services in Cambridge and elsewhere. They are a key factor in applying paragraph 14 of the NPPF, which states that where a five-year supply cannot be demonstrated, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. The NPPF also includes as a core principle that planning should "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable".

57. In light of the lack of five-year housing land supply and having regard to recent local appeal decisions, the rural settlement policies are considered to continue to have significant weight in the determination of planning applications adjacent to or within close proximity to village frameworks. This will help ensure that development proposals outside and in close proximity to village frameworks have due regard to the availability of an appropriate level of services, facilities, employment and sustainable transport options.
58. As a general principle, the larger, better served villages categorised as Rural Centres and Minor Rural Centres are likely to be more able to support unplanned housing growth than the smaller, less well served Group and Infill Villages, without fundamentally undermining the development strategy for South Cambridgeshire. This has some commonality with the approach taken in the submitted Local Plan, where a limited number of housing allocations in the rural area were included for Rural Centres and Minor Rural Centres, including for larger sites that the windfall threshold in Minor Rural Centres, but no allocations for Group and Infill Villages other than a very limited number where they were put forward by Parish Councils under the Localism agenda.
59. As such, in Rural Centre and Minor Rural Centres, subject to all other relevant material considerations, it is considered that there is a case to be made that conflict with relevant settlement hierarchy policies should not be given significant weight, under the circumstances of a lack of five-year housing supply and in light of paragraph 14 of the NPPF and the test of significant demonstrable harm. This is consistent with the recent appeal decision in Melbourn, where the Inspector said that as the rural settlement policies are out of date due to a lack of five-year supply, but that the conflict with those policies “carried limited weight”. However, given the limited sustainability of Group and Infill villages, there is a case to continue to resist proposals that would conflict with the rural settlement policies which would allow for unsustainable forms of development, unless there are particular site specific considerations that indicate that there would not be significant demonstrable harm.
60. Notwithstanding the above, each planning application must be considered on its own merits taking account of local circumstances and all other relevant material considerations.

### **Principle of Development**

61. The site is located outside the Linton village framework 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 development would be outside the village framework and in the countryside and therefore not under normal circumstances be considered acceptable in principle.
62. Linton is identified as a Minor Rural Centre under Policy ST/5 of the LDF and Policy S/8 of the emerging Local Plan, where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are supported in policy terms. The erection of a residential development of up to 50 dwellings would exceed the limit and therefore not under normal circumstances be considered acceptable in principle.
63. However, given the current lack of a 5 year housing land supply and the fact that policies DP/7 and ST/5 are out of date, a judgement needs to be made as to whether the location and scale of the development is acceptable in sustainability terms.

64. As set out in the Housing Land Supply section above, it is considered that significant weight can be given to the rural settlement and framework policies. Nevertheless, in light of the lack of a five year housing land supply and recent appeal decisions, as a matter of general principle the scale of development proposed relative to the comparative accessibility of this Minor Rural Centre would not conflict significantly with the thrust of the core development principle of the NPPF and will not in itself create demonstrable harm.

### **Sustainable Development**

65. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental.

#### ***Economic Aspects***

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

#### ***Social Aspects***

##### *Provision of Housing*

67. The development would provide a benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 50 dwellings. The applicants own the site and it is available for development now subject to securing the necessary planning consents. It is intended that construction work could commence in 2016/2017 with the residential element being complete within 5 years of the outline consent. A report has been submitted with the application that shows the rate of construction for medium term residential developments being 20 to 35 per annum. This would result in the development being completed within 2 years.

##### *Scale of Development and Services*

68. The Services and Facilities Study 2013 states that in mid-2012 Linton had an estimated population of 4,530 and a dwelling stock of 1,870. It is one of the larger villages in the District. An additional 50 dwellings would increase the number of dwellings in the village by 3%. The cumulative impact of the Bartlow Road development under application S/1963/15/OL and this development would be 105 dwellings, which would represent an increase of 6%. This is considered acceptable and would not be out of scale and character with the size of the village.
69. Whilst it is acknowledged that the most preferable location for development is first on the edge of the city of Cambridge and secondly in Rural Centres, it is considered that Linton is a reasonably sustainable location to accommodate increased housing development. The Services and Facilities Study 2013 identifies a wide range of services and facilities in the village that include a secondary school, junior school, infant school, health centre, dentist, post office, 4 food stores plus a small supermarket, other services such as hairdressers, florists etc., 3 public houses, a village hall and 3 other community centres, a recreation ground and a bus route to Cambridge and Haverhill with a service every 30 minutes during the day Mondays to Saturdays and hourly on Sundays.

70. The majority of the services and facilities are located on the High Street. The site is situated on the edge of the village at a distance of approximately 800 metres from the shops, and 600 metres from the nearest bus stop. There is an existing public footway up to the western boundary of the site that would ensure that there is reasonable accessibility by walking and cycling to the centre of the village.
71. The village is ranked jointly No. 6 in the Village Classification Report 2012 in terms of access to transport, secondary education, village services and facilities and employment. It only falls below the Rural Centres which have slightly better accessibility to public transport. Given the above assessment, the future occupiers of the development would not be wholly dependent upon the private car to meet their day-to-day needs and wider demands could be served by public transport.

#### *Housing Density*

72. The site measures 2.24 hectares in area (net). The erection of up to 50 dwellings would equate to a maximum of 22 dwellings per hectare. Whilst this density would be below the requirement of at least 40 dwellings per hectare for sustainable villages such as Linton under Policy HG1 of the LDF, it is considered appropriate in this case given the sensitive nature of the site on the edge of the village and the need for a landscape buffer along the eastern boundary to the open countryside.

#### *Affordable Housing*

73. 20 of the 50 dwellings (or pro rata) would be affordable to meet local needs. This would comply with the requirement for 40% of the development to be affordable housing as set out in Policy HG/3 of the LDF and Policy H/8 of the emerging Local Plan to assist with meeting the identified local housing need across the District. However, the proposed mix of 2 x one bedroom houses, 8 x two bedroom houses and 10 x three bedroom houses, and the tenure mix of 50% rented and 50% intermediate is not agreed at the current time. It is considered that the exact mix and tenure of the affordable dwellings could be agreed through negotiations at the Section 106 stage. If the tenure mix of 70% affordable rented and 30% intermediate cannot be secured due to viability issues, this would need to be demonstrated.

#### *Market Housing Mix*

74. The remaining 30 dwellings would be available for sale on the open market. The proposed mix of 10 x two bedroom houses (33.3%), 10 x 3 bedroom houses (33.3%) and 10 x 4 bedroom houses (33.3%) would comply with Policy HG/2 of the LDF that requires a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs and H/8 of the emerging Local Plan that requires market homes in developments of 10 or more homes will consist of at least 30% 1 or 2 bedroom homes, at least 30% 3 bedroom homes, at least 30% 4 or more bedroom homes with a 10% flexibility allowance that can be added.

#### *Developer Contributions*

75. Development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
76. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and,
- iii) Fairly and reasonably related in scale and kind to the development.

77. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 4.19 hectares of sports space. Linton has one recreation ground with a senior football pitch and a cricket pitch with the cricket square next to the football goal area and a bowl green. The pavilion is in very good condition with home and away changing, a bar area and kitchen. There is a need for an additional football pitch to meet local need and improved drainage at the existing facility. The cricket club also require an additional pitch to meet the demand for additional junior teams. The 2013 study did not take account of the facilities at Linton Village College, which although at the current time are available for public hire, are not guaranteed through a community access agreement.
78. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
79. Linton Parish Council highlights the lack of infrastructure in the village to cope with the development and comments that it ideally requires additional land to provide the facilities required for the village but states that this is not possible at present as no landowner would be prepared to sell for agricultural rates, while the Council does not have a 5 year housing land supply. It has therefore put forward projects for formal sports activities that would be located on the recreation ground. These include a BMX/skate park, climbing wall and replacement of bowls area with a multi-use games area, and trim trail on the recreation ground. The contribution required would be tariff based contribution of approximately £55,000.
80. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 3.41 hectares of children's play space. The development would be located approximately 1.8km from the nearest play area and therefore it is paramount that a formal play area is provided on the site. A Local Equipped Area of Play would be provided within the development.
81. No off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
82. The Recreation and Open Space Study 2013 identified that Linton had a surplus of 0.27 hectares of informal open space. The development would provide informal public open space within the centre of the development. In addition, 20 allotments would be provided for the village.
83. No off-site contributions are therefore required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF. However, contributions are required for maintenance of the space if adopted by the Parish Council.
84. The Community Facilities Audit 2009 states that Linton is served by Linton Village Hall, which is run by a charity and can accommodate 170 persons seated and 200 standing. It holds an entertainment licence but no alcohol license, public dances, disabled access and toilets. There is only a basic kitchen but no food preparation area. Linton Village Hall is not considered to satisfy the Council's indoor facilities standard in terms of quantity of space and quality of space.
85. Off-site contributions are required towards community facilities to comply with Policy

DP/4 of the LDF.

86. Linton Parish Council again highlights the lack of infrastructure in the village to cope with the development. It has therefore put forward a project for improvements to the Village Hall to include renovation/modernisation of the kitchen, refurbishment of the WC's and a redesign of the front façade and entrance foyer. Alternatively, the funds could go towards a new multi-purpose community centre with a focus aimed at young people and which will be available for hire by scouts, guides, brownies and other users. This would also need to be funded by other sources but at present these have not been identified. The contribution required would be tariff based contribution of approximately £25,000.
87. The RECAP Waste Management Design Guide requires household waste receptacles to be provided for the development. Off-site contributions are required towards the provision to comply with Policy DP/4 of the LDF. The contribution would be £73.50 per dwelling and £150 per flat.
88. To ensure the provision and usage of on-site infrastructure, a monitoring fee of £1,500 is required.
89. The development is expected to generate a net increase of 15 early years aged children, of which 7.5 are liable for contributions. In terms of early years' capacity, County Education Officers have confirmed that there is sufficient capacity in the area to accommodate the places being generated by this development. Therefore no contribution for early years provision is required.
90. The development is expected to generate a net increase of 17.5 primary school places. The catchment school is Linton Infant & Linton Heights Junior schools. In terms of primary school capacity, County education officers have confirmed that there is sufficient capacity in the area to accommodate the places being generated by this development. Therefore no contribution for primary education is required.
91. The development is expected to generate a net increase of 12.5 secondary school places. The catchment school is Linton Village College. County Education Officers have confirmed that there is sufficient capacity in the area to accommodate the places being generated by this development. Therefore no contribution for secondary education is required.
92. The proposed increase in population from this development (50 dwellings x 2.5 average household size = 125 new residents) will put pressure on the library and lifelong learning service in the village. Linton library already serves a population of nearly 5,000 including the villages of Linton, Hildersham and Horseheath. A contribution of £42.12 per increasing population for enhancement to the library in Linton, a total of £5,265 (125 new residents X £42.12). This contribution would be used towards the reorganisation of the layout of Linton Library including the remodelling of the existing library counter, to enable extra shelving units and appropriate resources (both Adult and Junior) to be installed in the library to serve the additional residents.
93. This development falls within the Thriplow Household Recycling Centre catchment area for which there is currently insufficient capacity. The development would require a contribution of £461.45 (£8.39 x 55) towards the project to expand capacity unless 5 schemes have been pooled towards this project.
94. NHS England considers there is sufficient GP capacity to support the development.

Therefore no contributions are required towards health facilities.

95. Appendix 2 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. It is considered that all of the requested contributions to date meet the CIL tests, and would be secured via a Section 106 agreement. Confirmation is awaited from the applicants to agreement to these contributions.
96. Members will note that the Cambridgeshire County Council Growth Team consider there is sufficient early years, primary and secondary school capacity but that this is contested by the Headteachers of both the local Junior and Infants schools.
97. Members will also note that Linton Parish Council has stated that the even if the more school places cannot be funded, the quality of the education facilities in the village are unsatisfactory and require funding.
98. The comments of the Head teachers of the Junior and Infants Schools, Governors of Linton Village College and Linton Parish Council are acknowledged, Cambridgeshire County Council Growth Team has advised that in-catchment demand indicates there is sufficient capacity to accommodate new development (although any further future development beyond these sites may see this position reviewed). In effect the schools fill with out-of-catchment pupils, who in future would be accommodated in their local catchment. The Council would have no basis on which to seek education contributions that would be CIL compliant. In addition, the condition of temporary buildings at the schools is an existing issue that would not change as a result of the development. Contributions towards upgrading these building would therefore also not be CIL compliant. It is the statutory duty of the Local Education Authority to ensure that the buildings meet health and safety regulations so any urgent need for replacements, could be secured outside this process.

### ***Environmental Aspects***

#### *Character and Appearance of the Area*

99. The site is currently a piece of arable land located outside the Linton village framework and in the countryside. It forms part of the landscape setting to the village.
100. The site is situated within the East Anglian Chalk Landscape Character Area and the landscape character of the site and its immediate surrounding are typical of East Anglian Chalk comprising large agricultural fields separated by clipped hedges, set in an open and gently rolling landscape, with long views available both over lower land and to hills featuring wooded tops.
101. The proposal would result in the introduction of development in an area that is currently undeveloped. Given the site characteristics and landscape setting, development of the scale proposed has the potential to result in some loss of openness to the countryside and visual harm to the setting of the village.
102. The application has been submitted in outline with all matters reserved, including layout. It is considered that up to 50 dwellings could be accommodated on the site with limited harm to the landscape setting of the village. A significant landscape buffer would be provided around the whole of the development that would improve the existing eastern edge of the village and mitigate the visual impact of the proposal and enhance biodiversity. It is therefore considered that limited weight can be given to Policy NE/4 of the LDF.



## **Design Considerations**

103. The application is currently at outline stage only. All matters in terms of access to the site, the layout of the site, scale, external appearance and landscaping are reserved for later approval.
104. The indicative layout shows an “L” shaped cul-de-sac development with a linear pattern of dwellings, together with small groups of dwellings arranged around shared driveways on the western part of the site. 8 dwellings and 20 allotments for community use are shown on the south eastern part of the site. A Local Area of Equipped Play is provided alongside the main access road on the northern part of the site close to the entrance to the development. Whilst the comments of the Urban Design Officer in relation to pedestrian connections and back-to-back distances is acknowledged, the application is for up to 50 dwellings and the indicative layout is considered satisfactory in principle; the application is currently at outline stage only and these matters would be considered in the final determination of the layout at the reserved matters stage. The development would therefore accord with Policy DP/2 of the LDF.

## **Trees/ Landscaping**

105. The proposal would not result in the loss of any important trees and hedges that significantly contribute towards the visual amenity of the area and the wider countryside. The majority of the trees and hedges along the northern, southern and western boundaries of the site that are in a good condition would be retained and protected, and new landscape planting would be provided to create a buffer to the countryside and to enhance the development. The only hedge to be removed would be along the northern boundary of the site with Horseheath Road to accommodate the access but replacement landscaping would be provided to mitigate this loss. The development is therefore capable of complying with Policy DP/3 of the LDF.

## **Biodiversity**

106. The site is dominated by arable land and is surrounded by species poor hedgerows/trees and grass margins. It is considered to have a low ecological value but the margins could provide habitats for reptiles and badgers and the trees could have bat roosts. Conditions would be attached to any consent for resurveying the site for reptiles, badgers and bats prior to the commencement of any development and ecological enhancements such as bird and bat boxes in accordance with the recommendations of the submitted report and the provisions of Policy NE/6.

## **Highway Safety and Sustainable Travel**

107. Horseheath Road leads from the centre of the village to the A1307 (Cambridge to Haverhill Road). It has a speed limit of 30 miles per hour from the village to the point at the entrance to the site, where it changes to 60 miles per hour.
108. The development would result in a significant increase in the level of traffic in the area. However, no objections have been raised by Cambridgeshire County Council Transport Assessment Team in relation to the impact of the development upon the capacity and functioning of the public highway subject to a mitigation package to be secured through a Section 106 agreement or conditions. The proposal would not therefore be detrimental to highway safety.
109. The 5.5 metre access width into the site would accommodate two-way traffic into the

site and would be acceptable. The 2.0 metre footpaths on each side are adequate and would provide safe pedestrian movements. The proposed vehicular visibility splays of 2.4 metres x 90 metres to the west and 2.4 x 215 to the west are acceptable. The access would therefore accord with Local Highways Authority standards.

110. There is a bus stop on the High Street approximately 600 metres to the west of the site. This gives direct public transport access to Cambridge and Haverhill by way of a 30 minute service Monday to Saturdays and is accessible by walking via a public footpath along the southern and northern side of Horseheath Road. It is also accessible by cycling. A contribution of £10,000 is sought towards City Deal proposals for reducing bus journey times along the High Street and £20,000 is sought towards City Deal proposals for bus priority measures along the A1307 in Linton principally towards the recalibration of the operation of the junction with Linton Village College to mitigate the impact of the development. This would need to be secured by a legal agreement. In addition, conditions would be attached to any consent to secure a 2 metre wide footway along the south side of Horseheath Road to connect to the existing footpath and an improvement of the footway provision to the High Street to include the widening the footway in the vicinity of Lonsdale to 2 metres wide, the installation of dropped crossings with tactile paving at the crossing over Horseheath Road near to Wheatsheaf Way, the installation of dropped crossings with tactile paving over Lonsdale and Wheatsheaf Way, and further cycle parking in the village.
111. The submitted Transport Statement commits to the provision of a Travel Plan to encourage the use of alternative modes of transport other than the private motor vehicle for occupiers of the new dwellings prior to occupation. Measures include the appointment of a travel plan co-ordinator and the provision of information packs to new residents. However, further details are required. This would be a condition of any consent. The development therefore has the potential to comply with the requirements of adopted policies DP/3, DP/4, TR/1, TR/2 and TR/3.

### **Flood Risk**

112. The site is located within Flood Zone 1 (low risk). The River Granta is the most significant watercourse in the area that is located 350 metres to the south of the site. There are no other notable watercourses within the vicinity of the site. A small part of the south western corner of the site is subject to surface water flooding (low risk). There would be no material conflict with adopted policy NE/11.
113. The surface water drainage system would comprise SUDS in the form of infiltration systems such as soakaways to accommodate surface water from a 1 in 100 year storm event plus 40% climate change. The design of the surface water drainage system would be agreed through a condition attached to any consent along with the management and maintenance of the system.

### **Neighbour Amenity**

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

falls southwards. As such the development is capable of being in compliance with Policy DP/3.

### **Heritage Assets**

116. Further to issues raised within the previous reason for refusal on the site under application reference S/1969/15/OL, a trial trench evaluation has been carried out on the site to investigate whether the proposal would result in the loss of any significant features of archaeological interest.
117. 32 trenches were excavated across the site with 13 based upon geophysical survey anomalies. The fieldwork confirmed the presence of a Bronze Age barrow on the site. Furthermore, a crouched burial was uncovered in the centre of the barrow. Two further parallel linear geophysical anomalies, interpreted as possible agricultural remains, proved to be the remnants of a Neolithic cursus. A small number of other ditches, not identified in the geophysical survey, were also revealed across the site.
118. Given that the site has now been investigated, the development is acceptable subject to a condition being attached to any consent to agree a written scheme of investigation to include the statement of significance and research objectives, the programme of methodology of site investigation and recording, and the nomination of a competent person/organisation to undertake the agreed works and the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. The development programme should include a timetable of investigation for the agreed scheme. The proposal would therefore comply with Policy CH/2 of the LDF.
119. The site is located 150 metres from the nearest listed building at No. 28 Horseheath Road. The development is not considered to harm the setting of the listed building as it is limited to its immediate surroundings of existing residential development.
120. The site is located 500 metres from the boundary with the conservation area. The development is considered to preserve the setting of the conservation area given that there are no views of the site from the conservation area or views from the site to the conservation area and the increase in traffic through the village is not considered significant when taking into consideration the size of the village.
121. Thus the statutory requirements in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respect of listed buildings and conservation areas would be met as would compliance with adopted plan policies CH/4 and CH/5.

### **Other Matters**

122. The development is not considered to result in a risk of contamination providing a condition is attached to any consent to control any contamination identified during the development.
123. No objections have been raised in relation to foul drainage from the development. There is adequate capacity within the catchment centre and system to accommodate the proposal. The exact details would be subject to a condition of any consent.
124. The site is located on grade 3 (good to moderate) agricultural land. The development would result in the permanent loss of this agricultural land contrary to policy NE/17. However, this policy does not apply where land is allocated for development in the

LDF or sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural use of the land. In this case, this is considered satisfactory given the absence of up-to-date policies for the supply of housing in the district.

125. The lack of any employment within the proposal is not a planning consideration in this particular case as the site is not located within any designated employment area.
126. Whilst the need for allotments in the village is noted, there is no policy requirement for the provision of allotments within developments. The provision of 20 allotments would, however, make some contribution to the identified need. Any application for development of the allotments in the future would be determined upon its own merits.
127. The documents submitted with the application are sufficient to determine the application. A Heritage Statement is not required as the development is not considered to affect the setting of the conservation area or listed buildings. Details archaeological reports have been submitted. A summary of public consultation is satisfactory. The application form has been corrected.
128. The lack of consultation with the local community is regrettable as this is encouraged by the Council but would not warrant refusal of the application.
129. The ownership of the land is not a planning consideration that can be taken into account in the determination of the application.

### **Conclusion**

130. In considering this application, adopted development plan policies ST/5 and DP/7 are to be regarded as out of date while there is no five year housing land supply. 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.
131. This report sets out how a number of potential adverse impacts such as infrastructure needs, highway safety and flood risk can be addressed. However, an adverse impact that cannot be fully mitigated is the limited visual harm through a loss of openness to the countryside as a result of the development.
132. These adverse impacts must be weighed against the following benefits of the development:
  - i) The provision of up to 50 dwellings contributing towards housing land supply in the District, based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector (NB the developer would still need to show the scheme would be deliverable so as to directly meet that need).
  - ii) The provision of up to 20 affordable dwellings towards the need across the District.
  - iii) The provision of allotments for community use.
  - iv) Developer contributions towards public open space and community facilities in the village.
  - iv) Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
  - v) Highway works.
  - vi) Employment during construction to benefit the local economy.
  - vii) Greater use of local services and facilities to contribute to the local economy.

133. Given the above, the limited adverse impacts of this development in relation to the impact of the development upon the landscape setting of the village are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole, which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Planning permission should therefore be granted.

### **Recommendation**

134. It is recommended that the Planning Committee grants officers delegated powers to approve the application subject to the completion of a section 106 agreement and the following conditions:-

### **Conditions**

- a) Approval of the details of the means of access to the site, layout of the site, the scale and appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
(Reason - The application is in outline only.)
- b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.  
(Reason - The application is in outline only.)
- c) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
(Reason - The application is in outline only.)
- d) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- e) The indicative masterplan is specifically excluded from this consent.  
(Reason - The application is in outline only.)
- f) The development shall not be occupied until a Travel Plan Welcome Pack has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.  
(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)
- g) No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall be carried out in accordance with the approved details. The principle areas of concern that should be addressed are:
- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
  - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
  - iii. Movements and control of all deliveries (all loading and unloading should be

undertaken off the adopted public highway)

iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

h) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

i) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(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.)

j) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

k) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the first occupation of the dwellings hereby approved.

i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.

ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and 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.)

l) No development shall commence until an updated Phase 1 habitat survey is submitted. This shall include an assessment of evidence and potential for protected species such as reptiles and badger and include revised avoidance, mitigation and compensation measures based on the findings.

(Reason - To minimise disturbance, harm or potential impact on protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and the Wildlife and Countryside Act 1981 (as amended)).

m) No development shall commence until a scheme for ecological enhancement consistent with Section 6 of *Updated Phase 1 Habitat Survey* (James Blake Associates, May 2015) including a location plan, specification and management schedule for native planting has been provided to and agreed by the Local Planning Authority. This shall also include in-built features for bats and nesting birds and measures for hedgehog. 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.)

n) No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

o) Prior to the commencement of any development, a scheme for the provision and implementation of surface 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. The scheme shall thereafter be maintained.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

p) 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.)

q) No site or plant machinery shall be operated, no noisy works shall be carried out and no construction related deliveries shall be taken or dispatched from the site except between 0800 hours and 1800 hours Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Bank Holidays.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

r) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15-Noise Pollution, NE/16- Emissions & DP/6- Construction Methods.)

s) No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing.

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15-Noise Pollution, NE/16- Emissions & DP/6- Construction Methods.)

t) No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority in writing. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing by the Local Planning Authority.

(Reason – To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15-Noise Pollution, NE/16- Emissions & DP/6- Construction Methods.)

u) Before the development hereby permitted is commenced, an assessment of the noise impact of plant and or equipment including any renewable energy provision sources such as any air source heat pump or wind turbine on the proposed and existing residential premises and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the local planning authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.



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

v) No development shall commence until a renewable energy statement has been submitted to and approved in writing by the Local planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/3 of the adopted Local Development Framework 2007.)

w) No development shall commence until a water conservation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

(Reason - To ensure a water efficient and sustainable development in accordance with Policies NE/12 of the adopted Local Development Framework 2007.)

x) No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

y) No development shall take place until details of a scheme for the provision of a footway along the south side of Horseheath Road to the existing footpath has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of any dwelling or in accordance with an implementation programme that has been agreed in writing by the Local Planning Authority.

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

z) No development shall take place until details of a scheme for the improvement of the footway provision from Horseheath Road to the High Street has been submitted to and approved in writing by the Local Planning Authority. The improvements shall include the widening the footway in the vicinity of Lonsdale to 2 metres wide, the installation of dropped crossings with tactile paving at the crossing over Horsheath Road near to Wheatsheaf Way and the installation of dropped crossings with tactile paving over Lonsdale and Wheatsheaf Way. Development shall be carried out in accordance with the approved details prior to first occupation of any dwelling or in accordance with an implementation programme that has been agreed in writing by the Local Planning Authority.

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

aa) No development shall take place until details of a scheme for the provision of cycle stands in the village at locations to be agreed with the Parish Council has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of any dwelling or in accordance with an implementation programme that has been agreed in writing by the Local Planning Authority.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

## **Section 106**

Affordable Housing  
Open Space  
Community Facilities  
Waste Receptacles  
Libraries and Lifelong Learning  
Highway Works  
Monitoring

### **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 References: S/1969/15/OL and S/1963/15/OL

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