

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

1 February 2017

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

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**Application Number:** S/1959/16/FL

**Parish(es):** Balsham

**Proposal:** Residential development to provide 33 dwellings, new access, closure of the existing access and demolition of all the existing buildings

**Site address:** 7, High Street

**Applicant(s):** Hill Residential

**Recommendation:** Delegated Approval (subject to complete section 106)

**Key material considerations:** Principle of development  
Five year housing land supply  
Sustainability of the location  
Loss of employment  
Density of development and affordable housing  
Visual/heritage impact  
Highway safety and parking  
Residential amenity  
Section 106 contributions

**Committee Site Visit:** 31 January 2017

**Departure Application:** No

**Presenting Officer:** Katie Christodoulides, Senior Planning Officer

**Application brought to Committee because:** The officer recommendation of Approval conflicts with the recommendation of Balsham Parish Council

**Date by which decision due:** 28 February 2017 (extension of time agreed)

### Executive Summary

1. This application seeks approval for 33 dwellings (40% affordable) and a new access into the site following closure of the existing access. The site forms nine individual industrial units with a large storage area to the south west corner. The units were previously used for B1(a) office, B1(c) light industrial, B2 general industry and B8 storage and distribution, and vacated in November 2016. The site lies within the Balsham Village Framework, with the front part of the site lying within the Conservation Area. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its scale, as

Balsham is identified as a Group Village within the Adopted Core Strategy. It is however recognised that the District does not currently have a 5 year housing land supply, and therefore the relevant adopted LDF policies in relation to the supply of housing are not considered up to date for the purposes of the National Planning Policy Framework 2012 ( NPPF).

2. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It states that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when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. Sustainable development is defined in paragraph 7 of the NPPF as having environmental, economic and social strands.
3. Overall, it is considered that the proposal would bring forward a number of environmental, social and economic benefits and would make a significant contribution to the on-going deficit in the Council's 5 year housing land supply and the significant need for affordable housing within South Cambridgeshire.
4. Environmental benefits include the remediation of the site which has known contamination issues, enhancement through landscaping and ecology, physical connection with the adjacent public footpath, on-site attenuation of surface water run-off and a reduction in vehicle movements and associated carbon and vehicle emissions.
5. The scheme includes positive elements which would enhance social sustainability. These include the provision of 33no. new dwellings within the development, with 13no. being affordable (40%), and public open space on the site. The proposed development would incorporate a mix of housing types which would meet the current need for both smaller and larger homes. The provision of family homes within the area would attract families with young children which would help support the Primary School which has a declining roll of pupils. Existing facilities in the village would benefit from additional demand from the development.
6. In terms of economic benefits in the short term, this would include the creation of jobs in the construction industry as well as the multiplier effect in the wider economy arising from increased activity. The provision of housing would help meet the needs of businesses within Balsham in the medium to long term.
7. These benefits can be afforded significant weight in favour of the proposal and are deemed to clearly outweigh any potential disbenefits which include the loss of the employment site.
8. None of the disbenefits are considered to result in significant and demonstrable harm and the development comprises sustainable development having regard to paragraph 14 of the National Planning Policy Framework. The proposal is therefore recommended for approval subject to the necessary safeguarding conditions and Section 106 Agreement.

### **Planning History**

9. S/1942/04/F- Installation of External Windows to Existing Offices- Approved.
10. S/0382/04/F- Removal of Condition 1 of Planning Permission S/0724/99/F to allow the permanent use of Part of Building as B1(c) use- Approved.

11. S/0381/04/F- Removal of Condition 1 of Planning Permission S/0122/99/F to allow the permanent use of part of Building as showroom and B8/Assembly B1(c) with ancillary offices- Approved.
12. S/2231/03/F- Change of Use of Part of Building from B8 to Showroom and B8/Assembly B1(C) with ancillary offices (renewal of Planning Permission Ref S/0122/99/F- Withdrawn.
13. S/2203/02/A-Sign- Approved.
14. S/0121/99/F- External Alterations to Building- Approved.
15. S/0724/99/F- Change of use of part of building from B8 to B1(c) - Approved.
16. S/0985/98/F- Continued Use as Office/Storage/Workshops for Haulage/Removal Business- Approved.
17. S/1262/94/A-Three Business Signs- Refused.
18. S/0221/94/F- Change of use to offices/storage/workshops for haulage/removal business- Approved.

### **Planning Policies**

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

### **Development Plan Policies**

20. **South Cambridgeshire LDF Core Strategy DPD, 2007**  
ST/2 Housing Provision  
ST/3 Re-Using Previously Developed Land and Building  
ST/6 Group Villages
21. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
ET/6 Loss of Rural Employment to Non-Employment Uses  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
NE/1 Energy Efficiency  
NE/2 Renewable Energy  
NE/3 Renewable Energy Technologies in New Development  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/8 Groundwater  
NE/9 Water and Drainage Infrastructure

NE/10 Foul Drainage-Alternative Drainage Systems  
NE/11 Flood Risk  
NE/12 Water Conservation  
NE/14 Lighting Proposals  
NE/15 Noise Pollution  
NE/17 Protecting High Quality Agricultural Land  
CH/4 Development Within the Curtilage or Setting of a Listed Building)  
CH/5 Conservation Areas  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact

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

Open Space in New Developments SPD - Adopted January 2009  
Affordable Housing SPD - Adopted March 2010  
District Design Guide - Adopted March 2010  
Biodiversity- Adopted January 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Health Impact Assessment SPD– Adopted March 2011  
Listed Buildings: Works to or affecting the setting of-July 2009

23. **South Cambridgeshire Local Plan Submission - March 2014**

S/1 Vision  
S/2 Objectives of the Local Plan  
S//3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/6 The Development Strategy to 2031  
S/7 Development Frameworks  
S/10 Group Villages  
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/8 Sustainable Drainage Systems  
CC/9 Managing Flood Risk  
HQ/1 Design Principles  
NH/2 Protecting and Enhancing Landscape Character  
NH/3 Protecting Agricultural Land  
NH/4 Biodiversity  
NH/14 Heritage Assets  
H/7 Housing Density  
H/8 Housing Mix  
H/9 Affordable Housing  
H/11 Residential Space Standards for Market Housing  
E/14 Loss of Employment Land to Non Employment Uses  
SC/2 Heath Impact Assessment  
SC/6 Indoor Community Facilities  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
SC/10 Lighting Proposals  
SC/11 Noise Pollution  
SC/12 Contaminated Land  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision

### Consultations

24. **Balsham Parish Council-** Recommends refusal and objects to the proposal on the grounds of the increase in traffic onto the High Street at peak times, overdevelopment of the site, and three storey houses at the front of the site being out of keeping with the area. Following the receipt of amended plans dated 7/11/2016, the Parish Council comment that the site is overdeveloped and concerns are raised about sustainability and the proposed plans conflicting with the NPPF and Policies DP/1 – Sustainable Development, DP/7 – Development Frameworks of the Adopted Development Control DPD 2007, and ST/6 – Group Villages of the Adopted Core Strategy DPD 2007. Green space is required to the front of the houses and that they are sited back from the High Street. The Parish only agreed for a maximum of two storey houses on the site. There are serious concerns about highway safety and to see some measures to address this issue.
25. **Tree Officer-** No objections to the proposal which is supported by an arboricultural report with a recommendation for tree protection and a tree protection plan. Requests a condition is added to any consent to require the tree protection measures to be erected and remain in position until completion of the development.
26. **Contaminated Land Officer-** The site is part of land associated with a small industrial site, as well as recent industry from a small former smithy. Enzygo's Phase 1 and 2 reports suggest some remedial proposals for the site and some of the conclusions in principle are agreed with.
27. **Affordable Housing Officer-** The proposed scheme for 33no. dwellings would need 13no. to be affordable. Within Balsham there is a greater need for two bedroom properties over one bedroom properties. However across the District, the need is for one bedroom properties. The proposed mix is for 54% one bedroom properties and 46% two bedroom properties. This exceeds the local and district wide need for one bedroom properties but meets the need for 2no. bedroom properties locally. Given that the proposed mix does not deliver any affordable three or four bedroom properties, the provision of two bedroom accommodation could be said to address local need; however the one bedroom accommodation proposed exceeds both local and district wide need, but meets the need for two bedroom properties locally. Given the scheme can help address the bedroom requirement for the largest group in the most urgent housing need (Band A) in the District, and that the applicant has approached several Registered Providers who have indicated a willingness to manage the affordable housing scheme, the proposed mix can be supported as it meets the strategic affordable housing need across the District.
28. **Sustainability Officer-** The sustainability strategy covers what would be expected for a development that aims to be sustainable. Suggests that energy and carbon are subject to conditions, and a water conservation condition is requested asking for 110 litres of water per person per day as this is an option now presented by current Building Regulations. The document suggests a number of efficient measures which if included in the new development, should see significant energy savings. An air source heat pump is an efficient solution of an off gas area, the carbon intensity of electricity means that the notional DER for the site will not comply with Building Regulations. To prove full policy compliance, demonstration of carbon emission savings made not only against the baseline DER, but notional TER for the modelled development is required. The applicant is requested to provide notional TER based on carbon emissions for the

development, the notional DER carbon emissions, the DER with 'lean' measures and the DER with both 'lean; and 'green' measures.

29. **Environmental Health Officer-** Raises no objections and requests recommended conditions in regard to hours of construction work, hours for power operated machinery, method statement if piling foundations are proposed, programme of measures to minimise airborne dust, a construction programme, noise insulation for residential buildings, electronic charging points, lighting plans and assessment of noise for renewable energy.
30. **Environmental Health Officer (Air Quality)-** No objections. The site is not located within an area particularly sensitive to air quality, and is replacing an industrial site which already has provision of car parking. Requests a condition in regard to electronic vehicle charging infrastructure.
31. **S106 Officer-** The proposed contributions are
  - a) Household Waste Receptacles being a contribution equivalent to £73.50 per house and £150 per flat;
  - b) Public Open Space
    - (i) Balsham Sports Pavilion contribution of £72,075.53
    - (ii) Children's play space contribution of £5,000
    - (iii) Informal children's play space provided onsite
    - (iv) Balsham Community Orchard contribution of £3,500
    - (v) Rosie Green Wood contribution of £3,500
  - c) Indoor meeting space
    - (i) Balsham Scout hut contribution of £15,340.32
  - d) Monitoring Fees of £1,000

The total contribution to Balsham Parish Council would be £99,415.85 (£3,012.60 per dwelling)
32. **Public Health Specialist-** No comments received (out of time).
33. **Landscape Design Officer-** Raises no objections and requests a condition in regard to hard and soft landscaping. Following Amended plans dated 07/11/2016 the proposed open space within the scheme is welcomed, the applicant is to consider the recommendations outlined with the District Design Guide SPD.
34. **Ecology Officer-** The preliminary Ecological Appraisal and Bat Report provided by Landscape Planning Ltd are welcomed and no further ecological information is required to inform the application. The proposals are likely to comply with UK and EU legislation without any further survey requirements. Requests a condition is added to any consent in regard to nesting birds and foraging bats and a plan and schedule of biodiversity enhancement measures.
35. **Refuse Officer-** No comments received (out of time).
36. **Anglian Water-** There are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. The foul drainage from this development is in the catchment of Balsham Water Recycling Centre that will have available capacity for these flows.
37. **Listed Building Officer-** The proposal would not result in any significant impact upon the setting of the listed buildings within the vicinity at Nos.1, 3, 5, 7 and 9 West

Wratting Road.

38. **County Education, Waste and LLL S106-** There would be no contribution towards early years, primary school, secondary school and libraries provision or strategic waste.
39. **Urban Design Officer -** The existing buildings on the site do not make a positive contribution to the Conservation Area, so their demolition and the sites change of use away from commercial and industrial are an opportunity to enhance the Conservation Area. Residential is an appropriate use for the site, 2.5 storey development however is not a typical characteristic of Balsham and will not preserve the character of the Conservation Area. The pedestrian connection to the existing right of way to the south of the site is particularly welcomed as is the redesign of the flats to avoid single aspect north facing dwellings. The proposed density is 42.4 dwelling per hectare which broadly reflects the density of the centre of the village and appears appropriate. There should be some provision of local area of play on the site to provide some open space. The proposed landscape amenity space adjacent to the flats is poor and residents would be unlikely to use it as it is located close to the entrance of the development. There does not appear to be sufficient parking for the flats and no visitor parking has been provided. The siting of the garage blocks and parked cars should be considered in relation to the outlook of habitable rooms and daylight. The general approach to the layout, design and materials is supported, materials should be conditioned. To address the comments the number of units on the site may need to be reduced.
40. **Archaeology Officer-** The site lies in an area of high archaeological potential. No objections to the development in this location but requests a condition in regard to a programme of archaeological investigation. Following the receipt of amended plans dated 07/11/2016, no further comments are to be made.
41. **Lead Local Flood Authority-** Initially objected to the proposal as further information was required in regard to where surface water from the existing site drains to, the pumping of surface water being unsustainable and the requirement to use up to date climate change allowances. Following an updated Flood Risk Assessment by SDP Consulting Engineers, the previous objections are removed. Requests conditions in regard to development being in accordance with the Flood Risk Assessment, details of surface water drainage and maintenance of surface water drainage system. Following the receipt of amended plans dated 07/11/2016, no further comments are to be made.
42. **Local Highways Authority-** Originally objected to the proposal, as the constrained width of 4.8 metres should be narrowed to either 2.75 metres to a single car width or remain at 5 metres. If the above is overcome, requests that the existing access is permanently and effectively close, the falls and levels are such that no private water drains across or onto the public highway, the access shall be constructed of a bound material, a traffic management plan and informative in regard to no works to the highway without a licence is recommended. Following the receipt of amended plans dated 07/11/2016, the revised footway and carriageway widths are acceptable to the Highway Authority and the previous request that the application is refused is withdrawn, and therefore recommends approval. No contributions towards highway improvements would be required.
43. **Environment Agency-** No objection in principle to the proposal development subject to conditions in regard to submission of a remediation strategy and informatives. Following submission of additional information, requests change to wording/time point

to previous contaminated land condition to allow the proposed tank removal and demolition works to take place. Following the receipt of amended plans dated 07/11/2016, no further comments are to be made.

44. **Police Architectural Liaison Officer-** The proposed layout is good in terms of natural surveillance and where parking is either within the curtilage of homes or parking areas for the apartments. Requests a condition in regard to lighting and welcomes consultation with the developer in terms of security for Secured by Design for the affordable homes.
45. **NHS England-** No objections. Due to the size of the proposed development and the capped five numbers of requests as set out in the CIL Regulations , there is not an intention to seek primary healthcare mitigation on this occasion.
46. **Cambridge Fire & Rescue-** Requests adequate provision is made for fire hydrants.

### **Representations**

47. Representations have been received from neighbours at Nos. 3 Field End, 1, 2, 4 & 5 High Street, 7 & 12 Sleaford Close, Hay House, Barton's Close, 25 Old House Road, 11 Trinity Close and the following comments are made:
  - Concerns of over development of the site
  - Concerns over the high density of the site
  - Unsustainable development and location
  - Height of the dwellings at three storey's not being in keeping with adjacent buildings
  - Increased traffic along the High Street
  - Congestion and increased accidents
  - Design failing to compliment the Conservation Area
  - Lack of provision for vehicles to pass at the front of the site
  - Overshadowing
  - Loss of privacy and light to neighbouring properties
  - Apartments not being in keeping with the Conservation Area and village
  - Scale, design and density failing to preserve or enhance the Conservation Area
  - Insufficient garden sizes
  - Impact on local schools and doctors
  - Refuse vehicles accessing the site

### **Site**

48. This application site lies within the Balsham Village Framework, with the front part of the site lying within the Conservation Area. The site forms nine individual industrial units with a large storage area to the south west corner which were previously used for B1(a) office, B1(c) light industrial, B2 general industry and B8 storage and distribution which was vacated in November 2016, with over half the site being vacant and having been marketed as vacant for nearly 5 year. The site is located within the centre of the village, opposite the Meadow Primary School and along the High Street, which has a post office & convenience shop (0.32km) and two pubs (The Bell 0.08km) and (The Bull 0.16km) within walking distance. The site boundaries comprise of a mixture of walls to the existing buildings or corrugated metal fencing.

### **Proposal**

50. The application seeks full planning permission for the erection of 33no. dwellings



including a new vehicular access from the High Street and closure of the existing vehicular access sited opposite the school, and associated parking and landscaping. This would follow demolition of all of the existing buildings within the application site.

### **Planning Assessment**

51. The key issues to consider in the determination of this application are the principle of development and the implications of the five year housing land supply deficit on the proposals. An assessment is required in relation to the density and mix of the development, visual impact, conservation area impact, affordable provision, highway safety and parking provision, trees and landscaping, ecology, residential amenity, section 106 contributions, surface and foul water drainage, archaeology, and environmental issues.

### **Principle of Development**

- Five year housing land supply
52. 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.
  53. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.7 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 2016 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and the latest assessment of housing delivery (in the housing trajectory November 2016). 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.
  54. 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 as so not to be restricted 'merely to 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 the Court of Appeal has confirmed 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, amongst other matters to the purpose of the particular policy.
  55. In the case of this application, policies which must be considered as potentially influencing the supply of housing land include ST/2 (Housing Provision) and ST/6 (Group Villages) of the adopted Core Strategy. The Inspector did not have to consider policy ST/6 but as a logical consequence of the decision, this should also be a policy "for the supply of housing". Policies DP/1 (Sustainable Development), DP/7 (Development Frameworks), NE/4 (Landscape Character Areas), NE/6 (Biodiversity),

CH/2 (Archaeological Sites), CH/4 (Development Within the Curtilage or Setting of a Listed Building) and CH/5 (Conservation Areas) of the adopted Development Control Policies. Policies S/7 (Development Frameworks), S/10 Group Villages, NH/2 (Protecting and Enhancing Landscape Character), NH/4 (Biodiversity) and NH/14 (Heritage Assets) of the draft Local Plan are also material considerations and considered to be relevant (draft) policies for the supply of housing.

56. Where a Council cannot demonstrate a five year supply of housing land, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).
57. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF, unless other national policies indicate an exception to this, Green Belt land is one such exception. Sustainable development is defined in paragraph 7 of the NPPF as having environmental, economic and social strands. When assessed, these objectives unless the harm arising from the proposal 'significantly and demonstrably' outweighs the benefits of the proposals, planning permission should be granted (in accordance with paragraph 14).
58. The site originally came forward in the SHLAA call for sites (July 2012) and following an initial assessment, it was considered to have limited development potential. However it did not include a judgement on whether the site is suitable for residential development in planning policy terms which would be for the separate plan making process.
59. The site is located within the Balsham village framework. Policy ST/6 of the adopted Core Strategy and S/10 of the Local Plan submission permits residential development and redevelopment of up to 8 dwellings within the village framework. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site. The erection of 33 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply as set out above.
60. It falls to the Council as decision maker to assess the weight that should be given to the existing policy. Officers consider this assessment should, in the present application, have regard to whether the policy continues to perform a material planning objective and whether it is consistent with the policies of the NPPF.
61. Development in Group Villages (the current status of Balsham) is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.
62. In the emerging Local Plan Balsham is to remain as a Group Village. This emphasises that such villages are less sustainable minor rural settlements with a more limited range of services to meet the needs of new residents in a sustainable manner. Such

villages are amongst the smaller settlements within the District; however, it is recognised that these villages should be treated on their individual merits with an assessment being undertaken in terms of their accessibility to employment, education, and services.

- Housing Delivery Programme

63. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. The applicant has confirmed the aim is to start construction in the second half of 2017 and all dwellings to be completed, sold and occupied by summer 2019.
64. A Sustainability Report has been submitted by the agent, which sets out the terms of delivery. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
65. The proposals are assessed below against the environmental, social and economic criteria of the definition of sustainable development.

### **Environmental sustainability**

#### (a) Contaminated Land

66. The site has an existing warehouse, office buildings and a large concreted area, with known contamination issues, including buried fuel tanks and asbestos which are both buried and within the existing structures. The comments of the Contaminated Land Officer are therefore noted. The Phase One and Two Reports dated November 2014 by Enzigo provide some remedial proposals for the site which are agreed with however there are further observations required. A general remedial scheme across the site of hotspot removal, infrastructure removal, validation and cover systems has been proposed; however a condition is recommended requiring the approach to be detailed in a Remedial Method Statement and Verification Report. The proposed development would result in the remediation of contamination on this site which would provide an environmental benefit to the area.

#### (b) Surface Water

67. The site comprises of hard landscaping and buildings. Surface water from the site currently flows across the concreted surfaces and building roofs into the ditch on the site's southern boundary with no attenuation to reduce the run off-rates. The proposed development includes on-site attenuation, holding back the surface water run-off from the site and releasing it at a controlled pace. The proposed development would result in more controlled surface water and flood prevention scheme.

#### (c) Loss of employment- noise, emissions, traffic

68. The site if retaining it's employment use, and if used at full capacity would have regular HGV's accessing the site through the High Street and centre of the village, which would present an increased danger to pedestrians, resulting in significant traffic through the centre of the village, with noisy employment activities at unsociable hours in a predominantly residential area. The proposed residential development would reduce vehicle movements to the site from 500 daily trips if the site was at full occupancy, to 290 daily trips as a result of the development, and significantly reduce

the associated environmental effects of noise, vibration and emissions from the employment site.

(d) Energy Efficiency

69. The proposed energy strategy for the development demonstrates the scheme would result in a 25.85% saving in carbon emissions through energy efficiently improvements and a 49.66% improvement following the introduction of renewable energy, exceeding the requirements of Policy NE/3 of the LDF which requires a 10% saving above building regulations.

**Social sustainability**

(a) Provision of new housing including affordable housing

70. Chapter 6 of the NPPF relates to 'delivering a wide choice of high quality homes' and seeks to 'boost significantly the supply of housing' placing importance on widening the choice of high quality homes and ensuring sufficient housing (including affordable housing) is provided to meet the needs of present and future generations.
71. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises the importance of ensuring sufficient housing (including affordable) is provided to meet the needs of present and future generations. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 33no. residential dwellings, 40% of these units (13) will be affordable.
72. There remains a shortage of deliverable housing sites in the District. The development would provide a clear public benefit in helping to meet the current housing shortfall in South Cambridgeshire. The site would deliver the residential dwellings within 5 years from the date of granting permission which is clearly demonstrated through the submitted sustainability delivery report.
73. The District's Affordable Housing Officer has confirmed that there is a demonstrable need for affordable housing in Balsham (21 people with a local connection and roughly 1700 people district wide on the district wide register). The proposed mix for the 13 affordable housing would be 7no. x one bedroom homes (54%) and 6no. x two bedroom (46%) homes. This would exceed the local (29%) and district wide (47%) need for one bedroom properties but meets the needs for two bedroom properties locally (52%). The proposed mix does not deliver any affordable three or four bed housing; the provision of two bedroom accommodation would be seen to address local need. However the amount of one bedroom accommodation proposed exceeds both local and district wide need. The Affordable Housing Officer's view is that the scheme can help to address the bedroom requirement for the largest group in the most urgent housing need (65 applicants Band A) in the District, and that the applicant has approached several Registered Providers who have indicated a willingness to manage the affordable housing scheme, and three offers have been received. Therefore it is considered that the proposed mix would meet the strategic affordable housing need across the district and is supported.
74. The proposed market mix would comprise of 8no. x four and five bedroom properties (24%), 19no. x one and two bedroom properties (57%) and 6no. x three bedroom properties (18%) which would meet the need for smaller properties in the area. The provision of larger houses will also meet the high demand for family housing which will

support the Meadow Primary School which requires more pupils to avoid classes being combined due to the declining roll of children at the school. The nearest secondary school at Linton Village College has current capacity for pupils at secondary level.

(b) Accessibility to services and facilities

75. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. As such, this scale of development must be considered in light of the facilities in Balsham and the impact of the scheme on the capacity of public services.
76. The South Cambridgeshire 2014 Services and Facilities Study for Balsham details a range of services and facilities in the village. These include a village hall, church, primary school, recreation ground, post office/village stores, two pubs and a small number of shopping/retail services consisting of a kitchen interiors shop, antique pine shop and a diary, and small businesses including private hire vehicles and Quixant - a technology manufacturer.
77. The site is located in the centre of the village, opposite the primary school and is within walking distance of many of the main facilities. Balsham has six bus stops with two bus stops being immediately adjacent to the site at West Wratting Road (0.07km). There are several bus services which connect Balsham to the Minor Rural Centre of Linton and larger market town of Haverhill in Suffolk, and one service a day which connects Balsham with Cambridge (Monday to Friday) with one service on a Saturday to Cambridge.
78. Balsham is situated just over 6 miles from Whittlesford Parkway station and 3 miles from Linton (Minor Rural Centre), which has more services and social facilities including sources of employment, a GP surgery, sports centre, library, police and fire stations and secondary education provision.
79. The Meadows Primary School lies opposite the site. The primary school has falling pupil numbers, ie: currently 210 pupils with capacity for 280, and has appealed for new family housing in the village. The school has sufficient capacity and the proposed development will bring in families to the village which will help support the school.
80. The site lies 3.5 miles from Linton Village College Secondary School which is a 15 minute cycle or an 18 minute bus journey; the bus service 19 stops outside the site.
81. Access to employment opportunities exist within Linton (3 miles), Great Abington and Babraham (5 miles) with Granta Park and The Babraham Institute, the Genome Campus in Hinxton, ARM in Fulbourn and Newmarket Business Park; and Haverhill Business Park. The site given its close proximity to these major science and business parks which are currently expanding will provide more employment opportunities within close proximity of the site.

(c) Open Space

82. A landscape amenity space is proposed to the side (east) of the apartments which would lie along the High Street and adjacent to the proposed vehicular entrance; an area of open space is also proposed towards the south within the central area of the site. This open space provision would be secured through a Section 106 Agreement.

(d) Footpath link

83. A new footpath link connecting the public footpath to the south of the site will integrate the development within the village and improve connectivity for the existing residents.

(e) Education Provision

84. The County Council as the relevant Education Authority has identified that the number of children that would result from the development would not result in an increase in the capacity of provision of any of the three tiers of education (early years, primary and secondary). This information is considered to enhance the social sustainability of this scheme.

(f) Health Provision

85. Granta Medical Practice which forms Linton Health Centre is sited an 18 minute bus journey from Balsham and has capacity for more patients at the surgery.

**Economic sustainability**

86. The redevelopment of the site would result in the loss of a designated employment site. It has been demonstrated that part of the property which was vacant has been marketed for more than four years with no demand from potential businesses taking over the existing site. This is discussed fully within the paragraph titled 'Loss of Employment' below. However, it has been put forward by the applicant that the continued employment use at the site would detract from the character and appearance of the Conservation Area, would disturb residential amenity through twenty four hour operations and regular HGV and car access should the site be in full capacity, and would continue to be inefficient in terms of energy conservation and generation.
87. The provision of 33no. new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities in Balsham, both of which will be of benefit to the local economy. Balsham Butchers has recently closed due to falling demand, and with Plumbs Diary also facing closure currently.
88. The developer has submitted an indicative delivery statement to indicate that development could commence and be delivered within 5 years.
89. Overall, it is considered that the proposed development would achieve the social, economic and environmental elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

**Loss of employment**

90. Policy ET/6 of the LDF requires that any proposal for the re-development of existing employment sites to non-employment uses within village frameworks will be resisted, unless it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand, with documentary evidence submitted that identifies that the site is not suitable or capable for continued employment, and that the property has been adequately marketed for a period of not less than twelve months; or the overall benefit to the community of the proposal outweighs any adverse effect

on employment opportunities and the range of available employment land and premises; or the existing use is generating environmental problems and any alternative employment use would continue to generate similar environmental problems.

91. The site comprises nine individual units of varying sizes and uses, together with a substantial area in the south western corner which has been used for open storage. A Marketing Report and Commercial Viability Appraisal was submitted with the application in which Units 5,6 & 7 have been marketed for their uses (B1a and B2) since March 2012. Units 1, 2 were in use for (B1a and B8) uses until November 2016, with unit 3 being used for B1c use and units 8 and 9 for B8 use. The submitted marketing report details that the site has been marketed since March 2012 with numerous enquiries and viewings, and no suitable occupier being found. The reasons being the site's constraints imposed by the sites central village location, the village location being difficult for HGV access, nearby residential dwellings requiring restrictions on the hours of operation, the buildings being too restrictive for uses due to size and scale, and costly to change.
92. The site was also considered for redevelopment for other smaller scale commercial uses comprising a small industrial scheme, office scheme and live/work scheme. The development appraisals undertaken of all these proposed commercial uses resulted in a substantial loss, and were considered economically unviable, with the redevelopment of the whole site or only part being considered, and anticipated rental returns not being significant to warrant the level of risk involved. The conclusions of the marketing report detail that there is no demand for the existing commercial space, with redevelopment being unviable with the only viable alternative and more appropriate land use being for residential development.

### **Density of development**

93. The site measures 0.83 hectares in area and would equate to a density of 39 dwellings per hectare. Policy HG/1 of the LDF and H/7 of the Proposed Local Plan requires residential developments to make the best use of the site by achieving an average net density of at least 30 dwellings per hectare with higher densities of at least 40 dwellings per hectare in more sustainable locations. The proposed density is considered to be slightly high, however given the site's location within the centre of the village, the density is considered appropriate to the surrounding area in this context.

### **Mix**

94. Under the provisions of Policy HG/2 of the LDF, the market housing provision of proposed schemes is required to include a minimum of 40% 1no. or 2no. bedroom properties, approximately 25% 3no. bedroom properties and approximately 25% 4no. bedroom properties. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10no. or more dwellings should achieve at least 30% for each of the 3 categories, with the 10% margin to be applied flexibly across the scheme.
95. Emerging Policy H/8 is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF. The proposed housing mix is for 7no. x one bedroom flats, 2no. x two bedroom flats, 10no. x two bedroom houses, 6no. x three bedroom houses, 7no. x four bedroom houses and 1no. x five bedroom house. The proposed mix varies from the policy requirement, with the justification that

there is a need for both smaller properties in the area as well as family houses in which the proposed mix will cater for this need.

### **Visual Impact**

96. The site lies along the High Street with the front half of the site being within the Balsham Conservation Area. Currently there lies a large parking area to the front of the existing office building which is set back from the road, with the existing buildings not being of any particular merit or making a positive contribution to the visual amenity of the area. The character of the dwellings along the High Street vary in terms of their design, scale, form, height and separation with the area immediately surrounding the site, which comprises dwellings sited either hard on to the pavement, set a few metres back or to the east set behind a long drive. Opposite the site lies the primary school which is set back behind a green frontage and area of parking, providing an open outlook. The proposal is considered to provide a positive visual impact on the character and appearance of the area, as a result of the demolition of the existing commercial units.
97. The proposed overall layout of the site is considered acceptable as the proposed number of dwellings can be accommodated whilst respecting the character and appearance of the surrounding area. The access would be resited centrally within the site from the High Street. The proposed layout would form various cul-de-sacs from the main access road into the site, with a row of dwellings fronting the High Street which would be in keeping with the area. A landscaped amenity space with trees and metal railings is proposed immediately to the site of the two and a half storey apartment block which would soften the entrance and provide a positive, open aspect to the High Street. The proposed layout is considered to reflect the pattern and character of the existing village.
98. The majority of dwellings proposed are two storeys in height, with the apartment building sited adjacent to the High Street and proposed vehicular access being two and a half storeys in height. The proposed scale and height of the two storey dwellings is considered to reflect the height of the dwellings in the local area. The proposed two and a half storey apartment building would be slightly higher than the dwellings in the area, however they are not considered to be visually prominent in the area, and would provide a termination to this proposed terrace to the front. The proposed height of the dwellings would be lower than the current height of the existing buildings on the site providing a visual improvement.
99. The proposed design and materials of the dwellings are considered to reflect the traditional forms and type of the dwellings in the area. The design of the proposed apartment building has been designed to read as a series of three linked but individual dwellings which would be in keeping with the local vernacular. The majority of the proposed dwellings would be semi-detached and linked dwellings.
100. The proposal is considered to preserve the character and appearance of the area of the Conservation Area, and would be appropriate to the visual amenity of the area in accordance with Policy DP/2 of the LDF.

### **Heritage Impact**

101. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay "special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses." Further, section 72 of the Planning (Listed Buildings and



Conservation Area) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

102. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
103. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
104. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
105. The proposed site lies to the south west of a row of Grade II listed buildings lying along West Wratting Road (Nos.1-9). The Historic Building Officer has stated that the proposal would not result in significant harm to the setting of these listed buildings, nor the character and appearance of the Balsham Conservation Area.

#### **Highway safety and parking provision**

106. The Highway Authority has raised no objections to the scheme. The Highway Authority recommends standard conditions in relation to the management of traffic and materials during the construction phase of the development, the levels of the access being constructed to prevent displacement of surface water and material onto the highway, the existing access to the site is to be closed and the footpath reinstated, and an informative in regard to no works to the public highway.
107. Numerous neighbours and Balsham Parish Council have raised concern regarding the increase in traffic onto the High Street at peak times. The submitted Transport Statement predicts there will be a net reduction in travel, reducing the daily trips to the site by car and HGV’s from the commercial use from 500 trips based on full occupancy of the existing employment site, to 290 trips. The site lies opposite the Primary School and is within walking distance of the village shop, Post Office and village pubs, therefore the reduction in vehicle trips from the residential redevelopment is likely to be greater as it is expected that residents will walk to these facilities.
108. It is not expected that all occupants will leave and return to the site at the same time by motor vehicle, and as such the impact this scheme would have on the High Street is not considered to get significantly worse to a point where the harm to the road network would be so demonstrable to outweigh the benefits of the scheme.
109. The submitted layout identifies that there would be 2no. car parking spaces for each dwelling on plot either provided by a driveway or garage, and 1no. car parking space for each apartment within a shared car park. The proposal would meet the

requirements of the LDF standards of 1.5 spaces per dwelling across developments.

### **Trees and Landscape**

110. The application is supported by an Arboricultural Impact Assessment. The site is dominated by hardstanding and buildings, with trees lying off-site in neighbouring gardens. The District Councils' Tree Officer has raised no objections to the proposal, subject to a condition being recommended in regard to no commencement or demolition of any buildings until tree protection measures in the Arboricultural Impact Assessment have been erected and remain in position for the duration of the development to protect neighbouring trees.
111. In line with the Landscape Officers comments, a condition will be recommended to submit details of proposed hard and soft landscaping details, including a planting specification for the proposed scheme.

### **Ecology**

112. The Ecology Officer has raised no objection to the proposals, however, it is requested that conditions are recommended in regard to the works being carried out in accordance with the recommendations in the ecology appraisal submitted including avoidance and mitigation measures for nesting birds and foraging bats and a scheme for ecological enhancement biodiversity shall be submitted detailing measures for the dispersal of hedgehogs, nesting birds, roosting bats and invertebrates in line with Policies DP/1, DP/3 and NE/6 of the LDF and the Wildlife and Countryside Act 1981 (as amended).

### **Residential amenity**

113. The site is surrounded by residential properties to the west, north and east. To the north of the site lies the primary school with neighbouring dwellings at Nos. 2 & 4 High Street lying opposite to the north east. These dwellings lie immediately adjacent to the High Street and the proposed dwelling forming plot 1 and the garage within the rear garden would be sited opposite these properties, situated 12 metres and 17 metres from these neighbouring properties and the garden of No.4 which lies to the side. The neighbour at No.4 High Street has raised concern regarding loss of privacy, loss of light and overbearing impact on their amenity and garden. The proposed development at plot A1 would result in some harm to these neighbouring properties by virtue of the proposed first floor side bedroom and study windows facing this property; however, given the distance and road in between, the proposed is not considered to result in significant harm to the amenity of these neighbouring dwellings to warrant refusal on these grounds. The application is supported by a Daylight, Sunlight and Overshadowing Analysis in accordance with BRE guidance, it concludes that the proposed development will not impact on daylight and sunlight to neighbouring properties.
114. To the west of the site lies the neighbouring property at No. 11 High Street. Within the side (east) of this neighbouring property lies a window at first floor level with two windows at ground floor level, together with a window at first floor level which faces north to the High Street above the garage. A driveway lies immediately adjacent to the site. The proposed immediate dwelling serving the apartment building would be 3 metres from the common boundary of this neighbouring site and 6.2 metres from the side elevation. There would be no windows in the side (west) elevation of the proposed dwelling, and therefore is anticipated that there will be no loss of privacy to the neighbour at No.11 High Street. The proposed height of this dwelling would be 8

metres. It is considered on balance that the proposal would not result in significant loss of light or overbearing impact to this neighbour.

115. The proposed garage serving the apartment building would be sited immediately adjacent to the neighbouring rear element of No.11 High Street, which has no windows in the side elevation and therefore there would be no impact to this neighbour. The proposed dwelling serving Plot B4 would be sited to the side (east) of the garden area serving this neighbouring property. The proposed dwelling serving plot B4 would be sited 1.5 metres from the common boundary, with no windows in the side elevation. Given its small size and depth and that it would replace a much larger industrial building which serves unit 9 and lies along the majority of this neighbouring garden, the proposal is considered to be an improvement to the existing level of amenity to the garden of this neighbouring property and its rear elevation.
116. To the east of the site lies the neighbouring properties at Nos. 5 High Street, Nos. 20 and 22 Bartons Close. The proposed dwellings forming Plots A1-A10 would be sited 12 metres from the common boundary with No.5 High Street, and 14 metres from the side elevation of this neighbour, which has no windows in this elevation. This neighbour in their comments has raised concerns regarding the impact on their private garden through loss of privacy. The proposed first floor windows to the rear of Plots A3, A4 and A5 would face directly into the rear gardens of No. 5 High Street and 20 Bartons Close. A large gable projects from the rear of No.5 along the boundary with Plot A3; given this, the rear garden area amenity area is partly obscured and the impact in terms of privacy is not considered significant.
117. The bungalows at Nos.20 and 22 Bartons Close lie to the side (east) of the site. A large tree belt outside of the application site runs along this boundary and will be protected during the course of the development. Units 5 and 6 lie immediately on this boundary with these neighbouring properties, therefore the proposed dwellings would be set over 12 metres from the boundary of the site, 16 metres from the side elevation of No.20 and 8 metres from the boundary of the site but 16 metres from the side of No.22. Given this distance and that the dwellings would be significantly lower than the height of the existing industrial units, the proposed amenity and outlook of these neighbouring bungalows would be enhanced by the proposal.
118. To the west of the application site lie the neighbouring properties along Sleaford Close. The neighbour at No.7 Sleaford Close has raised concerns regarding the potential for windows at first floor level in the side (west) elevation of plot A15 and that the single storey remains at this level. This elevation proposes no windows towards the common boundary. A condition shall be added to ensure removal of permitted development rights for any windows in the side to prevent any loss of privacy to the garden of this neighbour and the neighbouring garden serving 8 Sleaford Close.
119. The rear gardens of the bungalows serving Nos. 5 & 6 Sleaford Close would back onto the side of the dwellings proposed forming Plot A16, and the garage building. Within the side elevation of the proposed dwelling A16 there would be no first floor windows proposed and a condition removing permitted development rights would be added to protect the privacy of these neighbours. The proposed dwelling at Plot A16 and its associated garage building would be sited 4 metres from the common boundary. The existing site currently has a large open area which has been used for storage which lies adjacent to these neighbours.
120. The proposed dwellings would be sited in close proximity to the boundary of these neighbouring properties and their rear gardens, and further from the rear elevations of these neighbouring bungalows; however given the siting off the boundary, spacing

between the dwelling plot A16 and garage building and between plot A15, together with the benefit of the loss of the employment use and associated noise and disruption of HGV's, vehicle movements and existing site, the proposed impact on neighbour amenity is considered acceptable in this instance.

121. To the rear (south) of the site lies the neighbouring dwelling serving Hay House, Bartons Close and allotments. Given the distance from this neighbouring property and significant tree belt, and that the proposed dwellings would be sited further within the plot away from this neighbouring dwelling with the footpath running in-between, the proposal is not considered to result in significant harm to this neighbour.
122. The neighbour at No.1 High Street in their comments raised concern regarding loss of view from their property as a result of the development. Loss of view is not a material planning consideration. The visual impact of the proposed dwellings has been assessed above.

### **Section 106 Contributions**

123. The S106 officer has confirmed that there have been more than 5 generic contributions towards (i) off-site sports space and (ii) off-site indoor community space in Balsham since 6 April 2010 and as such all future requests must be based on specific projects.
124. Please see attached Appendix 1 which confirms the requested contributions and rational. In summary we will be seeking contributions and obligations towards sports, children's play space, Balsham Community Orchard, Rosie Green Wood and the indoor meeting space for Balsham Scout hut. Balsham Parish Council have requested these based on the priority for the village to support and to upgrade existing facilities rather than providing new facilities on additional sites.

### **Flood Risk, Surface Water and Foul Water**

#### Surface Water

125. Cambridgeshire County Council as Lead Local Flood Authority have raised no objection to the application on the basis that the applicant has demonstrated that surface water can be dealt with on the site by pumping, with 100% standby pump, backup alarm for power and pump failure in conjunction with telemetry and generator socket to ensure power can be restored during any long break in mains power. The Lead Local Flood Authority recommended conditions in regard to the development being carried out in accordance with the agreed Flood Risk Assessment, submission of a detailed surface water drainage scheme based on the agreed Flood Risk Assessment and details for the long term maintenance arrangements of any parts of the surface water drainage system.
126. The Environment Agency has raised no objection to the application. The site is located within Flood Zone 1 and is therefore considered at a low risk of flooding. As Anglian Water and the LLFRA have not objected to the proposals in relation to the surface water run off rates if the development was permitted, it is considered that the applicant has demonstrated that flood risk would not increase (on or off site) beyond the existing situation, which is the requirement set out in national policy.

#### Foul water drainage

127. Anglian Water has confirmed there are no assets owned by Anglian Water or those

subject to an adoption agreement within the development site boundary.

128. Anglian Water has commented that the existing Balsham Water Recycling Centre, which would treat wastewater from the proposed development, does currently have capacity to treat the flows from the development. An informative shall be recommended to inform the developer that if they wish to connect to the sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991.

### **Water Conservation**

129. In line with the Renewable Energy Officers comments, a condition is recommended to ensure the development incorporates all practicable water conservation measures in accordance with adopted Policy NE/12.

### **Archaeology**

130. The comments of Cambridge County Council Archaeology are acknowledged. A condition requiring a programme of archaeological investigation to be secured prior to the commencement of development is recommended.

### **Noise, Light and Air Quality**

131. The Council's Environmental Health Officers raise no objections to the principle of the development in regard to environmental health issues subject to conditions to control hours of power operated machinery, working times, pile foundations, airbourne dust, artificial lighting and operational waste and recycling/waste management strategy in accordance with the RECAP Waste Management Design Guide Toolkit to accord with adopted Policies DP/3, NE/14 and NE/15 of the LDF.

### **Waste**

132. Very little information is provided in the application on the development's compliance with the RECAP design guide. A condition is recommended to require details of operational waste and recycling provision

### **Energy**

133. A Renewable Energy Statement by NRG Consulting was submitted with the application. In line with the Renewable Energy Officers comments, conditions shall be added to require a carbon reduction statement to demonstrate that at least 10% of the proposals predicted carbon emissions will be reduced by on-site renewables and/or low carbon energy sources and shall be maintained in line with Policies NE/1 and NE/3 OF THE Local Development Framework and Policy CC/3 of the Proposed Local Plan.

### **Recommendation**

134. Officers recommend that the Committee grants planning permission subject to:

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

Completion of an agreement confirming payment of the following as outlined in Appendix 1

- £72,075.53 towards Balsham Sports Pavillion contribution

- £5,000 towards children's playspace comprising a replacement roundabout
- £3,500 towards Balsham Community Orchard
- £3,500 towards Rosie Green Wood
- £3,114 towards household waste bins
- Scheme of 40% affordable housing
- Scheme of on site public open space, informal open space and landscaped amenity space

## Conditions

- (1) 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.)
- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: 086-001, 086-422 Rev A, 086-423, 086-430 Rev A, 086-440 Rev A, 086-450 Rev A, 086-480 Rev A, 086-460 Rev A, 086-470 Rev A, 086-471 Rev A, 086-490 Rev A, 086-500 Rev A, 086-510 Rev A & PL02 Rev B. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (3) No development apart from site demolition and site clearance works shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (4) Prior to the first occupation of any of the development full details of both hard and soft landscape works shall be 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.)
- (5) 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.)

- (6) No development apart from site demolition and site clearance works shall commence on site until the tree protection measures as detailed in the Arboricultural Impact Assessment by Landscape Planning Limited dated 20 June 2016 have been erected and remain in position, undisturbed until practical completion of the implementation of the development.  
(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.)
- (7) Prior to the first occupation of any of the development a scheme for ecological enhancement including native planting, measures to allow dispersal of hedgehogs and in-built features for nesting birds, roosting bats and shall be provided to and agreed in writing 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).
- (8) All works must be carried out in accordance with the recommendations detailed in Sections 9.4 and 9.5 of the Preliminary Ecological Appraisal report (Landscape Planning Ltd., June 2016). This shall include avoidance and mitigation measures for nesting birds and foraging bats. The nesting bird season shall be defined as 1 March to 31 August in any given year.  
(Reason: To minimise disturbance, harm or potential impact on protected and notable 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).
- (9) No development apart from site demolition and site clearance 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. Attention is drawn to the requirements of the Environment Agency including tank removal and validation, and the Local Authority's requirements.  
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).
- (10) No development apart from site demolition and site clearance works shall be carried out in accordance with the agreed Flood Risk Assessment prepared by SDP Consulting Engineers dated August 2016 (ref: E14.142, Issue 4) and the following mitigation measures detailed within the Flood Risk Assessment:

1. A maximum allowable surface water discharge rate of 5 l/s for all storms up to the 1 in 100 annual probability event with an allowance for climate change
2. A 100% standby pump in case of breakdown, an appropriate alarm system for power and pump failure in conjunction with visual audible alarm and telemetry and an appropriate generator facility to maintain power during a mains outage.

(Reason: To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- (11) No development apart from site demolition and site clearance works shall take place until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment prepared by SDP Consulting Engineers dated August 2016 (ref: E14.142, Issue 4) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.  
(Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- (12) 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) shall 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 subcatchments, 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 shall be carried out in full thereafter.  
(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 and Policies DP/1 and NE/10 of the adopted Local Development Framework 2007).
- (13) No development apart from site demolition and site clearance works shall take place until a scheme detailing water conservation and management measures 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.  
(Reason: To ensure practicable water conservation measures in accordance with Policy NE/12 of the adopted Local Development Framework.)
- (14) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
  - (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street
  - (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
  - (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway



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

- (15) The proposed access 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.)
- (16) The existing access to No.7 High Street shall be permanently and effectively closed and the footway shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, within 28 days of the bringing into use of the new access.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (17) Prior to the first occupation of any of the development full details of 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 shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.  
(Reason - To ensure an adequate water supply is available for emergency use.)
- (18) Prior to each dwelling being occupied a Carbon Reduction Statement, which demonstrates that at least 10% of the developments total predicted carbon emissions will be reduced through the implementation of on-site renewable and/or low carbon energy sources, shall be submitted to and approved in writing by the local planning authority. The statement shall include the following details:
- a) The total predicted energy requirements of the development, set out in Kg/CO<sub>2</sub>/annum based on a Part L Compliant Scheme;
  - b) A schedule of proposed on-site renewable and/or low carbon energy technologies, their respective carbon reduction contributions, location, design and a maintenance programme.
- The proposed renewable energy technologies shall be fully installed and operational prior to the occupation of any dwellings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority. (Reason: In the interests of reducing carbon dioxide emissions in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework and CC/3 of the South Cambridgeshire Proposed Local Plan.)
- (19) The approved renewable and /or low carbon energy technologies shall be fully installed and operational prior to each dwelling being occupied and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.  
(Reason: In the interests of reducing carbon dioxide emissions in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework and CC/3 of the South Cambridgeshire Proposed Local Plan.)

- (20) An artificial lighting scheme (to maximise energy efficiency and minimise lighting pollution) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any external lighting of the site and a Lighting Spill Plan. The Artificial Lighting Scheme shall have regard for the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light – GN01:2011 (or as superseded). The lighting scheme will be implemented in accordance with the approved details. (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.)
- (21) During the period of demolition and construction, no power operated machinery shall be operated on the site, and there shall be no construction related deliveries taken at or dispatched from the site, before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (22) No construction work and or construction related dispatches from, or deliveries to the site shall take place other than between the hours of 0800 hours and 1800 hours on weekdays and 0800 hours and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (23) No development apart from site demolition and site clearance works to ground level shall take place on 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.)
- (24) No development including demolition or enabling works shall take place until a Site Waste Management Plan for the construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full. (Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007.)
- (25) 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 side (west) elevation of the dwelling plot A15 and plot A16 at or 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.)

## **Informatives**

- (a) The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- (b) If the developer wishes to connect to Anglian Waters sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991.
- (c) 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.
- (d) 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.
- (e) 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.

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

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