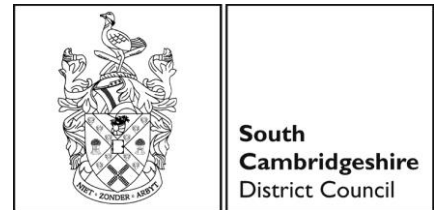


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30 August 2016

To: Chairman – Councillor David Bard
Vice-Chairman – Councillor Kevin Cuffley
All Members of the Planning Committee - Councillors John Batchelor,
Anna Bradnam, Brian Burling, Pippa Corney, Sebastian Kindersley,
David McCraith, Des O'Brien, Deborah Roberts, Tim Scott and Robert Turner

And substitutes appointed to serve at this meeting

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 7 SEPTEMBER 2016 at 10.30 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

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AGENDA

PAGES

PUBLIC SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol (revised June 2015) attached to the electronic version of the agenda on the Council's website.

PROCEDURAL ITEMS

1. Apologies

Councillor Des O'Brien has sent apologies. To receive apologies for absence from other committee members.

2. Declarations of Interest

1. Disclosable pecuniary interests (“DPI”)

A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.

2. Non-disclosable pecuniary interests

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

3. Non-pecuniary interests

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

3. Minutes of Previous Meeting

1 - 4

To authorise the Chairman to sign the Minutes of the meeting held on 3 August 2016 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

4. S/1963/15/OL - Linton (Bartlow Road)

5 - 58

Residential development of up to 55 Dwellings

5. S/2921/15/OL - Willingham (Land south of 1b Over Road)

59 - 100

Outline proposal for erection of 26 dwellings including 10 affordable units and ancillary access arrangements (All matters reserved apart from access)

6. S/0191/16/OL - Guilden Morden (Site south of Thompson's Meadow, Trap Road)

101 - 134

Outline planning application for up to 30 dwellings and formation of new access (all other matters including landscape, layout, scale and appearance are reserved)

7. S/0243/16/FL - Bassingbourn (Snow Centre)

135 - 164

New vehicular and pedestrian access off Guise Lane. Realignment of boundary perimeter fence, new car park and footpath to connect to the existing Club House

8. S/0534/16/FL - Whittlesford (Land immediately to west of Bar Lane, Newton Road)

165 - 182

Erection of two semi-detached dwellings,

- | | | |
|-----------|--|------------------|
| 9. | S/0089/16/FL - Papworth Everard (St Francis of Assisi Roman Catholic Church, Ermine Street North) | 183 - 208 |
|-----------|--|------------------|

Demolition of existing dilapidated church and erection of four new apartments

MONITORING REPORTS

- | | | |
|------------|--|------------------|
| 10. | Enforcement Report | 209 - 216 |
| 11. | Appeals against Planning Decisions and Enforcement Action | 217 - 226 |

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

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Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

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EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

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Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 3 August 2016 at 10.30 a.m.

PRESENT: Councillor David Bard – Chairman
Councillor Kevin Cuffley – Vice-Chairman

Councillors:	Anna Bradnam	Brian Burling
	Pippa Corney	Sebastian Kindersley
	Charles Nightingale	Des O'Brien
	(substitute)	
	Deborah Roberts	Tim Scott
	Robert Turner	Aidan Van de Weyer (substitute)

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Julie Baird (Head of Development Management), John Koch (Planning Team Leader (West)), Lydia Pravin (Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer), David Thompson (Principal Planning Officer), Alison Twyford (Senior Planning Officer) and William Tysterman (Planning Project Officer)

Councillors Roger Hall, Alex Riley and Bunty Waters were in attendance, by invitation.

1. APOLOGIES

Councillors John Batchelor and David McCraith sent Apologies for Absence. Councillors Aidan Van de Weyer and Charles Nightingale were their respective substitutes.

2. DECLARATIONS OF INTEREST

Councillor Tim Scott declared a Disclosable Pecuniary Interest in Minute 7 (S/1136/16/FL in Comberton) because he was the landowner. Councillor Scott withdrew from the Chamber, took no part in the debate and did not vote.

Councillor Robert Turner declared a non-pecuniary interest in Minute 5 (S/0851/16/FL in Bar Hill). Councillor Turner had visited the site privately last year, but offered no comment about it. He informed a Planning Officer about the visit, and was considering the matter afresh.

3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the minutes of the meeting held on 6 July 2016.

4. S/2456/15/OL - WILLINGHAM (LAND OFF, HADEN WAY)

Members visited the site on 2 August 2016.

Sinead Turnbull (applicant's agent) attended the meeting to answer any questions. There were no questions.

Committee members made the following points

- It should be a requirement that 50% to 100% of the affordable housing should be offered, in the first instance, to those with a connection with Willingham, and then cascaded out
- Concern about the cumulative effect of development in the village
- The lack of meaningful sustainability
- Disappointment at the absence of footpath links between adjoining developments

The Committee gave officers **delegated powers to approve** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing
 - a. Enhancements of nearby bus shelters and the footpath link between the development and local facilities
 - b. Financial contributions intended to address capacity issues at the doctors surgery and primary school
 - c. The provision of 40% affordable housing (100% of which will be for those with a local connection with Willingham and then subject to the standard cascade provision)
 - d. Public open space and equipped areas of play
 - e. A financial contribution towards off-site community facilities
 as detailed in the Heads of Terms attached as Appendix 1 to the report from the Head of Development Management; and
2. The Conditions and Informatives referred to in the said report.

5. **S/0851/16/FL - BAR HILL (HALLMARK HOTEL, LAND SOUTH SIDE OF HUNTINGDON ROAD)**

Members visited the site on 2 August 2016.

Matthew Roe (applicant's agent), and Councillors Roger Hall and Bunty Waters (local Members) addressed the meeting. Matthew Roe highlighted the proposal's holistic approach, and its high quality nature. He said that the proposal would protect Bar Hill's character, and provide traffic calming along the sole route into the village. In reply to a question, Mr Roe was unwilling to commit his client to an uplift clause, but said that, should the development remain unbuilt in three years time, there would be a good argument for revisiting the question of viability. Councillor Hall referred to the unique character of Bar Hill, claiming that the proposal was unsustainable. He expressed concern that the existing bund was not being retained in its entirety. The proposed traffic crossing might be perceived as unsafe, and therefore have the effect of increasing traffic as parents opted to drive their children to school. Uncertainty about car parking provision could lead to an increase in on-street parking. Councillor Waters expressed dismay at the proposal for two blocks of flats at the entrance to Bar Hill as this would spoil the village's character. Would the affordable housing be for local people? What arrangements would there be for maintaining the play area?

Committee members made the following comments:

- The development would greatly change the entrance to Bar Hill
- It would damage the village's character of having four distinct areas (this proposal includes residential, recreation and commercial in a single package)
- Concern about the landmark nature of the two blocks of flats
- Inadequate affordable housing provision
- Bulk and size made the proposal out-of-keeping with the surrounding area
- The design is unacceptable

- The proposal was overbearing and unacceptable in a rural setting

With referenc to Members' interest in imposing an uplift clause, the Planning Lawyer said that, while there was no policy basis for insisting on such a clause, precedants did exist. He suggested that the application be referred back to Committee should the developer was unwilling to negotiate an uplift clause.

The Committee **refused** the application contrary to the recommendation in the report from the Head of Development Management. Members agreed the reasons for refusal as being

1. That the proposal, by virtue of its bulk, height, massing and overbearing nature, was out of character with the local area, and that the overall design was contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework 2007; and
2. the need for affordable housing in this location is considered to outweigh the benefits of a high specification design.

6. S/1040/16/FL - LONGSTANTON (LAND TO THE REAR OF EXISTING HAULAGE YARD AND NO.5 STATION ROAD)

Members visited the site on 2 August 2016.

Catherine Bailey (objector), Andy Payton (on behalf of the applicant) and Councillor Alex Riley (local Member) addressed the meeting. Catherine Bailey spoke about pollution from fumes and noise, in particular low frequency noise. She said that the proposed acoustic fencing along the rear western boundary of No. 5 Station Road should be extended for 60 metres along the southern boundary of the site to protect neighbour amenity. Landscaping should be enhanced. Catherine Bailey referred to the Council's Long-term vision relating to quality of life. Andy Payton said that the proposed expansion of the business would create 25 new jobs and no viable alternative site existed in Cambridgeshire. He explained that 65% of lorries left the site on Monday morning and only returned on Friday afternoon. Mr Payton was keen to do everything possible to address the concerns of neighbours, while nevertheless avoiding any significant adverse impact on the business as a result. Councillor Alex Riley said the most important thing was to protect residents, for example by restricting the hours of operation, stopping the practice of leaving engines running on stationary vehicles, and adopting effective noise mitigation measures.

Following discussion centred around the need to protect neighbours' amenity, and desire to establish a local liaison group, the Committee

1. **approved** the application subject to the Conditions and Informatives set out in the report from the Head of Development Management, amended as follows
 - a. by adding to the Condition requiring details of the acoustic fencing along the rear western boundary of No. 5 Station Road, a requirement that such fencing must also extend for 60 metres along the southern boundary of the site to ensure that the amenity of adjoining neighbours is protected; and
 - b. by adding to the landscaping Condition the need to provide landscaping details to protect the existing tree belt.
2. **suggested** that the Developers and other interested parties, including the local Member, might consider the establishment of a Local Liaison Group to monitor

noise disturbance and other issues.

7. S/1136/16/FL - COMBERTON (LAND AT MANOR FARM, GREEN END)

Members visited the site on 2 August 2016.

The Case Officer read out a statement from Councillor Tim Scott. The statement referred to:

- The height of the tower being determined by the coverage required
- The provision of 2G, 3G and 4G signals in Comberton
- The opportunity for future mast sharing
- Health and Safety concerns having been addressed
- The viability of the proposal

Jill Feldman (objector) addressed the meeting. She referred to:

- Health risks
- South Cambridgeshire District Council's long-term vision, including the pledge to ensure that residents enjoy a superb quality of life in an exceptionally beautiful, rural and green environment
- The questionable need for such a tower at this location, if at all
- Questionable coverage details as supplied with the application.
- The tower as a "blot on the landscape" and "a sledgehammer with which to crack a nut".

Following some discussion about the need for such a high tower, and confirmation that the tower was completely new, the Committee **approved** the application subject to the Conditions referred to in the report from the Head of Development Management.

8. S/1079/16/FL - GIRTON (45 ST VINCENTS CLOSE)

The Committee **approved** the application subject to the Conditions referred to in the report from the Head of Development Management.

9. ENFORCEMENT REPORT

The Committee **received and noted** an Update on enforcement action.

10. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action.

The Meeting ended at 12.52 p.m.

Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2016

AUTHOR/S: Head of Development Management

Application Number:	S/1963/15/OL
Parish(es):	Linton
Proposal:	Outline application for residential development of up to 55 Houses
Site address:	Land North and South of Bartlow Road
Applicant(s):	Pembroke College, University of Cambridge and G W Balaam & Sons Ltd.
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:	6 September 2016
Departure Application:	Yes
Presenting Officer:	Karen Pell-Coggins, Principal Planning Officer
Application brought to Committee because:	The officer recommendation conflicts with the recommendation of Linton Parish Council and the development would represent a departure to the Local Development Framework
Date by which decision due:	9 September 2016 (Extension of Time)

Executive Summary

1. This proposal, as amended, seeks permission for a residential development outside

the Linton village framework and in the countryside. This 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 and setting of listed buildings of the village. However, it is considered that the landscape impact is limited and can be successfully mitigated as part of the outline application and the preservation of the setting of listed buildings can be achieved through the design of the development at the reserved matters stage.
4. These limited adverse impacts must be weighed against the benefits of the positive contribution of up to 55 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, 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 55 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/1109/80/O - Bungalow and Garage - Refused (North of Bartlow Road)
SC/1170/73/O - Agricultural Dwelling - Refused (North of Bartlow Road)
SC/0172/68/O - Residential Development - Refused (North of Bartlow Road)
SC/0091/63/O - Residential Development - Refused (North of Bartlow Road)
SC/0144/62/O - Residential Development - Refused (North and South of Bartlow Road)

National Guidance

7. National Planning Policy Framework
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/7 Sites of Biodiversity or Geological Importance
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
CH/4 Development Within the Setting of a Listed Building
CH/5 Conservation Areas
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
Development Affecting Conservation Areas SPD - Adopted January 2009

Listed Buildings SPD - Adopted July 2009
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/5 Sites of Biodiversity or Geological Importance
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. The full comments to the amended scheme are set out in Appendix 1. A summary of the concerns are set out below: -

- i) The site is outside the village framework and the sites were rejected in the SHLAA and Local Plan as having no development potential.
- ii) Linton is classified as a Minor Rural centre which allows a maximum of 30 dwellings.
- iii) The site has been submitted for development over the last 50 years and rejected.
- iv) Significant and damaging to Linton and the floodplain and have a wider effect along the river valley.
- v) Adversely affect views and the setting of Linton in the open landscape.
- vi) Impact upon the approach to the conservation area, listed buildings and the character of the village.
- vii) Noise impact from the A1307.
- viii) Total destruction of archaeology.
- ix) Limited separation of village and A1307 and loss of soft edge to the village.
- x) Housing mix should reflect the needs of the village for bungalows and smaller affordable homes.
- xi) The development has no potential for employment.
- xii) Self-contained developments that would discourage community life.

- xiii) Distance to village centre long and access poor.
 - xiv) Occupiers would not use village facilities due to parking and congestion in village.
 - xv) Add to traffic parking and congestion in village.
 - xvi) Infrastructure is at capacity particularly the schools.
 - xvii) Impact upon utilities and services.
 - xviii) The safety and capacity of junctions on to the A1307.
 - xix) Additional traffic through the village that would impact upon the conservation area.
 - xx) Traffic impact on Bartlow Road from number of accesses.
13. **Conservation Officer** – Comments as amended that there are no designated heritage assets adjacent to the site. However, there is a grade II* listed building and grade II listed structure close to the site at Barham Hall. The site of Barham Hall is slightly elevated and has views over the development site. Therefore impacts upon the setting need to be taken into account. The development seeks to retain a green buffer along Bartlow Road and to the north east of the site. The helps keep the development form in line with Linton and retain the rural character of the site. Although the principle of developing this site for residential purposes is largely acceptable, its impact upon the nearby heritage assets needs to be considered and mitigated where possible. This will be through a suitable layout, appropriate form and design and use of high quality materials at the reserved matters stage.
 14. **Urban Design Officer** – Comments as amended that the revised layout with a reduced developable area and reduced number of units (from 78 to 55) is welcomed. This set back from the eastern boundary, relocation and thinning of the woodland boundary, and the retention of some agricultural land to the east will reduce the visual impact of the development, and help retain a rural setting to the village. The density is fairly low (approx. 17dph), but this is appropriate given the edge of village location, and should allow space for mature landscaping elements to develop between the houses to reduce the negative impact this development will undoubtedly have on the surrounding open landscape character. Request further points to be considered in relation to the detailed layout such as character areas, siting of buildings, focal points, surveillance from public rights of way and position of open spaces.
 15. **Landscape Design Officer** – Comments as amended that the previous concerns have been addressed through the reduction in the number of dwellings on the site and the revised site area being pulled back to allow a foreground of open land behind which sits a filtering woodland to the edge of the settlement. This would also retain views from Rivey Hill from the south and the development would not protrude into the river valley when viewed from public land to the east. Some negative landscape and visual impacts would remain but these have been reduced and therefore the site would be able to accommodate up to 55 dwellings with suitable landscape mitigation so as to not harm the landscape setting of the village.
 16. **Trees and Landscapes Officer** – Comments that the site comprises two parcels of land that are currently agricultural. Trees present are confined to the outer boundaries of each parcel. Has no objections as the application is supported by a comprehensive report that shows the existing trees overlaid on to the illustrative masterplan. The tree works are agreed and the development would provide an opportunity to improve the volume and diversity of green infrastructure. Requires a condition to be attached to any consent in relation to an updated aboricultural assessment and tree protection strategy.
 17. **Ecology Officer** – Comments that the application is supported by an Ecology Report that does not identify any significant biodiversity constraints to development except for species rich hedgerows and the occurrence of otters using the River Granta but

does consider a suitably wide buffer zone adjacent to the River Granta to be important. The species rich hedgerows on the northern and southern site should be retained and integrated within the development and not fall under private ownership.

18. There is a small area of woodland that would provide some screening of the development from the River Granta. The River Granta is a County Wildlife site and the application should provide some form of enhancement or assist in the positive management of the river. An objection is raised as the application is not providing any specific enhancement to the river. It is screening itself from it, providing an off-set from it and providing a pond that is necessary for the development. The northern bank of the river is being kept secluded through the retention of scrub and tall vegetation. The River Granta being a County Wildlife Site must be protected. The provision of the wild buffer zone presents much opportunity for the integration of ditches, scrapes, and other wetland features to truly enhance this area of land and compliment the setting of the setting of the river as well as to control the movement of people to reduce disturbance to some areas.
19. The design of the attenuation pond should allow for suitable variations in shore line depths and draw down zones for wading birds. The use of swales through the development is welcomed as it would allow water quality to be improved. The pond should connect to the river via a ditch rather than a closed pipe to provide a habitat corridor. The headwall as an outfall to the river would be oversized and detract from the natural status of the area when viewed from Leadwell Meadows. The setting of the pond is compromised by the 5 dwellings closest to it as the whole development could enjoy and attractive vista to the river if these were removed.
20. The proposal has serious implications to increase flood risk to the built up-area of Linton as the Parish Council see the meadow as part of the natural catchment to the river. A positive that could come from the development is the opportunity to contribute to flood protection and alleviation of the risk to the village. A number of discussions have taken place in recent years to discuss how flood moves across Leadwell Meadows and where would be the best position to have a bund to hold back water and give the village a greater degree of protection. The backing up of water may cause water to be extended beyond its current floodplain. The development should not compromise the delivery of future flood protection for the village by developing at all within the floodplain or on land that may be flooded by future flood protection schemes. An alternative approach would be hold back water upstream of the A1307 bridge by means of a bund increasing the floodplain towards Barham Hall. The development may provide a means to fund proper investigation of flood protection options.
21. A reliable report has been received that states there is a population of Roman Snails in a ditch to the west of the southern field close to the River Granta. These are a protected species and a survey should be carried out to prior to determination to see if they are present on site. If so, appropriate avoidance, mitigation, compensation and enhancement measures would be required to inform the application.
22. Suggests conditions in relation to a scheme of ecological enhancement a strategy for the management of the pond and River Granta.
23. **Local Highways Authority** – No objection. Comments that drawing number 101 Revision A is acceptable for the accesses to the site.
24. **Cambridgeshire County Council Transport Assessment Team** – Comments that the peak flows have demonstrated that there is adequate capacity at the Bartlow

Road junction with the A1307 for the development and that the junction impact assessment of the Bartlow Road junction with the A1307 is appropriate and the proposal would not have a detrimental impact upon this junction. Further comments that there are westbound queues on the A1307 at peak times and the proposal would result in an additional 32 vehicles joining the queue.

25. Requires a contribution toward the review and recalibration of the operation of the junction of the A1307 with Linton Village College. Has no objections as amended subject to a condition for a Travel Plan Welcome Pack and the following mitigation measures being secured through a condition or section 106 agreement: -
 - i) Widening of the footway on the west side of Barlow Road to a minimum width of 1.8 metres between the site boundary and its junction with Crossways. This is in place of the grass verge to allow more room for walking with children away from moving vehicles. To be provided as part of a S278 agreement.
 - ii) Relocation of the Cambridge and Haverhill bus stops at the site in order that they can accommodate bus stop shelters at each stop. The location and design of the bus stops and shelters will need to be agreed with the County Council and Parish Council. The applicant to incorporate this provision into the designs of the frontages of both sites on the north and south side of Bartlow Road. The bus stop shelters to be directly implemented by the applicant with commuted sum for maintenance by Linton Parish Council to be secured as part of a S106 agreement;
 - iii) The applicant is required to install 10 cycle parking Sheffield stands at locations to be agreed with CCC and Linton Parish Council as part of S278 works.
 - iv) To contribute a sum of £25,000 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 A1037 with Linton Village College to update the operation of the junction to improve its performance.
 - iv) We would require the applicant to make a contribution of £10,000 towards City Deal proposals for reducing bus journey times along High Street Linton.
26. **Cambridgeshire County Council Historic Environment Team** – Comments that an archaeological evaluation was carried out prior to the submission of the application. The evidence can be summarised as sparse remains of low significance in the area north of Bartlow Road that does not require a mitigation strategy and Roman and Saxon remains to the south of Bartlow Road that were not extraordinary or of national significance that would require a strategy for recording and preservation. No objections subject to a condition requiring a scheme of investigation to the south of Bartlow Road.
27. **Historic England** – Comments that the application should be determined in accordance with the national and local policy guidance and the on the basis of the Council's specialist conservation advice.
28. **Cambridgeshire County Council Flood & Water Team** – Comments as amended that the impermeable area has reduced to 1.09 hectares and the development would only be acceptable if a surface water drainage condition is attached to any consent.
29. **Environment Agency** – Comments that the site is located above a principal aquifer, a Source Protection Zone 2 and within a WFD Drinking Water Protected Area. Considers the previous agricultural use and infrastructure ground activities to be potentially contaminative. Due to the high proximity to the River Granta and high vulnerability of groundwater, the site is considered of high sensitivity and further investigation is necessary. Has no objections to the scheme as amended subject to conditions in relation to contamination, surface water disposal and piling. Further comments that the Flood Risk Assessment demonstrates that the development is

within flood zone 1 (low risk) and has no objections subject to a condition ensure that the development is carried out in accordance with the Flood Risk Assessment. Also requests informatives with regards to surface water drainage, foul water drainage, pollution control and flood risk.

30. **Anglian Water** – Comments that foul drainage from the development is in the catchment of the Linton water Recycling Centre that will have available capacity for these flows and that the sewerage system at present has available capacity for these flows via a gravity connection to manhole 1502 or via a pumped regime at 3.8 l/s to manhole 7501. Further comments that from the details submitted with the application, the proposed method of surface water drainage does not relate to Anglian Water assets.
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, pile driven foundations, a programme of measures to minimise the spread of dust, construction phases of the development, noise and vibration impact assessment and mitigation for gas governor, noise protection for dwellings from traffic noise from the A1307, external lighting and a waste management strategy.
32. **Contaminated Land Officer** – Comments that the proposed residential end use is sensitive to land contamination and agrees with the conclusions of the report, in that the potential for contamination is generally low but further site investigation is recommended. Requires a condition for the detailed investigation of contamination and remedial measures for the removal of any contamination found.
33. **Affordable Housing Officer** – Comments that the site is located outside the development framework, and should be treated as an exception site and developed for 100% affordable housing to meet the local housing need of Linton, in accordance with Policy H/10 of the Local Plan. However, if this site is not treated as an exception site, then 40% affordable housing should be provided as part of this development in accordance with policy H/9. Our district wide policy for tenure split is 70/30 in favour of rented and not 50/50 as proposed by the developer. There are currently 1,700 applicants on the housing register in South Cambs and Linton has a housing need for 79 applicants. The highest demand both in Linton and across South Cambridgeshire is for 1 and 2 bedroom accommodation.
34. **Section 106 Officer** – Comments that contributions are required towards outdoor sport space, community facilities, waste receptacles and monitoring. Informal open space and children's play space would be provided on the site. These would be secured by a section 106 agreement.
35. **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.
36. **NHS England** – Comments that due to capacity levels in Linton, current priorities, and the size of this development, there is not an intention to seek contribution on this occasion.
37. **Crime Prevention Design Advisor** – Has no objections.

38. **Huntingdonshire District Council Sustainability Officer** – Comments that the requirements of policy are recognised and the efficiency measure suggested should go some way to achieving energy and carbon savings when compared to current building regulations. Although limited information has been provided in the form of a water conservation strategy, the development would not use more than 103 litres per person per day making it compliant with policy. The document provides a good feasibility of numerous renewable energy technologies. Solar thermal panels and a centralised heating system using a biomass boiler would meet the 10% requirements of the policy. However, the solar pv panels would not meet the policy. There are some inconsistencies in the figures and a condition should be attached to ensure further information is provided in the form of worked up examples of the preferred option to ensure policy compliance.
39. **Campaign for the Protection of Rural England** – Comments that although the Council cannot demonstrate a 5 year housing land supply, this is being addressed through the local plan process and other important material considerations should not be overridden by this. The emerging plan is at an advanced stage and sites outside development frameworks should come forward through this process. Evidence at the hearings should demonstrate that the housing needs forecasts for the district can be met by the proposed sites in the emerging plan. Further comments that the development would break out into the open countryside and entail the loss of good agricultural land. There would be an adverse impact upon rural landscape by also the valley of the River Granta. Linton is a Minor Rural Centre and the development would exceed the indicative maximum size of 30 dwellings within the development framework.

Representations

40. Approximately **135 letters of objection** have been received from local residents in relation to the application. They raise the following concerns: -
- i) Outside village framework and sprawl to the countryside. Departure to local plan.
 - ii) Scale of development exceeds the limit of 30 dwellings in Minor Rural Centres.
 - ii) Development on the floodplain and increased risk of flooding to the village and other villages downstream.
 - iii) The area is within part of a flood relief scheme.
 - iv) Increase in traffic through village and on to the A1307 which is a dangerous road.
 - v) Pressure on infrastructure that is already at capacity- schools, doctors, roads, drainage etc.
 - vi) Significant distance to village facilities and narrow pavements.
 - vii) Would add to parking congestion in village and potential withdrawal of bus service.
 - viii) Impact upon character of the village due to reduction in separation from the A1307.
 - ix) Harm to conservation area and landscape.
 - x) Impact upon ecological environment of Leadwell Meadows and detract from the environment of the Pocket Park.
 - xi) Loss of archaeological features.
 - xii) Noise and pollution due to proximity to the A1307.
 - xiii) Housing does not address local needs and lack of affordable housing.
 - xiv) No provision for commercial development.
 - xv) Potential contamination of river.
 - xvi) Isolated development from the rest of the community.
 - xvii) Planning history of rejected proposals.
 - xviii) Inadequate public consultation.
 - xix) No benefits to the local community.

- xx) Incorrect viewpoint assessments.
- xxi) Need more planting and wildlife corridors.
- xxii) Lack of energy efficiency measures.
- xxiii) Layout does not reflect village characteristics.
- xxiv) Lack of on-site parking would lead to on-street parking.
- xxv) Potential for further village expansion and better sites in the village.
- xxvi) Impact upon residents amenities.
- xxvii) No space to expand businesses in the village.
- xxviii) Close to gas pipeline.

41. **One letter of support** has been received from a local resident in relation to the application that makes the following points: -
- i) The housing would help more young people stay in the village.
 - ii) Local businesses would benefit.
- However, the resident also comments that the Bartlow Road junction needs improvement.
42. 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.
43. **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.
44. 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

45. The site is located outside of the Linton village framework and in the countryside. It is situated to the east of the village and comprises land to the north and south of Bartlow Road. It measures approximately 3.5 hectares in area. The land rises to the north.
46. The land to the north of Bartlow Road comprises open grassland. There are hedges

along the majority of the northern boundary and western boundaries. The eastern boundary is open. The southern boundary has a number of young trees. Open agricultural land lies to the north and south. Open grassland, a hedge and public footpath lie to the east. A residential development (The Ridgeway) lies to the west.

47. The land to the south of Bartlow Road comprises open arable land and a water meadow. There are hedges along the northern and western boundary of the site. The eastern boundary is open. The A1307 runs along an embankment on the south eastern boundary of the site. The River Granta is a County Wildlife Site that runs within a valley to the south west. Residential developments lie to the north (Bartlow Road) and west (Finchams Close). Open land lies to the east and south beyond the A1307.
48. The site is situated within the East Anglian Chalk Landscape Character Area on grade 3 (good to moderate) agricultural land. The site lies mainly within Flood Zone 1 (low risk) but the part to the far south lies within Flood Zones 2 and 3 (medium and high risk).
49. The Linton conservation area lies approximately 420 metres to the west. The nearest listed buildings are the grade II* Barham Hall that is 350 metres to the south east and grade II Tower Mill that is 360 metres to the south west.

Proposal

50. The proposal as amended seeks outline permission for a residential development on the site of up to 55 dwellings including two access points to the site. The layout, design and external appearance, and landscaping are matters reserved for later approval.
51. 40% of the dwellings would be affordable in nature. No details of the affordable mix and tenure split are known to date. These mixes will be determined at the time of the reserved matters application to reflect the most up-to-date position. The remaining 60% of the dwellings would be available for sale on the open market. No details of the market mix are known.
52. The development is intended to be predominantly two to two and a half storeys in height. The illustrative masterplan shows that the dwellings would front Bartlow Road and be arranged around the two main access roads. The development would incorporate a range of detached and semi-detached properties. A Local Area of Play and informal open space in the form of a small village green would be provided within the development to the north of Bartlow Road. A Local Equipped Area of Play and informal open space in the form of a linear green space that links Bartlow Road to the woodland paths would be provided within the development to the south of Bartlow Road. The total amount of open space would be 1.35 hectares. Strategic landscape buffers would be provided to the east of both developments at the entrance to the village.

Planning Assessment

53. 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, heritage assets and neighbour amenity.

Housing Land Supply

54. 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.
55. 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 (February 2016) for South Cambridgeshire is 3.9 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.
56. 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.
57. 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.
58. 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.
59. 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.
60. 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 says 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”.

61. 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.
62. 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.
63. 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.
64. 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

65. 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.
66. 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 55 dwellings would therefore not under normal circumstances be considered acceptable in principle.
67. 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 scale of the development is acceptable for this location in terms of the size of the village and the sustainability of the location. 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 a five year 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

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

Economic Aspects

69. The provision of up to 55 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

70. The development would provide a benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 55 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. There are no known technical constraints to delivery.

Scale of Development and Services

71. 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 55 dwellings would increase the number of dwellings in the village by 3%. This is not considered to be out of scale and character with the size of the village.
72. 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.
73. 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 (10 minutes) and immediately adjacent a bus stop. These distances are

considered acceptable. There is an existing public footway along the northern boundary of the site to the south of Bartlow Road. This would ensure that there is convenient accessibility by walking and cycling to the centre of the village.

74. The village is ranked at jointly at 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 that have slighter 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 needs could be served by public transport.

Housing Density

75. The site measures 2.15 hectares in area (net). The erection of up to 55 dwellings would equate to a maximum of 26 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, the sensitive nature of the site on the edge of the village and need for comprehensive landscaping dictates that a lower density of development is both reasonable and necessary for this particular site. This policy can be given considerable weight as the development may compromise local character.

Affordable Housing

76. 40% of the development would consist of affordable housing to meet local needs as set out in Policy HG/3 of the LDF. Given that the application is currently at outline stage only, it is considered that the exact mix and tenure of the affordable dwellings could be agreed at the reserved matters stage.

Market Housing Mix

77. The development would provide a range of dwelling types and sizes that range from one and two bedroom homes to larger family homes to comply with Policy HG/2 of the LDF or Policy H/8 of the emerging Local Plan as some weight can be attached to this policy. Given that the application is currently at outline stage only, it is considered that the exact mix of the market dwellings could be agreed at the reserved matters stage, albeit a condition will be needed to secure this.

Developer Contributions

78. 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.
79. 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.
80. 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 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.

81. 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. 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 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.
83. 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. Given that a Local Equipped Area of Play and Local Area of Play would be provided within the development.
84. 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.
85. 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 in the form a linear parkland north to south through the development and woodland walks.
86. 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 it adopted by the Parish Council.
87. The Community Facilities Audit 2009 states that Linton is served by Linton Village Hall which is run by a charity and can accommodate 170 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.
88. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.
89. Linton Parish Council again highlights the lack of infrastructure in the village to cope with the development. It has therefore put forward a project to build a 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 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 £27,000.

90. 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 £72.50 per dwelling and £150 per flat.
91. To ensure the provision and usage of on-site infrastructure, a monitoring fee of £1,000 is required.
92. The development is expected to generate a net increase of 17 (16.5) early years aged children of which 9 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.
93. The development is expected to generate a net increase of 20 (19.25) 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.
94. The development is expected to generate a net increase of 14 (13.75) 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.
95. The proposed increase in population from this development (55 dwellings x 2.5 average household size = 138 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 £5,812.56 (138 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.
96. 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.
97. NHS England considers there is sufficient GP capacity to support the development. Therefore no contributions are required towards health facilities.
98. Appendix 2 provides details of the developer contribution 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.
99. 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. The

comments of the Headteachers of the Junior and Infants Schools and the Governors of Linton Village College are noted. Whilst the schools are well attended 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.

Environmental Aspects

Character and Appearance of the Area

100. The site is currently open grassland and arable land that is located outside the Linton village framework and in the countryside. It forms part of the landscape setting and sensitive settlement edge to the village. These are important material planning considerations.
101. 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.
102. 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.
103. The application has been submitted in outline with all matters reserved, including layout. It is considered that up to 55 dwellings could be accommodated on the site with limited harm to the landscape setting of the village. The amended scheme would retain open land and the water meadows that provide a rural setting to the village from close views on the A1307 and longer distance views from Rivey Hill. In addition, a significant landscape buffer would be provided around the whole of the development that would 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

104. 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. The masterplan is therefore illustrative only at this stage.
105. The plan shows the site to the north of Bartlow Road to comprise development concentrated around a single road with a small open space at the centre. There would be farmstead design development adjacent to Bartlow Road at the entrance to the village to reflect the transition from the open landscape to the built-up modern development in The Ridgeway. There would be a LAP in the north eastern corner.
106. The land to the south of Bartlow Road would comprise a linear form of development along Bartlow Road that would respect the existing linear pattern of dwellings and a curved layout that would works with the different land levels. There would be a central

LEAP and an area of open space running north to south that would provide pedestrian links to woodland paths within the structural landscape planting to the east.

107. The main characteristics of the layout are supported and are considered to result in a high quality development that would be in keeping with the character and appearance of the area. The provision of detached and semi-detached properties of two to two and half storey scale would reflect the surroundings. However, the Urban Design Officer has raised some points in relation to the layout that would require further consideration at the reserved matters stage.

Trees/ Landscaping

108. The proposal would not result in the loss of any important trees and hedges that significantly contribute towards the visual amenity of the area. The majority of the trees and hedges would be retained and protected. The only hedges removed would be to provide accesses to dwellings on to Bartlow Road in an area that is more built-up and less rural character.
109. A substantial amount of landscaping is proposed within the development that includes structural planting in the form of a landscape buffer to the east of the site, planting within the open space that runs north to south through the site and planting within the water meadow to the south of the site. The proposal would therefore comply with Policy NE/6 of the LDF that seeks to maintain, enhance, restore or add to biodiversity.

Ecology

110. The site is located immediately to the north of the River Granta that is a County Wildlife Site. The existing water meadow to the north of the river would be retained as a buffer and protected and enhanced as part of the development. The amended plan does not show this area to be accessible to the public in order to retain its interest features in the form of the rural environment and biodiversity richness. Measures for enhancement include the provision of a surface water attenuation pond and a wild zone. Precise details of enhancement and management of this area would be agreed through conditions attached to any consent. The proposal would therefore comply with Policy NE/7 of the LDF that seeks to ensure that the intrinsic natural features of particular interest are safeguarded or enhanced.
111. The 5 dwellings to the south of the site are considered to be situated an adequate distance away from the buffer zone to ensure that the County Wildlife Site is protected.
112. The final location and design of the headwall would be subject to a condition as the drainage strategy is currently at outline stage. It would need to meet the requirements of the Environment Agency. Alternatively, the headwall could discharge to a ditch prior to entering the River Granta.
113. Roman snails have been found in a ditch close to the site that is a protected species. A survey is required to be carried out prior to the determination of the application to ensure that the development would not result in the loss of this protected species. Members will be updated on the report at the meeting.

Highway Safety and Sustainable Travel

114. Bartlow 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.

115. 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. The proposal is not therefore considered to be detrimental to highway safety to sustain a reason for refusal.
116. The access widths of the main roads into the site to the north and south of Bartlow Road would measure 5.5 metres and accommodate two-way traffic. They would have 2.0 metres footpaths on each side to would provide safe pedestrian movements. The proposed vehicular visibility splays to the site to the north of Bartlow Road that measure 2.4 metres x 120 metres to the west and 2.4 metres x 121 metres to the east to the junction with the A1307 and 2.4 metres x 80 metres to the southern kerbline would be achievable. The proposed vehicular visibility splays to the site to the south of Bartlow Road that measure 2.4 metres x 70 metres to the west and 2.4 metres x 90 metres to the east would also be achievable. The accesses would therefore accord with Local Highways Authority standards.
117. There is a bus stop on Barlow Road immediately adjacent the site. This gives direct public transport access to Cambridge and Haverhill by a 30 minute service Monday to Saturdays. This is easily accessible by walking. A Section 106 legal agreement would be required to secure the widening of the footway on the southern side of Bartlow Road to the junction with Crossways to allow more space for pedestrian movements, the relocation of the bus stops within the sites so they are able to accommodate shelters, the installation of cycle parking in the village, a contribution of £25,000 towards bus priority measures along the A1307 principally to review and recalibrate the operation of the junction of the A1307 with Linton Village College, and a contribution of £10,000 to reduce bus journey times along the High Street. The plan also shows the provision of a crossing point on Bartlow Road.
118. The 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. However, further details are required and a full travel plan would need to be agreed prior to first occupation of the dwellings. This would be a condition of any consent.
119. The development therefore has the potential to comply with Policies DP/3, DP/4, TR/1, TR/2 and TR/3 of the LDF that seek to ensure that the proposal would not have an adverse impact upon from traffic generation.

Flood Risk

120. The site is located within Flood Zones 1, 2 and 3 (low, medium and high risk). It currently comprises arable land and a water meadow that discharges into the river at the natural greenfield run-off rate.
121. The River Granta is the most significant watercourse in the area that is located immediately to the south of the site. There are no other notable watercourses within the vicinity of the site. The main sources that would increase the risk of flooding to the site are therefore fluvial flooding from the river and surface water flooding.
122. The design of the development has utilised the sequential approach. The built-up areas including gardens would be wholly located within Flood Zone 1 (low risk). The buffer zone to the south would be partially located within Flood Zones 1, 2 and 3 (low,

medium and high risk). The surface water attenuation pond would be located outside the critical 1 in 100 year plus climate change floodplain.

123. The development has a 'more vulnerable' flood risk classification due to the residential use. An appropriate surface water drainage system of sustainable drainage techniques is therefore required to ensure that it would not increase the risk of flooding to the site and surrounding area. In addition, appropriate ground and floor levels would need to be incorporated into the scheme.
124. 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 climate change on the site to the north of Bartlow Road. To the south of Bartlow Road, a surface water attenuation pond would be provided along with a piped outfall to restrict the run-off from the development to existing greenfield run-off rates. This could also include infiltration to the surrounding land. In addition, other measures such as permeable paving and storage tanks could be incorporated.
125. Floor levels would be set a minimum of 150mm above ground levels and external hard surfaces would be designed to fall away from dwellings.
126. Given the above outline strategy, no objections have been raised to the development by the Environment Agency or County Flood Team. Conditions would be attached to any consent to secure a detailed surface water drainage scheme together with its maintenance and management. The proposal would therefore comply with Policy NE/11 of the LDF that seeks to ensure that the development would not increase the risk of flooding to the site and surrounding area.
127. Any future flood relief scheme on Leadwell Meadows to the south of the river would need to consider the impact upon the development should permission be granted.

Neighbour Amenity

128. 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.
129. The impact of the development itself on neighbours in terms of mass, light and overlooking will be considered at the reserved matters stage and would need to comply with Policy DP/3 of the LDF. It is noted that the land falls southwards.

Heritage Assets

130. The site is located in an area of high archaeological potential. However, an evaluation has been carried out that has not found any significant features of archaeological interest. A condition would be attached to any consent to secure a programme of excavation together with the recording and preservation of any features. The proposal would therefore comply with Policy CH/2 of the LDF that seeks to protect features of archaeological importance.
131. The site is located approximately 420 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.

132. The site is located approximately 350 metres from the nearest listed buildings at Barham Hall and Tower Mill. The development is unlikely to harm the setting of these listed buildings given that their immediate settings comprise open land and the development would be surrounded by a landscape buffer. However, given the elevated position of Barham Hall, the detailed design of the development would need to take account of the current rural setting. This would be determined at the reserved matters stage.
133. Thus the statutory requirements in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of listed buildings and conservation areas would be met and the proposal would comply with Policies CH/4 and CH/5 of the LDF.

Other Matters

134. 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.
135. 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. Therefore, limited weight can be attached to this policy.
136. The Parish Council has raised that the development does not provide for potential for employment. However, the local planning authority is considering the development proposal as it stands and whether it comprises sustainable development, including access to employment, which is addressed above.
137. The site is not located within or close to any designated employment area and it is not necessary to consider the lack of any employment within the proposal is not .
138. The gas main that runs across the site to the north of Bartlow Road is located outside the site.
139. The comments of Linton Parish Council in relation to the submission of inaccurate or incomplete assessments is noted. However, the reports are considered satisfactory and they do not necessarily form the basis of the recommendations of the specialist consultees and officers which are based upon the situation on the ground.
140. 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.
141. A condition would be attached to any consent to secure fire hydrants in the interests of safety given the scale of the development.

Conclusion

142. In considering this application, the following relevant adopted Core Strategy and

Development Plan policies are to be regarded as out of date while there is no five year housing land supply:

143. Core Strategy
ST/2: Housing Provision
ST/5: Minor Rural Centres
144. Development Plan
DP/1: Sustainable Development
DP/7: Village Frameworks
HG/1: Housing Density
HG/2: Housing Mix
NE/4 Landscape Character Areas
NE/6: Biodiversity
NE/17: Protecting High Quality Agricultural Land
CH/2: Archaeological Sites
CH/4: Development Within the Setting of a Listed Building
CH/5: Conservation Areas
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.
145. This report sets out that the development would have some visual impact upon the landscape setting and setting of listed buildings of the village. However, it is considered that the landscape impact is limited and has been successfully mitigated as part of the outline application and the preservation of heritage assets could be achieved by the design of the development at the reserved matters stage and the use of an appropriate condition in respect of archaeological interests.
146. These limited adverse impacts must be weighed against the following benefits of the development:
i) In the context of a lack of five-year housing land supply, the positive contribution of up to 55 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector.
ii) Contribution of 40% affordable housing in the context of a high level of district wide housing need and a local housing need for 79 applicants
iii) Potential for access to public transport, services and facilities and local employment.
iv) Developer contributions towards sport space, children's play space, community facilities in the village and improvements to traffic schemes in the village.
v) Employment during construction to benefit the local economy.
vi) Greater use of local services and facilities to contribute to the local economy.
147. Whilst it is acknowledged that the policies for the determination of housing in the LDF are out-of-date, the adverse impacts of granting planning permission are not considered to significantly and demonstrably outweigh the benefits offered by this application.

Recommendation

148. It is recommended that the Planning Committee approves the application subject to the following: -

Conditions

- a) Outline planning permission- submission of reserved matters
- b) Approved Plans (where relevant)
- c) Hard and Soft Landscaping Scheme, including boundary treatments
- d) Landscaping Implementation
- e) Visibility Splays
- f) Travel Plan
- g) Contamination Investigation
- h) Flood Risk Assessment
- i) Surface Water Drainage Scheme including maintenance and management
- j) Foul Water Drainage
- k) Noise and Deliveries During Construction
- l) Waste Management Strategy
- m) Spread of dust
- n) Construction Phases
- o) Noise Protection
- p) Species Survey
- q) Ecological Enhancement
- r) Ecological Management
- s) Archaeological Work
- t) External Lighting
- u) Renewable Energy Statement
- v) Housing Mix
- x) Fire Hydrants

Section 106 agreement

- a) Affordable Housing
- b) Open Space
- c) Community Facilities
- d) Waste Receptacles
- e) Strategic Waste
- f) Transport Requirements

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/1963/15/OL

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BARTLOW ROAD S/1963/15/OL

S/1963/15/OL Pembroke College, University of Cambridge & G.W. Balaam & Sons Ltd, land to north and south of, and immediate, Linton – residential development for up to 78 dwellings with landscape buffer and new vehicular accesses from Bartlow Road.

Amendment 30th June 2016: Reduction in scale of development and revised site layout.

PC Decision: To NOT support

Thank you for your consultation on revisions to the above application. Our response is as follows:

Holding Objection

We respond with a holding objection for the following reasons:

- The Landscape and Visual Impact Assessment is incomplete and contains significant errors which mislead. Its Heritage Assessment is incomplete.
- The Flooding Assessment is out of date and incomplete.
- The Ecology Assessment is incomplete.
- The Traffic Assessment is incomplete.
- The assessment of impact on local Facilities is incomplete.
- The Noise Assessment is incomplete and the mitigation of traffic noise on external amenity would in principle would have an impact on appearance and landscape which is not assessed.
- Previous missing information we noted nearly a year ago is still outstanding.

We expand on this as follows:

Landscape and Visual Impact Assessment.

The site is on sloping ground down to the River Granta and is prominent from high ground and from low ground in and around the village. It is therefore important that the impacts are properly assessed in accordance with good practice.

It is also a landscape significantly less screened and more undulating than the examples submitted as Planning Appeal precedents, and therefore the implications of the differing landscape and appearance characteristic of Linton should be provided.

A number of main viewpoints of high sensitivity have been omitted. They are:

- The Bartlow Road junction with the A1307, which is highly sensitive because it is one of the three main approaches to the village and Conservation Area, it is on higher ground than the site, and viewers are frequently stopped at the junction, looking ahead at the application fields and Linton beyond.
- The high ground on the A1307 directly to the east of the site, which is highly sensitive because it provides long views of the village in its rural setting. The proportions of the fields and their role in separating the village from the busy A1307 is important here.
- The valley floor, which is highly sensitive because it is lower than the site and is public land heavily used by local people and visitors alike seeking a restful rural environment. It is a haven for wildflowers and wildlife and the two open fields in this application are a significant part of its visual tranquillity and setting.

- Barham Hall, which is highly sensitive to change of its rural setting and of its relationship with the historic eastern side of Linton.

Example photographs are attached to show the prominence of the application site in these views.

There is no assessment of impact on significant landscape features including:

- The loss of visual separation between the village and A1307, and
- The visual impact of the development on skylines.

There is no assessment of the impact on the most significant Heritage features:

- The impact on Barham Hall (Grade II*) and its setting, including the separately listed grade II wall. English Heritage should be consulted due to the high grade of the Hall.

A number of other viewpoints need clarification and revision:

- Rivey Hill provides significant open views of the village in its rural context. There are well used public footpaths that go through open land as well as through wooded sections and through Chilford Hall. Most of the routes are along open land and are particularly significant where users of the paths reach the open countryside after an enclosed section of path, displaying Linton in its characteristic rural valley context. Viewpoint Location 14 worryingly misses the views completely and is misleading as it is chosen where the buildings at Chilford Hall screen the countryside, village and development.
- Local people and respondents rely on illustrations to give an idea of the likely impact, but a number of photographs worryingly do not appear to reflect real views. The viewpoints give no indication of height and photographic conditions and limits. This is contrary to good practice. Good practice is critical to ensure that illustrative photographs are as close as practical to the real view experienced by users and any deviation from the real view is known so it can be allowed for. The section explaining the photographic basis used shows a typical tripod setup that would produce a distorted view well below normal eye level. In Figure B on page 86, the tripod is shown set up part way up the far side of a bank, with an eye level nearly a third lower than the camera taking Figure B. The low viewpoint would exaggerate the foreground and the foreground screening, and minimise the middle and far ground, which is the position of the development. As an example, it gives the appearance of wall-like hedges screening the potential development in Viewpoint Location 2, a highly sensitive viewpoint where the development of the field would have a substantial effect.
- The photomontages indicate that local deciduous trees would grow approximately 10 metres high in 15 years on chalky river edge soil, sufficient to hide the proposed development from the A1307. None of the twentieth century developments have been as successfully hidden and we ask that the Council's Tree Officer comments on Viewpoint Location 6 and what would happen during the winter months.
- The treatment of views from footpaths is contrary to guidance and the report's own Methodology in Appendix A (page 76). As the criteria states, users of footpaths are amongst the most highly sensitive of receptors. It is therefore inappropriate to downgrade the footpath receptors in Landscape Table 1 from High to Medium because "views from the footpath are transient in nature". All the assessments of views from rural footpaths should be corrected to a sensitivity that is High and the conclusions revised accordingly.
- The updated conclusions of Development Recommendations in section 7.2 are also incorrect and comply with neither the Methodology nor good practice. A sensitivity of Medium and an effect of Medium would lead to a conclusion of Medium for the impact.

Medium plus Medium cannot equal Minor using this process. All the assessments in this chart should be corrected.

- The Visual Mitigation section is out of date as it is not relevant to the amended scheme.
- Figure 19 is misleading as the landscape edge buffers are not now within the site area.

Flooding Assessment

Linton is particularly sensitive to flooding and the records and photographs of flooding show that the risk is considerably greater than 1:100 event (see examples from two floods attached). As a result a number of affected villages along this part of the Granta / Cam have devised joint strategic approaches over the last few years in collaboration with the Environment Agency and South Cambridgeshire District Council. The land around Pocket Park and the eastern reaches of the Granta is critical to the success of the strategy, to flood the water meadows and fields upstream of the settlements to relieve flooding of the villages downstream. So far the strategy has proved successful as the houses in Linton did not flood during the most recent flood warning period. Linton Parish Council has invested substantially in the project and the recent works have changed the flood conditions significantly across the settlement and adjoining land. In future, it is expected that the fields to the east of the village (including the application site) may see greater flooding, and the village less.

The Flooding Assessment is out of date and should be revised to include:

- The 2016 Environment Agency revised Flood Map, and
- The Granta village strategy in light of NPPF Core Policy 17, 94 and 100, especially: (100) *•safeguarding land from development that is required for current and future flood management;*

It should also be updated to include:

- The positioning, impact and management of the proposed balancing pond, and impact of a potential headwall identified by the Ecology Officers, on the application site, adjacent meadows and the existing community and historic village downstream.
- The impact of raised flood levels on the housing on the site, which is closer than the other modern developments to the river, and to address the Ecology Officers' repeated objection to the 5 houses close to the balancing pond.
- The impact, mitigation and management of surface water. The Environment Agency Surface Water Flooding map shows flooding along the western boundary of the site and along Bartlow Road above the site. Once the numerous road accesses are made, that road flooding is likely to divert through the application site down to the river.
- The impact, mitigation and management of foul water. The application proposes to connect to manhole 1502. That manhole is on the old Linton 6 inch main and in April last year it was confirmed by Anglian Water to the applicant that the connection point did not have capacity to deal with demand. The Assessment has not been updated and nor has the implications of this. It was proposed by Anglian Water that the connection point be revised to manhole 7501 which is on the newer 375mm pipe, but that is some considerable distance away through many private gardens and under buildings, and the application site is lower than the land levels of the pipework to which it would link. The viability of the drainage proposal should be assessed, as well as the implications on the rest of the community, because the drainage plan shows that the newer section of 375mm pipe reduces in size in the centre of the village and appears to later reconnect to the old inadequate 6 inch pipe.

Ecology Assessment

The application should be updated to address:

1. The application site is within historic field enclosures, which include mature hedges which are ecologically diverse and important. The historic hedges along the frontages of both sites will be heavily cut by numerous openings for about 14 vehicular accesses onto Barlow Road and the visual and ecological continuity of the existing roadside hedges will be permanently lost. The Ecology Officer predicts up to 90 metres of species rich hedgerow would be removed. Some of the proposed accesses are indicated without visibility splays, so the likely result would involve less than half the frontage hedge being retained, the natural verge being lost, and much greater risk to wildlife attempting to follow historic routes along the former hedgerows.
2. The application site is next to the ecologically important river meadows, including Leadwell Meadows, where significant ecological and flood relief strategies have been made over the last few years in conjunction with South Cambridgeshire District Council. As a result more rare and protected species are colonising the area. Recent finds close to the proposed development site include newts and Roman Snails.

The Ecology Assessment should therefore be updated to assess the impact and provide mitigation, to include:

- The management of public access, water management and flooding to protect existing ecology as again requested by the Ecology Officers, and
- The local ecological strategy in light of NPPF Core Policy 17 and 117, especially:
(117) *•promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;*

Transport Assessment

Whilst the Transport Assessment has been updated, it is not based on an up to date traffic assessment. The previous Highways response confirmed this was unacceptable.

The report appears only to include an accident map within the centre of the village. We attach an extract from Crashmap to show the reported accidents are widespread around the village, including at the Bartlow Junction and Bartlow Road. The centre of the village has a lower speed limit than elsewhere so accidents here would not be representative of the extent and severity of the issues.

The 14 additional road accesses to the Bartlow Road are very much a part of the principle of the scheme, and therefore their implications so close to the awkward junction with the A1307 should also be addressed in the Transport report.

The Assessment should also deal with the impact on the historic village and community, and the result of residents using the High Street as the safest access onto the A1307. We attach some typical photographs showing the existing very difficult traffic and parking situation in the centre of Linton, and the damage that it is causing the fabric of the village.

The report does not appear to include the previously requested cumulative impact assessment as directed by the SHLAA and NPPF 32.

As the existing facilities are not within walking distance, there should have also been deliverable proposals to reduce and mitigate the dependence on cars. Instead, the site links to the existing local network routes appear less than before.

Facilities Assessment

The application report and advice from Cambridgeshire County Council should be updated to recognise the confirmation given to Planning Committee on 11 May 2016 by the County Council representative. He confirmed the County Council S106 statement that sufficient school places could be provided by removing those existing students who were outside their catchment areas, was only based on Linton Village College. He confirmed that no assessment had been made of the Infants and Junior Schools, yet the advice to the S106 Officer erroneously stated that this applied to all Linton schools. No assessment was made of the implications and practicality of removing students who had already been committed to.

The Assessment and CC response should be updated to take into account:

- Realistic proposals to manage the demand for schooling and other local facilities, and the cumulative demand of the local sites (in Linton and satellite villages) and sites elsewhere (e.g. in Haverhill) spilling over to Linton through lack of adequate local provision and a failure to provide adequate infrastructure for new housing.
- The statements from both the Infants' and Junior Schools' Head Teachers and the Governors of the Village College that all schools were at capacity and could not take these proposed students.
- That at least the Infants' School has already been extended to capacity on its current site and a new school would need to be provided to accommodate additional pupils. An assessment should be made to include realistic timescales and costs for these works, which are unlikely to be achieved within the NPPF directed plan period of 5 years.

The National Grid has confirmed that a high pressure gas main does run across the northern part of the application site. See attached map. The implications should be assessed and mitigation provided.

Noise Assessment

The noise assessment at the Linton Police Houses site concluded a level of traffic noise in outdoor amenity spaces of 66dB, which significantly exceeds the maximum acceptable level of 50dB. That site was on the A1307 within the reduced speed area and built-up village, and was located above the road level. This site is on the A1307 where the national speed limit applies and where the traffic noise would be more intrusive because of the rural surroundings. The largest part of this application site is also well below the A1307 road level. The effect will therefore be significant. Noise level readings should have been taken to assess whether this site is practical for the sensitive receptor type being proposed, and whether the external amenity spaces can be made practical in principle without the significant impact of noise barriers on the landscape and appearance of the area.

Archaeological Assessment

The application has not been updated to include the Roman Road and Anglo Saxon village.

Planning Obligation

The Planning Obligation has not been updated to include resolution of the infrastructure and flooding issues, provision of affordable housing, publicly accessible footpaths and facilities on and off site, highways and drainage mitigations that are required or offered by the applicant to make otherwise unacceptable development and cumulative impacts acceptable. The submission still proposes only to decide these later in the process, but they are essential to understand the full implications of the planning balance and should be provided with sufficient certainty to ensure compliance with NPPF 203 and 204 and demonstrate that the Obligation is deliverable.

Our initial request is for the applicant to be asked to provide the material clarification and information above, for re-consultation. The request is in accordance with NPPF 192 and 193, and relevant and necessary to this application.

The amended submissions have not overcome any of the Parish Council's previous concerns about this application. The reduction of site area does not address the in-principle issues and results in additional issues in carrying out the proposed screening of the development.

Linton Parish Council has sent some preliminary objections to the application proposals, dated 14th July 2016. These will be updated once the missing information above has been received.

BARTLOW ROAD JUNCTION VIEWPOINT





VIEWS AT POCKET PARK / VALLEY FLOOR



FLOODING





Left, the river reaches just below floor level at the Dog & Duck

Picture taken by David Champion

Right, the ducks take advantage of the high water level at the bottom of Church Lane

Picture taken by Sarah Hurcum

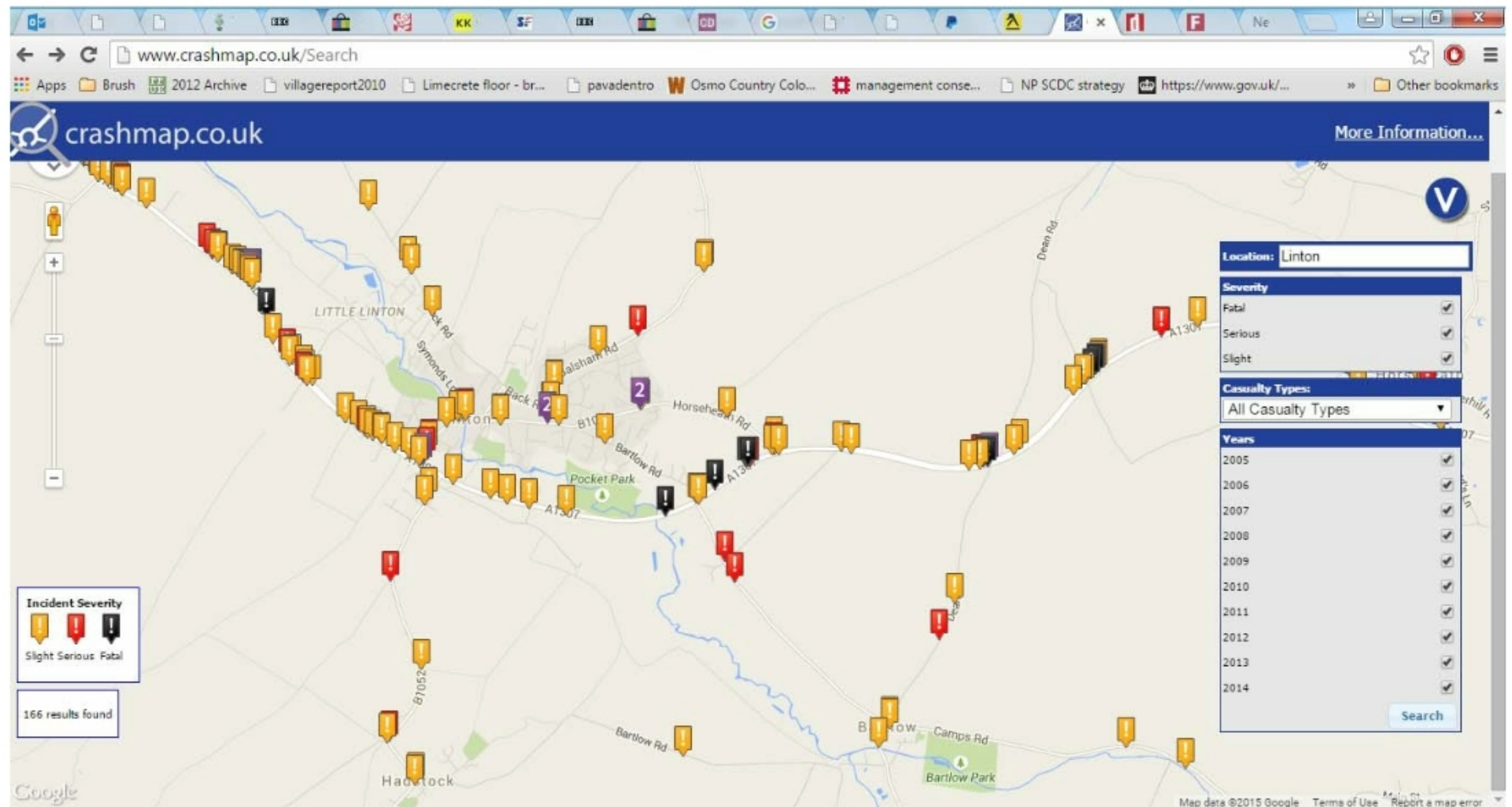


Left, the pavilion feels the effect of the high water and right, the playground also suffers.

Pictures taken by Brain Manley and Mike Judge



LINTON CRASH MAP EVIDENCE



VILLAGE CENTRE PARKING ISSUES



ID: BA_TG_283954_289427		New addn: 361m, 102m		Map not to be used for construction		Map 1 of 1 (GAS)	
USER: Nidnight DATE: 28/07/2016 DATA DATE: 27/07/2016 REF: Bardon Road MAP REF: TL5742 CENTRE: 66°2'55, 244914		J.P. MULLER M. MULLER P. MULLER J.P. MULLER M. MULLER		This plan shows those signs owned by National Grid that are placed on or adjacent to the highway in the vicinity of the proposed works. It does not show signs owned by other GPs, or businesses privately owned, which may be present in this area. Information with regard to such signs should be obtained from the relevant owner. The information shown on this plan is given without warranty; the accuracy thereof cannot be guaranteed. Signs on pipes, valves, apparatus, cable connections, etc. are not shown on this document since they are not exposed. No liability of any kind whatsoever is accepted by National Grid plc or third agents, servants or contractors for any error or omission. Data digitizing equipment, as used in the production of this plan, has been used to verify and establish the actual positions of existing signs, services and other apparatus as before any mechanical plan is used. It is your responsibility to ensure that this information is accurate to all points before any further labour or construction is undertaken for you or any gas apparatus. The information included on this plan should not be relied to beyond a period of 28 days from the date of issue.		MAPS Plot Server Version 1.0.0  Prepared by: No Organization Specified This plan is a topological map created on the CG map by National Grid Gas plc, with the assistance of its contractors or its third party contractors. Crown Copyright Reserved. Ordnance Survey Licence number: 1000100000	
							

Comments made by LPC at its meeting on 14th July 2016

S/1963/15/OL Pembroke College, University of Cambridge & G.W. Balaam & Sons Ltd, land to north and south of, and immediate, Linton – residential development for up to 78 dwellings with landscape buffer and new vehicular accesses from Bartlow Road.

Amendment 30th June 2016: Reduction in scale of development and revised site layout.

PC Decision: To NOT support

General comments:

- This site has been submitted for development for around 50 years and has been rejected each time. The impact of this application would be significant and damaging not only to Linton and our floodplain, but would also have an effect a wider region along the river valley.
- This site is outside of the village envelope and was rejected in the SHLAA and Local Plan assessments as having no development potential. (SHLAA sites 102 and 104, and part of cumulative submission area 120.)
- Linton is classified as a Minor Rural Centre which allows a maximum of 30 houses in any one development.

Flooding:

- A major issue is that the site is part of the wider floodplain. The loss of land for soak-away would result in more flow into the river, which can flood rapidly and with great volume (water gathers up stream and comes gushing down). The centre of the village would be under greater threat, increasingly more frequently.
- The balance pond is in the area that floods and therefore is not a suitable way to cope with this as it would fill, then overflow, at times when rainfall and surface water flooding is greatest. In times of drought the balance pond could be a hazard to residents and unpleasant when drying out.
- The site is part of a long-term flood relief scheme worked out and agreed by the Environment Agency (EA) and SCDC. The adjacent Leadwell Meadows has had extensive work by the Parish Council to restore the floodplain, its drainage ditches, pond and river banks to improve water holding capacity. This development threatens to undo our work, which was done to protect Linton's historic and commercial centre and the villages downstream.
- The flooding at Leadwell Meadows will change the action of flood water on the meadows upstream and on the application site; risks shown in the Flood Assessment are out of date.
- The restoration work at Leadwell Meadows has seen the increase of wildlife, including species of birds and amphibians including newts, which are also spreading to the wider area.
- The thesis written after the 2001 floods, local knowledge and the newly revised EA flood maps confirm there is more flooding than is indicated in the submission.

Site and setting:

- The position is very visible in the rising ground and from the east, which would adversely affect the views and setting of Linton in the open landscape. There would be significant landscape impact to Linton, the river valley, our Leadwell Meadows, the skylines and main approach from high ground to the east. The development would be prominent and harm the character of all of these.
- Building along the Bartlow Road would neither conserve nor enhance the amenity of the village's natural built or historic environment. It certainly would not create "an attractive sense of arrival" but would impact adversely on the approach to the Special Conservation Area, our listed buildings and on the character of the village.
- The noise from the A1307 is significant around the village, and the A1307 is higher than the trees and housing. Noise amelioration is essential for the site and to reduce overcapacity of the A1307 for the village in general. Following this amendment, amelioration would remain insufficient with the tree zone too far from the road.
- The development would involve almost total destruction of archaeology; this is not a designated site because its existence was expected. Following a recent dig, it is confirmed

that this is a site of significance with a Roman road and Anglo Saxon village. This is hardly mentioned in the submission, which needs to be updated to include these finds.

- The housing has now been moved away from the A1307 but the thin slice of land left weakens the separation of the village from the A1307 and does not preserve the character of the local landscape, fields, meadows and soft edge to this rural village. The road frontage houses remain unprotected and buffering between the village and A1307 remains insufficient. The soft edge to the village would be lost.

Sustainability:

- The housing needs of the village are predominantly for bungalows and smaller, affordable homes. The housing mix here should reflect the needs, and lower budgets, of our current population.
- This development has no potential for employment within the village so would mainly attract incoming commuters; this is not conducive to sustainability.
- The sites, in their location away from the village, with the emphasis on on-site pedestrian travel and with their own LEAP's, confirm that these would be self-contained introverted developments, discouraging integration with the community and local life. The housing is aimed at commuters and not at current local needs. Again, this is not conducive to sustainability and inclusion into village structure.
- At its closest point the site is $\frac{3}{4}$ mile (1km) from the village centre and even further from recreation areas, schools and other amenities so these would be unlikely to be accessed on foot (see separate comments to follow). Pedestrian and cycle access to the village centre is poor.
- Due to the limited parking and congestion in the historic village centre, it would be easier to use shops and supermarkets in nearby towns than to access local shops, so not benefitting village commerce; this is not conducive to sustainability.
- Further development would add to the traffic parking and congestion problems within the Special Conservation Area of the village. Residents would drive rather than walk to shops and village amenities, particularly as the return is an uphill journey.
- The infrastructure is already at capacity for schools. This is supported by evidence from Head teachers and Governors from the Infant and Junior Schools, and Linton Village College. The Infants School in particular has little room for expansion given its site in the conservation area. The schools take children from outside the village, as expected for a minor rural centre, so any places taken by new residents would have a knock-on effect to neighbouring settlements.
- This application does not address the utilities of water, sewage and other physical aspects which are at or near capacity. The other infill developments being built in the village will absorb any current capacity and we already experience blockages and overflow of foul water sewers.

Traffic issues:

- The safety and capacity issues on the A1307 and its hazardous junctions are a major issue. The Bartlow Road junction with the A1307 is difficult and dangerous. There have been several crashes, injuries and fatalities over the past few years, so traffic from the site would leave by the safer route of through the village, adversely impacting on our Special Conservation Area and its historic buildings.
- The traffic impact on Bartlow Road is still not based on up-to-date traffic assessment. It does not assess the impact of all 14 proposed accesses onto the Barlow Road, This is made more dangerous by the on-road parking, reducing visibility and hampering the free flow of traffic.

Summary:

- This site is part of the floodplain. Building here would adversely affect water soak-away, adding to the river water levels and increasing the probability of flooding to our historic and commercial village centre, and to sites and villages downstream.
- The appeals for sites at Waterbeach etc. are regarding grounds for sustainability – this site is not sustainable by the criteria applied in the NPPF and should be rejected.

- This development would bring significant harm to the character of the landscape, the conservation area and the environment that far outweighs any benefit the housing would bring (as there is likely to be more suitable sites elsewhere in the district).

Conditions:

Subject to the above objections, any approval on this site should include:

- A river-long (Ashdon to Abington and beyond) analysis of river flow.
- A suitable scheme of flood prevention measures must be put in place.
- Road safety is a major issue to be addressed.
- Noise attenuation from the A1307 is needed for the village, even without the additional burden of this development. This must be sympathetic to the landscape and local character.

Inconsistencies in the applications are worrying and need further investigation.

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Heads of terms for the completion of a Section 106 agreement

Linton – Bartlow Road S/1963/15/OL	
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South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70/30
Local connection criteria	None sought by housing officer

Cambridgeshire County Council										
Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Trigger	Officer agreed	Applicant agreed	Number of existing Pooled obligations
CCC1	Early years	DP/4	NO	<p>According to County Council guidance the development is expected to generate a net increase of 17 (16.5) early years aged children of which 9 are liable for contributions (assuming a general multiplier of 30 children per 100 homes).</p> <p>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.</p> <p>Therefore no contribution for early years provision is required.</p>						
CCC2	Primary School	DP/4	NO	<p>According to County Council guidance the development is expected to generate a net increase of 20 (19.25) primary school places (assuming a general</p>						

				<p>multiplier of 35 children per 100 homes).</p> <p>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.</p> <p>Therefore no contribution for primary education is required.</p>						
CCC3	Secondary school	DP/4	NO	<p>According to County Council guidance the development is expected to generate a net increase of 14 (13.75) secondary school places (assuming a general multiplier of 25 children per 100 homes).</p> <p>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.</p> <p>Therefore no contribution for secondary education is required.</p>						
CCC4	Libraries and lifelong learning	DP/4	YES	<p>The proposed increase in population from this development (55 dwellings x 2.5 average household size = 138 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.</p> <p>A contribution of £42.12 per increasing population for enhancement to the library in Linton, a total of £5,812.56 (138</p>	£5,812.56		TBC	YES		None

Appendix 2

				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.						
CCC5	Strategic waste	RECAP WMDG	NO	Pooling limit reached such that no further contributions may be secured						
CCC6	Transport	TR/3								
CCC7	CCC monitoring	None		The County Council have sought a contribution of £150 (at a rate of £50 per hour) towards the cost of monitoring. The District Council does not support this request as (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) appeal decision in South Cambs have confirmed that monitoring fees cannot be secured on straightforward matters (iii) the District Council will undertake this function and share information with CCC. On this basis the Council considers that the request fails to satisfy the tests as set out in CIL Reg 122 and para 204 of the NPPF.				NOT AGREED		

South Cambridgeshire District Council										
Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Trigger	Officer agreed	Applicant agreed	Number of existing Pooled obligations
SCDC1	Open space (sport)	SF/10	YES	The recreation study of 2013 highlighted that Linton had a deficient level of sports space	£55,000 (circa)	Tariff	TBC	YES		None

				<p>against South Cambs policies (i.e. the policy requires 7.22 hectares whereas the village only has 3.03 hectares). The study also said that 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". It also said the football pitches are prone to flooding. This study did not take into account the facilities at Linton Village College which, although at the current time may be available for public hire, are not guaranteed through a community access agreement.</p> <p>The development is circa 1.4km from the recreation ground thereby exceeding recommended walking distances for older children to access NEAP's and para 4.7 of the open space in new developments SPD that says "All residential development should have good access to formal sports provision, ideally within 1,000m...".</p> <p>The contribution required as per the open space in new developments SPD would be:</p> <p>1 bed - £625.73 2 bed - £817.17 3 bed - £1,130.04 4+ bed - £1,550.31</p> <p>Linton Parish Council have, however, expressed a concern that they will not be able to properly mitigate the impact of the development with this level of contribution on the grounds that</p>						
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				<p>what the village really needs is additional land and no land owner will be prepared to sell for agricultural rates while the Council does not have a 5 year land supply.</p> <p>Linton Parish Council has therefore put forward projects that would be located on the recreation ground. These projects include:</p> <ul style="list-style-type: none"> • BMX/skate park • Climbing wall • Changing the bowling green for possible use as Multi Use Games Area, sports/football training area, tennis court, etc. • Trim Trail for adult exercise. 						
SCDC2	Open space (children's play)	SF/10	YES	The developer will be required to provide a locally equipped area for play (LEAP) in accordance with the open space in new developments SPD			TBC	YES		None
SCDC3	Open space (informal open space)	SF/10	YES	This is mitigated by the provision of a strategic green buffer to be secured			TBC	YES		None
SCDC4	Offsite indoor community space	DP/4	YES	<p>The community facilities audit of 2009 highlighted that Linton had a deficient level of indoor community space against South Cambs policies (i.e. the policy requires 111m2 per 1000 people therefore Linton requires 488m2 of space, whereas the village only has 160m2). The study also highlighted that a number of improvements should be made to Linton Village Hall.</p> <p>Linton is defined as a Minor Rural</p>	£25,000 (circa)		TBC	YES		None

				<p>Centre in the Core Strategy and in accordance with the Community Facilities Audit 2009 the proposed standard for Minor Rural Centres is as follows:</p> <ul style="list-style-type: none"> • Rural Centres should have at least one good sized facility which offers access to community groups at competitive rates. • The centre should feature one main hall space suitable for various uses, including casual sport and physical activity; theatrical rehearsals/ performances and social functions. The facility should also offer at least one meeting room. • All facilities, including toilets, should be fully accessible, or retro-fitted to ensure compliance with Disability Discrimination Act legislation wherever possible. • Facilities should include a kitchen/catering area for the preparation of food and drink. The venue should have the capacity for Temporary Events for functions which serve alcohol. • Where practical and achievable, new build facilities should be delivered with appropriate energy-efficiency measures in place, although this should be undertaken with the balance of expenditure/ 						
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				<p>saving in mind, given the likely hours of usage.</p> <ul style="list-style-type: none"> Facilities should be designed to offer ease of management, as volunteers are likely to be primarily responsible for day to day upkeep. <p>Linton Village Hall is run by a charity and is said to accommodate 170 seated, 200 standing. It holds entertainment licence but no alcohol licence, no public dances, disabled access and toilet, basic kitchen available but no food preparation allowed on the premises. Evening functions should end by 11.45pm (source Cambridgeshire.net website).</p> <p>As such Linton Village Hall is not considered to satisfy South Cambs indoor community facility standards from a quality perspective as well as quantity.</p> <p>Again Linton Parish Council highlight that the lack of existing infrastructure, combined with the insufficient level of developer contributions, does not generate the level of community facilities as required by the NPPF to provide a village that is sustainable for more growth.</p> <p>If the application were to be approved then Linton Parish Council would look to build a multipurpose community centre with a focus aimed at young people and which will be available for hire by scouts, guides, brownies and other users. The</p>						
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Appendix 2

				<p>Parish Council would need to identify other funding sources to achieve the delivery of this project and at present no sources have been identified.</p> <p>The contribution required as per the indoor community space policy would be:</p> <p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p>						
SCDC5	Household waste receptacles	RECAP WMDG	YES	£72.50 per house dwelling and £150 per flat	£3,987.50		TBC	YES		None
SCDC6	S106 monitoring		YES	£1,000	£1,000		TBC	YES		None

Non standard requirements										
Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Trigger	Officer agreed	Applicant agreed	Number of existing Pooled obligations
OTHER1	Health	DP/4	NO	NHS England have not sought contributions from this development						
OTHER2	Public Art	SF/6	NO	<p>In determining planning applications the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works. The policy applies to residential developments comprising 10 or more dwellings.</p> <p>Linton Parish Council are keen to install one or more key landmark public art works comprising plaques, street furniture and sculptures at a central village location (at the corner of High</p>						

				<p>Street and Cambridge Road). The works will draw inspiration from the history of Linton as a whole but also the history of the location of the new development which is understood to have significant archaeological interest.</p> <p>The Public Art SPD says that South Cambridgeshire Council will normally encourage developers to dedicate between 1% and 5% of the associated construction costs of the capital project to Public Art, however historically contributions have been in the region of £500 per dwelling. On this basis an offsite contribution of £27,500 would have been sought and which will be used to facilitate the provision of public art works at the development site and at a prominent location within the heart of the village.</p> <p>Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. One of these 12 principles are that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. The provision of public art within the village would be one way of achieving that core planning objective.</p> <p>District Officers have considered this request and although agree that there are merits in delivering these improvements, are unsure whether the first CIL test (i.e.</p>						
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				<p>necessity) is satisfied.</p> <p>This view is taken on the basis that this test relates to the obligation being necessary in planning terms i.e. in order to bring a development in line with the objectives of sustainable development as articulated through the relevant local, regional or national planning policies.</p> <p>In the case of public art the policy is to 'encourage'. Development control policies later say that public art will be sought through negotiation but it is not a mandatory requirement. On this basis if the applicant was minded to make a public art contribution it could not form a reason for granting planning permission.</p>						
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TOTAL - £90,800.06 (subject to final housing mix and excluding the cost of providing the LEAP)

PER DWELLING - £1,650.91 (subject to final housing mix and excluding the cost of providing the LEAP)



FOR INTERNAL USE ONLY

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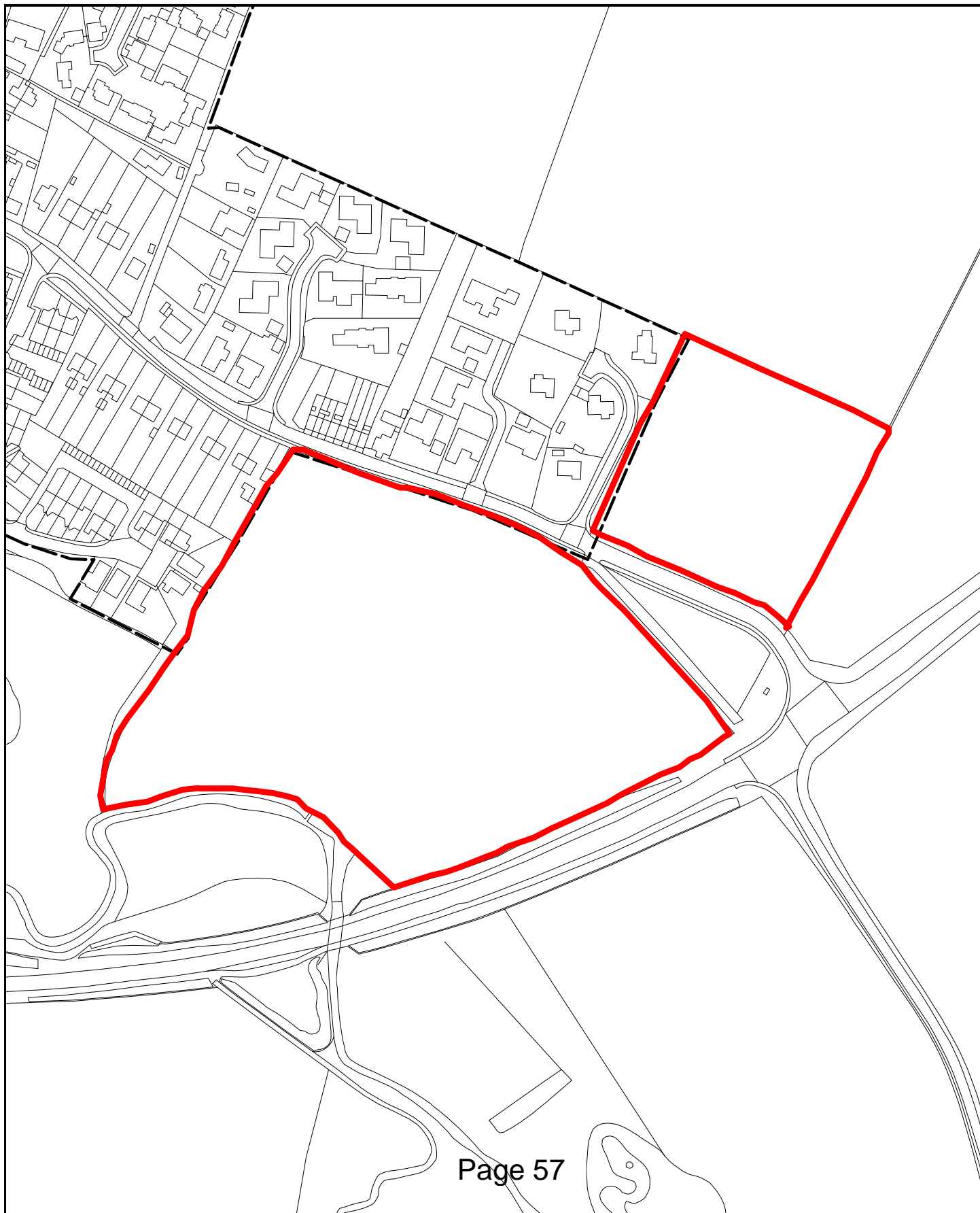
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Date of plot: 24/08/2016



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Cambridgeshire
District Council**

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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2016

AUTHOR/S: Head of Development Management

Application Number:	S/2921/15/OL
Parish(es):	Willingham
Proposal:	Outline Proposal for Erection of 26 Dwellings including 10 Affordable Units & Ancillary Access Arrangements (All matters reserved apart from access)
Site address:	Land South of 1b Over Road, Willingham, Cambridge, Cambridgeshire, CB24 5EU
Applicant(s):	Mr Ernest Wynn
Recommendation:	Approval
Key material considerations:	Housing Land Supply Planning Policy and Principle Design Considerations Density Housing Mix Affordable Housing Landscape and Visual Amenity Impacts on Trees Residential Amenity Access and Highway Safety Archaeology Ecology Flood Risk and Drainage Contamination Developer Contributions
Committee Site Visit:	6 September 2016
Departure Application:	Yes
Presenting Officer:	Thorfinn Caithness, Principal Planning Officer
Application brought to Committee because:	The application proposal raises considerations of wider than local interest and approval would represent a departure from the Local Plan
Date by which decision due:	9 September 2016 (extension of time agreed)

Executive Summary

1. This proposal, as amended, seeks permission for a residential development outside the

Willingham village framework and in the countryside. This development would not normally be considered acceptable in principle as a result of 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 application seeks outline planning permission for the erection of 26 (no.) dwellings, including 10 (no.) affordable units and associated access and infrastructure. All matters are reserved at this stage, except for access, which is to be formally determined. Other matters, namely layout, scale, appearance and landscaping are reserved for a later application(s). An indicative proposed site plan has been submitted to show how a development of 26 (no.) houses, with associated roads, gardens, parking and on-site equipped children's play space could be accommodated.
4. The application site is located outside, but contiguous with the Willingham village framework on a greenfield site in the open countryside. Part of the site (to the North and East sides) is within Flood Zones 2 and 3. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its open countryside location and flood risk constraints. Weight must also be attached to the fact that, in flood risk terms, there are no other sequentially preferable sites of comparable area or unit size. Moreover, the site can be made safe from the effects of flooding over the lifetime of the development without causing an increased risk of flooding to other land and property.
5. Due regard has been given to impacts including landscape character and visual amenity, residential amenity, access and highway safety, flood risk and drainage, trees, ecology, archaeology and developer contributions in the assessment of this proposal. Overall, taking account of the range and scale of services and facilities available in Willingham, including convenient accessibility to public transport, and in the context of a lack of five-year supply, the departure to policy due to the location of development proposed by this application adjacent to the village framework is justified as it would not

cause significant demonstrable harm. The application is therefore recommended for approval.

Site and Surroundings

6. The application site is located on the South Western edge of Willingham village, to the South of Over Road. The site conforms well to the prevailing pattern of built development, with houses to the North on Over Road, the East on Station Road and the West on Hayden Way. To the South, beyond a boundary of mature hedgerow and trees is open countryside, consisting of paddocks and fields.
7. The site comprises an area of 0.924 hectares of flat land of rectangular shape situated in a back land position behind residential properties fronting Over Road.
8. The characteristics of the site consist of a large, flat, open paddock which is overgrown in places. There are mature hedges and trees, particularly along the eastern and southern boundaries. The West boundary is more exposed in places. The Northern boundary is mixed in nature, consisting of the varied boundary treatments to the rear gardens of properties fronting Over Road.
9. The site is accessed from Over Road to the North between two existing residential properties. This access is unmade and is presently overgrown with tall grasses and shrubs.
10. To the West side of the site there are a number of long, low glasshouses running North to South. These glasshouses are in a dilapidated state and thus the nursery land use which once operated from the site has clearly not done so for many years.
11. The site is located in the open countryside, outside of the defined framework for Willingham village. The site is however contiguous with the village framework boundary, which runs along the northern, eastern and western boundaries of the site.
12. Policy ST/5 of the adopted Core Strategy classifies Willingham as a 'Minor Rural Centre', wherein residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the village framework. The site lies outside of the village framework.
13. Part of the application site to the North and east is located within Flood Zones 2 and 3. This includes the access into the site from Over Road. Flood Zone 3 is located to the North and North East sides, cascading down to Flood Zone 2 towards the centre and extreme South East side and Flood Zone 1 to the centre and South West side.
14. The submitted indicative site plan identifies 3m electricity easements along parts of the Eastern and Western boundaries and along the full extent of the Southern boundary.
15. The site is not located within a designated Conservation Area and there are no Listed Buildings or Scheduled Ancient Monuments adjacent to the site. Moreover, the site is not ecologically sensitive and does not fall within or adjacent to any international, national or local natural environment designations.

Proposals

16. The application is the subject of a pre-application enquiry dated January 2015. The

advice of officers was that given the inability of the Council to demonstrate a 5-year land supply, the proposal would be assessed in accordance with paragraph 14 of the National Planning Policy Framework, which sets out a presumption in favour of sustainable development. For decision-taking this means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

17. Whilst officers were unable to give a definitive view as to the likely recommendation, the advice given confirmed that the site is well related to the built-up area of the village and to existing services. Officers also advised that flood risk, access, impact on the character of the village, residential amenity and the required developer contributions would be the key material planning considerations. The advice was given with the usual caveat that it should not bind the authority to any particular decision on any planning application that may be submitted and which would be subject to publicity and consultation.
18. The application comprises an outline submission which seeks to establish the principle of residential development, consisting of 26 (no.) dwellings and associated works. 10 (no.) of the proposed houses will be affordable homes. The tenure split would be 70 / 30 between rented and shared ownership
19. Access to the site from Over Road to the North is to be formally considered at this stage. Other matters, namely Layout, Scale, Appearance and Landscaping are reserved and are therefore not to be considered under this application.
20. The scheme proposes a density in the region of 25 / 30 dwellings per hectare.
21. The site will be served by a single access from Over Road. This will require improvements and upgrading works to the existing field / access from Over Road to the North, which has historically served the nursery land use operating from the site. 2.4m x 45m visibility splays will be provided to both sides of the Over Road access.
22. The application seeks only to agree the access arrangements into the site off Over Road. The internal site access layout and design may be subject to change and will be considered at reserved matters stage when the detailed within site layout is considered. The indicative site layout does however show that the site has capacity to accommodate access to serve 26 properties, combined with space for turning and manoeuvring for refuse and emergency vehicles and off-street parking provision for cars.
23. The proposals will necessitate the removal of some existing glasshouses, however the existing site is largely Greenfield and undeveloped and therefore contamination is not considered to be a significant site constraint.
24. Whilst layout, scale, appearance and landscaping are currently reserved, the indicative proposed site layout, accommodation schedule and landscaping scheme illustrates that the site can accommodate a good mix of property types and sizes, including affordable houses, combined with space for on-site equipped children's play space, acceptable separation distances from existing neighbouring properties, a good sense of space within the site itself and space to accommodate high quality supplementary landscaping combined with the retention of the better quality existing mature boundary trees and hedges.

25. Foul water will discharge to the main sewer. Surface water will discharge to an existing watercourse (Dockerel Drain) at a restricted rate, utilising a combination of within-site permeable paving, swales and a bio-retention basin.

26. **Planning History**

PRE/0027/15 – Outline for Residential Development – Answered 26 March 2015.

Planning Policy

27. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.

National Guidance

28. National Planning Policy Framework 2012 (NPPF)
National Planning Practice Guidance 2014 (NPPG)

Development Plan Policies

29. **South Cambridgeshire LDF Core Strategy DPD, 2007**

ST/2 Housing Provision
ST/5 Minor Rural Centres

30. **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
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/11 Flood Risk
CH/2 Archaeological Sites
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards

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

District Design Guide - Adopted March 2010
Open Space in New Developments SPD - Adopted January 2009

Affordable Housing – Adopted March 2010
Trees & Development Sites – Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
Cambridgeshire and Peterborough Waste Partnership (RECAP) Waste Management Design Guide – Adopted February 2012

32. South Cambridgeshire Local Plan Submission - March 2014

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/9 Minor Rural Centres
CC/1 Mitigation and Adaption to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH14 Heritage Assets
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
H/11 Residential Space Standards for Market Housing
SC/4 Meeting Community Needs
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

33. Willingham Parish Council

General – The Parish Council makes no recommendation but requests a thorough review by highways given existing issues with parking on Over Road, the approval of another development of 12 dwellings within fifty metres, the proximity of traffic lights at a junction onto the B1050 and current congestion problems.

Parish Council Tree Officer

- There are no trees within the site that pose a constraint to the development.
- There are trees on adjacent land which should be taken into consideration and protected during the construction period.
- The boundary hedges are an important feature and should be retained.
- The landscaping should incorporate the existing planting into the site to help assimilate it into the area.

- The existing hedgerows should be reinforced by filling in the gaps with the same plants.
 - Additional tree planting should reflect the existing native species, including fruit and ornamental trees.
34. **Local Highways Authority** - No objections subject to conditions relating to the following: -
- Provision and maintenance of vehicular visibility splays.
 - Falls and levels of the access road to prevent water draining onto the public highway.
 - Access to be constructed using a bound material.
 - Traffic Management Plan to be submitted and agreed.
35. The Highway Authority has severe reservations with regards to connectivity within the site as shown on the indicative masterplan. The Highway Authority has a hierarchy which places pedestrian at the top of that hierarchy. The Highway Authority strongly recommends that the applicant engage with the Council's Urban Design Team and the Highway Authority to progress a more suitable internal layout, including satisfactory off-street parking provision.
36. **Environmental Health**
Contaminated Land

The application site is a former nursery. The activities carried out have the potential to cause contamination that would be unacceptable for future residents. The Phase 1 has identified this and proposes further Phase 2 investigation, with which we agree. We would like to see consideration of the ground conditions over the site, in particular the proposed garden areas. This can be secured using a standard planning condition.

Noise / Vibration

Conditions are advised with respect to hours of construction and deliveries, pile foundations and an overarching construction environmental management plan.

Impacts of Traffic Noise on Future Occupants

No objection subject to informative regarding insulation of the new properties.

Impacts of Traffic Noise on Existing Residents

Consideration should be given to the impact of traffic noise on existing neighbouring residents, notably those either side of the proposed access, but also those on High Street and Over Road.

Air Quality

Consideration should be given to the potential air quality impacts of the proposed development.

Artificial Lighting

A pre-commencement condition is recommended, requiring submission and agreement in writing of an artificial lighting scheme, to include details of all proposed

external lighting.

Health Impact Assessment

Assessed as Grade B, which is acceptable. The proposals will not have any significant impacts on public health.

Waste

It is understood that the legal agreement will secure a financial contribution towards the provision of domestic waste storage containers. There is also a standard provision within the section 106 legal agreement for street furniture, litter bins, dog bins, recycling bins, and the use of tree guards and pits.

Surface Water Drainage

Consideration should be given to the use of SUDS, surface water drainage and flood risk. The Environment Agency and County Council should be consulted.

Renewable Energy

The following technologies are considered viable for this site: -

- Solar panels
- Solar hot water heating
- Ground source heat pumps
- Air source heat pumps.

A condition is recommended regarding assessments of noise impacts from plant or equipment, including renewable energy.

Overall

No objections subject to conditions and informatives.

37. **Archaeology** - No objections. The site lies in an area of high archaeological potential. No objection subject to the imposition of a standard condition requiring implementation of a programme of archaeological work in accordance with a written scheme of investigation.
38. **Urban Design Officer** - No objections. The overall density of 28dph is low but acceptable given the site constraints (proximity to existing housing and limited access opportunities). The indicative layout plan requires significant improvement, which can be addressed at the reserved matters stage. The reserved matters application should be presented to the Design Enabling Panel.
39. **Trees and Landscape Officer** - No objections. The site is visually contained by existing vegetation and residential development will not have adverse visual effects, however it is recommended that the layout and design is revisited prior to submission of reserved matters. Conditions are advised with respect to hard and soft landscaping, cycle parking, boundary treatments and bin storage.
40. **Ecology Officer** - No objections. The application is supported by an ecological assessment which did not identify any biodiversity constraints. I support the protection of hedgerows, gapping-up and the reinstatement of species rich

grassland. Conditions are advised with respect to securing a scheme of ecological enhancement and to control the removal of vegetation during the bird breeding season.

41. **Cambridge County Council Drainage Team** - No objections. The applicant has satisfactorily demonstrated that surface water can be dealt with by using a variety of SuDS features, including permeable surfacing, swales, bio-retention and a detention basin. A discharge rate of no greater than 2.0 l/s for the site has been proposed. The applicant has therefore met the requirements of the NPPF and the Lead Local Flood Authority. Conditions and informatives are recommended to secure submission and agreement of a detailed surface water drainage scheme for the site, including long term maintenance.

42. **Anglian Water**
Foul Water

The local sewerage system at present has available capacity for the predicted flows via a gravity connection.

Surface Water

The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

43. **Environment Agency**

Sequential Test

According to our current Flood Map, a large part of the site is located within Flood Zone 3. We have reviewed the Dockerel Drain modelling report submitted as part of the Flood Risk Assessment, which suggests that none of the site is located in Flood Zone 3, however we would only update our flood map if the applicant were to request an 'evidence based review'. As it is unlikely that our Flood Map would be updated, we recommend that the current flood zones shown on our Flood Map are used to decide whether the Exception Test is needed.

The local planning authority should determine whether the proposal passes the Sequential Test before considering whether it passes the Exception Test.

No objections subject to implementation in accordance with the amended Flood Risk Assessment, Reference: 33928 Rev B, dated February 2016, which stipulates finished floor levels to be 6.20m AOD. This should be secured by planning condition.

The views of the Council's Environmental Health Department should be sought with respect to potential contamination risks.

Conditions and informatives are advised with respect to the discharge of foul and surface water disposal.

44. **Cambridgeshire County Council Education Authority** - The development is expected to generate a net increase of 5 primary education aged children and currently there is insufficient capacity in Willingham Primary School. Developer contributions are therefore required to contribute to the provision of an extension to the local primary school.

Developer contributions are also required with respect to libraries and lifelong

learning and section 106 monitoring fees.

Developer contributions with respect to strategic waste are not required because sufficient contributions have already been pooled from Northstowe.

Representations

45. 5 letters of representation have been received from local residents. The following concerns and objections have been raised:
- i) Increase in traffic and on-street parking on the already congested Over Road.
 - ii) The site is located outside of the village boundary.
 - iii) Flooding – the site flooded in 2000. Development of the site will increase the risk of flooding to others.
 - iv) Overlooking and loss of privacy to existing neighbouring residents.
 - v) Concerns about noise from the on-site children's play space;
 - vi) General concerns about increase of noise nuisance and disturbance
 - vii) Loss of light from new tree planting.
 - viii) The majority of the site is greenfield not brownfield.
 - ix) The affordable housing should be distributed throughout the site, not concentrated into one area.

Planning Assessment

46. Applications are to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The adopted Development Plan comprises the South Cambridgeshire Core Strategy DPD, 2007, Development Control Policies DPD, 2007 and Site Specific Policies DPD.
47. The emerging Local Plan comprises the South Cambridgeshire Local Plan, Proposed Submission Version, July 2013 and associated Policies Map. This plan has not yet been adopted and remains subject to independent examination therefore very limited weight can be attached to the policies contained therein at this time.
48. The application has been advertised as a development that does not accord with the Development Plan.
49. The key issues in relation to this application are considered to be Housing Land Supply, Planning Policy and Principle, Design Considerations, Density, Housing Mix, Affordable Housing, Landscape and Visual Amenity, Residential Amenity, Access and Highway Safety, Archaeology, Ecology, Flood Risk and Drainage, Contamination and Developer Contributions.

Principle of Development

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 (February 2016)

for South Cambridgeshire is 3.9 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.

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.

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.

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.

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.

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 says 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".

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 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 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.
61. In the case of this application policies which must be considered as potentially influencing the supply of housing land are as follows:

Core Strategy

ST/2 (Housing Provision), and
ST/5 (Minor Rural Centres)

Development Control Policies

DP/1 (Sustainable Development)
DP/7 (Development Frameworks)
HG/1 (Housing Density)
HG/2 (Housing Mix)
NE/6 (Biodiversity)
CH/2 (Archaeological Sites)
NE/11 (Flood Risk)

Emerging Submission Local Plan

S/7 (Development Frameworks)
S/9 (Minor Rural Centres)
NH/2 (Landscape Character)
NH/4 (Biodiversity)
H/7 (Housing Density)

H/8 (Housing Mix)
H/11 (Residential Space Standards)
CC/9 (Managing Flood Risk).

62. 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.
63. The site is located outside the Willingham village framework and in the countryside, where Policy DP/7 of the LDF and Policy S/7 of the emerging 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.
64. Willingham is identified as a Minor Rural Centre under Policy ST/5 of the LDF Core Strategy and as a Minor Rural Centre under Policy S/9 of the emerging Local Plan where there is a good range of services and facilities, public transport provision and accessibility to employment opportunities. Policy ST/5 of the adopted Core Strategy offers support to residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings within the village framework. Policy S/9 of the emerging Local Plan supports residential developments up to an indicative maximum scheme size of 30 dwellings, within the development frameworks of Minor Rural Centres.
65. Development within the less sustainable group and infill villages is more limited. 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 more limited range of services to meet the needs of new residents in a sustainable manner than in Minor Rural and Rural Centres. Within the context of the lack of a five year housing land supply, officers are of the view that sites on the edges of more sustainable Minor Rural and Rural Centres can accommodate more than the indicative maximum of 30 units allowed under policy ST/5 and still achieve the definition of sustainable development due to the level of services and facilities provided in these villages
66. The erection of 26 dwellings would therefore be consistent with the scale and amount of residential development normally supported in such locations and thus is considered to be acceptable in relation to this tier of the settlement hierarchy, set out within both the existing and emerging Development Plans. Willingham is a sustainable location which is capable of accommodating this level of additional housing. Therefore substantial weight can be applied to policy ST/5 of the adopted Local Plan and Policy S/9 of the emerging Local Plan.

Deliverability

67. Other than flood risk, there are no known technical constraints to the site's delivery. With regards to flood risk, the Environment Agency and the Lead Local Flood Authority have considered the scheme in detail and are satisfied that the development can be made safe from the risk and effects of flooding and will not increase the risk of flooding to other land and property. Officers are therefore of the view that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.

Design

68. Section 7 of the National Framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, paragraph 58 of the NPPF states that developments should, amongst other things, add to the overall quality of the area, establish a strong sense of place, respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation, and be visually attractive with appropriate landscaping.
69. The current application is in outline only, with all matters reserved except for access. Specific design details such as the internal road layout and design, the layout of the houses, their scale and appearance and the detailed landscaping of the site are therefore all reserved at this stage.
70. Notwithstanding this fact, the indicative layout plan does provide an impression of one way in which the site may be developed. The Council's Urban Design Team and the County Highway Authority have both outlined that improvements to this indicative layout will need to be made in order for a reserved matters submission to be supported. If outline consent is granted, the applicant will be encouraged to engage in pre-submission discussions, including presentation to the Design Enabling Panel to ensure that the eventual layout and design for the site is of satisfactory quality. This is likely to require increased permeability to neighbouring land through the use of pedestrian connections, incorporation of view stop / landmark buildings, better integration of the children's play space and changes to the layout and orientation of buildings, roads and spaces.

Sustainability of development

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

Economic

72. The provision of 26 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social

73. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering 26 residential dwellings. 40% of these units will be affordable (10 units), to be provided on-site by a Registered Local Provider. Officers are of the view the provision of 26 houses, including the affordable dwellings, is a benefit and significant weight should be attributed to this in the decision making process.
74. The development will also make some valuable contributions in relation to open space provision / improvement in the locality, notably on-site provision of an equipped children's play space, the details of which can be agreed in consultation with the

Parish Council and secured through a legal agreement. Significant weight can be given to these confirmed benefits in the planning balance.

Environmental

Trees/Landscaping

75. The site contains a small number of mature trees. There are also mature hedges on a number of the site boundaries. The mature hedges in particular make a valuable contribution to defining the character of this edge of settlement site. Some of the existing within-site trees are proposed for removal to facilitate the development, however these will be more than compensated for by a comprehensive quality landscaping scheme, which will include the gapping of the existing boundary hedges and new tree planting within the site. Landscaping is a reserved matter and therefore full details can be considered and agreed under a separate submission.
76. The application is supported by an arboricultural assessment. Planning conditions are recommended to ensure appropriate tree protection measures are installed during the construction phase, to agree landscaping for the site and to ensure replacement planting if required.

Biodiversity

77. The site has historically been in use as a nursery. The application is supported by a Phase 1 Habitat and Protected Species Surveys Report by a suitably qualified ecologist. The report confirms that the site carries no statutory or non-statutory wildlife site designation. Given the scale of the development proposed and its considerable distance from designated and non-designated sites, adverse effects are not envisaged. Based on site and wider area surveys, impacts on protected species are not considered likely. Overall, the site is dominated by habitats of relatively low biodiversity and ecological importance and there is no evidence of the presence of protected species. Protected species and their habitats are therefore not considered to be a constraint to the development.
78. The Council's Ecology officer has been formally consulted and has no objections, subject to controlling the timing of vegetation clearance and securing, by planning condition, an appropriate ecological enhancement and management scheme.

Housing Density

79. The site measures 0.924 hectares in area. The development equates to a density of 28 dwellings per hectare. This density is low, and whilst it would conflict with the higher density requirement of at least 40 dwellings per hectare sought for more sustainable villages by Policy HG/1 of the LDF, only limited weight can be given to this particular policy in light of the housing shortfall. In any case, a slightly lower density scheme is considered to be acceptable and more appropriate for this edge of settlement site, taking account of site constraint factors such as the mature perimeter planting, proximity to neighbouring properties and limited access opportunities. It is considered that a higher, more policy-compliant density would be unsuitable and potentially harmful for this particular site, therefore the density proposed strikes the right balance. The application has been considered by the Council's Urban Design Team and the density proposed is considered to be acceptable.

Affordable Housing

80. Policy HG/3 of the adopted Development Plan seeks the provision of 40% affordable housing on residential development schemes of 2 or more dwellings. Policy H/9 of the emerging Local Plan seeks provision of 40% affordable housing on schemes of 3 or more. The application therefore triggers provision of affordable houses based on adopted and emerging policy. The submission proposes on-site delivery of affordable housing, comprising of 10 units. The application is in outline at this stage, therefore the details of house types and mix are still to be considered. The applicant has indicated that the tenure split would be 70 / 30 between rented and shared ownership, in accordance with policy. Discussions have commenced with Registered Providers. Conditions and legal agreements can be used to ensure delivery of a satisfactory scheme of on-site affordable housing.

Housing Mix

81. The application is in outline with details of property types, mix, sizes etc reserved at this time. Nevertheless, the indicative details which form part of the submission confirm that a good mix of 2, 3 and 4-bed houses can be delivered on this site in accordance with the requirements of Policy HG/2 of the adopted Local Plan and Policy H/8 of the emerging Local Plan. It is anticipated that the scheme will help to meet a variety of housing needs and demands in the locality. The house types will accord with Policy H/11 Residential Space Standards for Market Housing in the emerging Local Plan.

Developer Contributions

82. Adopted Local Plan policies require developer contributions to be made in relation to the scale of development proposed. The developer has confirmed agreement to meet these particular obligations. Their delivery can be secured by way of a legal agreement (see Heads of Terms Template in the attached appendix). Children's play space is shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. The required contributions are as follows: -

Open Space (sport) - £27,000.

Open Space (children's play) - £36,000.

Off-site Indoor Community Space - £12,000.

Primary Need - £112,000 for additional classroom extension at Willingham Primary School.

Libraries and Lifelong learning - £3,901.30.

Section 106 Monitoring - £650,00

Residential Amenity

83. Some local residents have expressed concerns about the impact of the proposals on privacy and residential amenity. A principal concern is the impact of additional traffic accessing the site between the two existing properties either side of the access.
84. The application is in outline only, except for access, and therefore the layout plan

submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.

85. It is acknowledged that the proposed access located between the two properties fronting Over Road (Deresline and The Lawnings) will change the environment to the side and rear of these properties from a generally low key and overgrown access to the historic nursery land use to a development of 26 houses. There will, however, be a gap of approximately 3.5 metres between the sides of both houses to the carriageway edge, separated by the pavement, narrow green verge and existing / proposed boundary treatments to screen and buffer the access from these properties. Moreover, the proposed relationship of a new road being provided in a relatively sizeable gap between two existing properties to serve residential development behind is not uncommon in urban and village environments.
86. There are now ground floor habitable room windows on the gable ends of the two properties facing onto the proposed access road. Deresline has an existing nature conifer hedge running along the boundary with the access road. The Lawnings has a 1.8 m close boarded fence bounding the proposed access road. The indicative layout plan demonstrates that the proposed houses can be located deeper into the site so as to be set considerably away from the existing neighbouring properties on Over Road, likewise adequate separation distances from existing properties to the east and west can also be assured.
87. Overall, the submitted drawings demonstrate that the site could accommodate the amount of development proposed without having an unreasonable impact on residential amenity through overlooking or overbearing impact, as required by the relevant amenity criteria of policy DP/3 of the Local Development Framework.
88. Several conditions are recommended, designed to protect existing residents during the construction phase and future residents of the proposed houses.

Highway Safety

89. The application is in outline only, however access into the site from Over Road is to be formally determined. The within site access arrangements and internal road layout and access to each individual plot will be considered at the reserved matters stage.
90. The Parish Council makes no recommendation but has requested a thorough review of by highways given existing issues with parking on Over Road, the approval of another development of 12 dwellings within 50 metres, the proximity of traffic lights at the junction with the B1050 and current congestion problems.
91. A number of local residents have also expressed problems about the prevalence of on-street parking on Over Road and the associated problems with congestion. There is significant concern that the application proposals will exacerbate and compound these highway safety and capacity issues. One local resident has provided a home video of these problems including cars mounting pavements and coming into conflict with pedestrians.
92. The Highways Authority has considered the application and raises no objections subject to the imposition of conditions regarding provision and maintenance of visibility splays, the falls, levels and construction of the proposed access and submission of a traffic management plan. The proposal is thereby acceptable in this

regard.

93. The concerns of local residents with regards to traffic increases, congestion and highway safety are noted, however the scale of the development, both individually and in combination with the neighbouring development of 12 houses is not considered to be a large scale major development likely to have significant transport implications.
94. Whilst there will be normal AM and PM traffic peaks, traffic movements are otherwise expected to be staggered, and in all cases, within the acceptable range. The Highway Authority has not indicated that there are any capacity, safety or accident issues on the local highway which would act as a constraint to the development and there are no special highway mitigation measures required. The proposals are therefore considered to be acceptable in relation to Policy DP/3 1(b) and 2(k) and TR/3 of the adopted Local Plan, which require development proposals to provide appropriate access from the highway network that does not compromise safety, demonstrate that there will be no unacceptable adverse impact from traffic generated and mitigate any resultant travel impacts.

Landscape Character and Visual Amenity

95. The site conforms well to the existing built form of the village, with existing housing development on three sides to the North, East and West. Although lying outside of the village framework in the open countryside, the site is contiguous with the development limit and does not bear the characteristics of open countryside.
96. The site is very self-contained from a landscape character and visual amenity perspective. It is bounded by houses and mature hedges and trees and mixed boundary fences. There are no views of the site from wider landscape or elevated vantage points therefore the landscape character and visual amenity impacts of the application will not be significant or harmful and are therefore considered to be acceptable.
97. The Council's Urban Design and Trees and Landscape Sections have been formally consulted and both note that the site is visually self-contained.
98. The site is flat with derelict greenhouses on the west side. The site is not within Green Belt or a Conservation Area. There are no adjacent Listed Buildings, no TPO's and no public rights of way within or adjacent to the site.
99. Existing boundary hedges are to be retained and gapped up. Supplementary within site planting is also proposed.
100. Taking account of the particular characteristics of the site and how well it sits in relation to existing adjacent built development it is considered that the proposals will be entirely acceptable in terms of their landscape and visual amenity impacts.
101. Conditions are advised with respect to provision and agreement of hard and soft landscaping and protection of trees during the construction phase, otherwise the proposals are considered to be acceptable.

Contamination

102. The site has a history of use as a nursery. As a consequence there may be some potential for the site to be contaminated.

103. The application is supported by a preliminary Phase 1 assessment report. Based on the historic use of the site, there may be some risks from contamination for future residents. Further intrusive investigations are recommended to confirm the presence of any contaminants and to inform any necessary remediation, mitigation and verification.
104. The Council's Scientific Officer has been formally consulted and has no objections subject to a standard condition to secure further intrusive investigation, remediation and verification.

Flood Risk

105. Section 100 of the NPPF seeks to meet the challenge of climate change, flooding and coastal change. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Moreover, Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by, amongst other things, applying the Sequential Test, and if necessary, the Exception Test.
106. Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding, and, a sequential approach should be used in areas known to be at risk from any form of flooding.
107. Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:
- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
 - Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including emergency planning; and it gives priority to the use of sustainable drainage systems.
108. Policy NE/11 of the adopted Local Development Framework Development Control Policies DPD states that in relation to flood risk, applications will be judged against national policy.
109. Policy CC/9 of the emerging Local Plan states that in order to minimise flood risk, development will only be permitted where, amongst other things, the sequential test and exception tests established by the National Planning Policy Framework demonstrate the development is acceptable.
110. The application site is located in Flood Zones 2 and 3, at a high risk of flooding. Residential development is classed by the NPPF as 'More Vulnerable'. For residential development to be considered acceptable in Flood Zones 2 and 3 a Sequential Test must be undertaken to rule out the availability of sites at lower risk. For

development to be considered acceptable in Flood Zone 3, it is also necessary for the Exceptions Test to be passed.

- The Environment Agency has been formally consulted on the application. On the basis of an amended Flood Risk Assessment, which has assessed the potential impacts of flooding from Dockerel Drain and proposes increased finished floor levels to protect the proposed properties in the event of a flood episode, the Environment Agency has confirmed it has no technical objections to the proposal. The Environment Agency is also content that there will be no increased risk of flooding to neighbouring land and property, subject to implementation in accordance with the recommendations outlined in the flood risk assessment. This includes a bespoke surface water run-off strategy for the site, the in principle details of which are considered satisfactory as far as the Environment Agency and Lead Local Flood Authority are concerned.
- 111.

- Conditions are recommended to ensure the development is implemented in accordance with the approved Flood Risk Assessment and to secure submission and agreement of a surface water drainage strategy for the site, including long term maintenance. In order to make the proposed properties safe from the risk of flooding it is proposed that finished floor levels be a minimum of 6.20m AOD. Some lower parts of the application site lies at a level of 5.50m AOD, therefore in some cases it may be that finished floor levels of some of the proposed properties could be 700mm above site level. In the majority of cases, however, the finished floor level will be lower, between 400 – 500mm above site level.
- 112.

- At reserved matters stage careful consideration will need to be given to the location and orientation of those properties located in the lowest parts of the site, to ensure that there will be no potential for overlooking of existing neighbouring land and property. A condition is also recommended requiring details of finished floor and site levels to be submitted and agreed to ensure the relationships between the existing and proposed properties are acceptable.
- 113.

Sequential Test

114. The applicant has undertaken a Sequential Test to assess the reasonable availability of sequentially preferable sites at a lower risk of flooding, as required by the NPPF. In undertaking the Sequential Test, the applicant and your officers have had regard to the Draft Cambridgeshire Flood and Water Supplementary Planning Document (SPD), (Sept 2015). This sets out that the geographical search area for identifying sequentially preferable sites for residential development should be the whole district.
115. Furthermore, the draft SPD also states that sites to be considered should be of 'comparable size that it can accommodate the requirements of the proposed development'. The Council has therefore agreed with the applicant that only sites which can accommodate between 10 and 30 dwellings (or up to 1 ha in area) are of comparable size to the application site and should therefore be considered.
116. The applicant has identified a number of potential sites of comparable size and yield, however these have been reasonably discounted on the basis that they are not reasonably available because of their site specific constraints and characteristics. Whilst one site identified at Great Abington is in Flood Zone 1 and is therefore sequentially preferable, the site area is only 0.55 ha and the anticipated yield is approximately 12-20 units, which is less than that which can be achieved by the application site. Great Abington is also a lower order settlement, less sustainable than Willingham, where policies seek to support small scale schemes than that proposed by this application. It is therefore considered that the application has passed the

Sequential Test

117. Of particular significance to the consideration of the application is the fact that the Council does not currently have a 5 year land supply. Although the application site is partially within Flood Zones 2 and 3, a sequential approach to the site layout demonstrates that it would be possible to locate less vulnerable land uses, such as open space, roads and gardens into the higher flood risk areas. Moreover, the Flood Risk Assessment also demonstrates that the application site can be made safe from the risks and effects of flooding throughout its lifetime and would not cause increased risk of flooding to other land and property.
118. It is also the case that the application site is constraint free in all other respects, has a willing landowner and is therefore readily available and deliverable in a short space of time to make a positive contribution to alleviating the Council's recognised shortfall in housing land supply. These factors all weigh in favour of supporting the application.

Exception Test

119. Parts of the application site lies within Flood Zone 3. The applicant has challenged this, outlining that modelling of historic flood events associated with Dockerel Drain would suggest that parts of the application site only fall into Flood Zone 2. However the Environment Agency has confirmed that for the purposes of considering this application, the latest up to date Environment Agency map should be used, which means that parts of the site are Flood Zone 3. Consequentially, although the applicant has demonstrated that there are no other sequentially preferable sites at lower risk of flooding, it is also necessary for the Exception Test to be passed.
120. The Exception Test is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. The test requires proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime without increasing flood risk elsewhere and where possible reduce flood risk overall.

Wider Sustainability Benefits to the Community that Outweigh Flood Risk

121. The wider sustainability benefits of the application site and proposal are considered to be as follows: -
- (a) The site is considered to be at a highly sustainable and accessible location, conforming well to the existing built pattern of development close to local services and facilities;
 - (b) The proposal comprises an appropriate scale of development for its location, providing a good mix of much needed housing, including affordable housing, at a time when the local authority cannot demonstrate a 5 year supply of housing land;
 - (c) The proposal will have wider economic and social sustainability benefits, including creation of local employment opportunities for the construction industry and allied trades and economic multiplier effects for local shops, services and facilities;
 - (d) The developer obligations which will be delivered by the proposal, including provision of open space and a classroom extension for the local school should be regarded as significant wider community benefit outcomes;
 - (e) From an environmental sustainability perspective, the existing site comprises

an abandoned nursery with several dilapidated greenhouses. Their removal and replacement with a well-designed new residential environment will have some positive landscape and visual amenity benefits for those properties which back onto and have a view of the site.

- (f) The proposals provide an opportunity for gapping up of existing hedges, new tree planting and other biodiversity enhancement proposals.

Safe for the Lifetime Without Increasing Flood Risk Elsewhere

122. The submitted flood risk assessment and surface water drainage strategy have been assessed by the Environment Agency and the Lead Local Flood Authority and are considered to be acceptable. Both agencies are satisfied that the proposed development will be safe from the risks of flooding throughout its lifetime and will not give rise to increased risk of flooding to other land and property.
123. The proposed properties will be safeguarded from risk by raising finished floor levels above predicted future flood risk levels, taking account of climate change. A bespoke surface water drainage strategy for the site has also been devised incorporating a variety of sustainable urban drainage measures, which will contain and manage surface water within the site, discharging it to Dockerel Drain at a restricted rate.
124. Taking account of these factors it is considered that the Exception Test has been passed.

Drainage

125. Foul water will be discharged to the existing local mains infrastructure. Anglain Water has been consulted and has confirmed there is currently sufficient capacity to accommodate the additional flows.
126. Surface water will be discharged, at a restricted rate (no greater than 2.0 l/s) to the adjacent Dockerel Drain using a variety of SuDS features, including permeable surfacing, swales, bio-retention and a detention basin.
127. The County Council's Lead Local Flood Authority (LLFA) has been formally consulted and has confirmed that the application is satisfactory, subject to a number of conditions requiring submission and approval of a detailed scheme of surface water drainage and long term maintenance.

Renewable Energy

128. Policy NE/3 of the adopted Local Plan states that all development proposals greater than 10 dwellings will include technology for renewable energy to provide at least 10% of their predicted energy requirements. It is considered that this particular policy requirement can be best resolved at the detailed stage as further design and layout information becomes available.
129. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities. A renewable energy condition is proposed below.

Conclusion

130. In considering this application, the following relevant adopted development plan policies are to be regarded as 'out of date' while there is no five year housing land

supply:

Core Strategy

ST/2 (Housing Provision), and
ST/5 (Minor Rural Centres)

Development Control Policies

DP/1 (Sustainable Development) (by virtue of paragraph 1a)
DP/7 (Development Frameworks)
HG/1 (Housing Density)
HG/2 (Housing Mix)
NE/6 (Biodiversity)
CH/2 (Archaeological Sites)
NE/11 (Flood Risk)

Emerging Submission Local Plan

S/7 (Development Frameworks)
S/9 (Minor Rural Centres)
NH/2 (Landscape Character)
NH/4 (Biodiversity)
NH/14 (Heritage Assets)
H/7 (Housing Density)
H/8 (Housing Mix)
H/11 (Residential Space Standards)
CC/9 (Managing Flood Risk)

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. For the reasons outlined in the main body of this report, officers are of the view that significant weight can be given to Policy ST/5 in this case.
132. The proposed development raises relatively few technical concerns although it is acknowledged that part of the site is located in an area of high flood risk and there will be some impacts on the amenities of existing local residents from more homes and associated traffic and other activity. However these concerns must be weighed against the following benefits of the development:
- 133.
134. i) The provision of 26 additional dwellings and their contribution towards the 1400 dwellings required to achieve a 5 year housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector in the recent Waterbeach Appeal decisions.
- ii) The provision of 10 affordable dwellings towards the need of 1,700 applicants across the district, to be secured off-site through a commuted sum.
- iii) Developer contributions towards public open space and community facilities in the village, including equipped children's play space and an extension to the local Primary school.
- 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) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy and improve their sustainability.
 - vii) The Flood Risk Sequential and Exceptions Tests have been passed and the site can be made safe from the risks and effects of flooding without causing an increased risk of flooding to other land and property.
135. The adverse impacts of this development identified by local residents, namely increased traffic, loss of amenity and flood risk cannot be substantiated into reasonable grounds for refusal 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.
136. Planning permission should therefore be granted because material considerations clearly outweigh the limited harm identified and the conflict with out of date policies of the LDF relating to housing delivery.

Recommendation

137. Officers recommend that the application is approved subject to the following:

138. **Conditions**

- a) **Approval of the details of the layout of the site, the scale and appearance of buildings, the means of access 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 three 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:**

CH14/LBA/341/OP101 – 1:1250 Red Line Location Plan only.
CH14/LBA/341/OP101 REV D (Visibilty splays only)
 (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- e) **Details of the layout of the site shall include the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.**
(Reason - In the interests of residential/visual amenity, in accordance with

Policy DP/3 of the adopted Local Development Framework 2007.)

- f) Details of landscaping 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. The details shall also include the positions, design, materials and type of boundary treatment to be erected.**

(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.)Boundary Treatments.

- g) 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.

- h) 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].**

(a) 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.

(b) 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.

(c) 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.)

- i) **No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.**

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

- j) **Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.**

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- k) **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.) Falls and Levels and Drainage and Construction of Access Road

- l) **Development shall not begin until a detailed surface water drainage scheme for the site, based on the submitted Flood Risk Assessment (FRA) dated February 2016 (ref:33928 Rev B) has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in 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 to improve habitat and amenity, in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- m) **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 sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes.**

The maintenance plan shall be carried out in full thereafter.

(Reason – To ensure the satisfactory maintenance of un-adopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

- n) Unless otherwise agreed in writing the development permitted by this planning permission shall only be carried out in accordance with the amended Flood Risk Assessment (FRA) Project Ref:33928 Rev: B – Date: February 2016.**

(Reason – To prevent flooding elsewhere and to reduce the risk of flooding to the proposed development and future occupants).

- o) Prior to the first occupation of the development, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No: CH14/LBA/341/OP101 REV D. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.**

(Reason – In the interests of highway safety).

- p) The proposed access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.**

(Reason – For the safe and effective operation of the highway).

- q) The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.**

(Reason – In the interests of highway safety).

- r) No demolition or construction works shall commence until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are: -**

(1) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).

(2) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street.

(3) Movements and control of all deliveries (all loading and unloading should be undertaken off the public highway).

(4) Control of dust, mud and debris).

(Reason – In the interests of highway safety).

- s) No construction work and or construction related dispatches from or deliveries to the site shall take place other than between the hours of 0800 – 1800 Monday to Friday, 0800 – 1300 Saturday and at no time on Sundays or Bank or Public Holidays unless otherwise approved in writing by the local planning authority.**

(Reason – In the interests of residential amenity).

- t) Prior to the commencement of development details of cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

(Reason – To reduce car dependency and to encourage alternative modes of

travel in accordance with Policy TR/2 of the adopted Local Development Framework 2007).

- u) 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 from noise 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 and DP/6 – Construction Methods).

- v) 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 and DP/6 – Construction Methods).

- w) 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 executions has been submitted to and approved in writing by the Local Planning Authority. The development shall 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 and DP/6 – Construction Methods).

- x) Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of any impact on any sensitive residential premises on and off site as appropriate, shall be submitted to and approved in writing by, the local planning authority. This assessment / scheme shall include layout plans / elevations with luminaire locations annotated, full vertical and horizontal isolux contour maps at nearest residential premises, hours and frequency of use, a schedule of equipment in the lighting design (luminaire types / profiles, mounting height, aiming angles / luminaire profiles, orientation, angle of glare, operational controls) and**

shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011”. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the local planning authority gives its written consent to any variation.

(Reason: To protect local residents light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/14 – Lighting Proposals.

- y) No development shall take place until a scheme for the provision of bin storage has been submitted to and approved in writing by the Local Planning Authority. The scheme be constructed and completed in accordance with the approved details 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 provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- z) No development approved by this permission shall be commenced until:**

a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

b) 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.

c) 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.

d) 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).

- aa) No development shall take place on the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work 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.)

- bb) No development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.**

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)

- cc) Before the development hereby permitted is commenced, a simple air quality impact assessment should be carried out and submitted, in writing, to the Local Planning Authority for approval. The assessment should have regard to the National Air Quality Objectives and include a detailed investigation into the existing local background air quality conditions, the potential impact of the development on the nearest sensitive receptors and should explore mitigation measures if necessary. SCDC consider that an emphasis on the actual implementation of mitigation measures to achieve betterment of local air quality together with compliance with relevant policies particularly important. The air quality assessment may require, if appropriate, the use of detailed air pollution modelling and details of stack/flue height calculations, where appropriate as well as account for any on-site combustion plant.**

(Reason – To ensure compliance with the Councils Policy NE/16 and Section 124 of the National Planning Policy Framework.)

- dd) Prior to commencement of development an Operational Noise Minimisation Management Plan / Scheme shall be submitted in writing to the Local Planning Authority for approval. This shall include details of site wide measures to be undertaken and implemented to minimise and mitigate noise activities / operations as far as is reasonably practicable. The approved plan / scheme shall be retained thereafter unless otherwise approved in writing by the Local Planning Authority and shall be reviewed and revised as necessary at the reasonable request of the Local Planning Authority following the receipt of any justified noise complaints.**

(Reason - In the interest of the residential amenity of neighbouring properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- ee) Notwithstanding the submitted indicative layout, details of the mix of housing (including both market and affordable housing) shall be submitted with any reserved matters application for housing in accordance with policies H/8 and H/9 of the South Cambridgeshire Local Plan Proposed Submission July 2013 unless local circumstances suggest otherwise.**

(Reason – To ensure a mix of housing to reflect local needs)

- (a) Affordable housing
- (b) Open space
- (c) Education
- (d) Libraries and Lifelong Learning
- (e) Monitoring

140. **Informatives**

The granting of a 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. A separate permission must be sought from the Highway Authority for such works.

The applicant / developer should have regard and consideration of South Cambridgeshire District Council Supplementary Planning Document – ‘District Design Guide: High Quality and Sustainable Development in South Cambridgeshire’, Adopted March 2010: Chapter 10 – Environmental Health and associated appendices:

<http://www.scambs.gov.uk/Environment/Planning/DistrictPlanning/LocalDevelopmentFramework/SPDs/DistrictDesignGuideSPD.htm>

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Foul drainage from the proposed development should be discharged to the public foul sewer unless it can be demonstrated that a connection is not reasonably available.

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and / or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

- (a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe ‘node numbers’ that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- (b) Confirmation of the critical storm duration.
- (c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365 / CIRIA 156.
- (d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are required.
- (e) Where an outfall discharge control device is to be used, such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- (f) Calculations should demonstrate how the system operates during a 1 in 100

chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should be submitted detailing the location of overland flow paths and the extent and depth of ponding.

Dockerel Drain is an Awarded Watercourse. Under the Land Drainage Act 1991, development that involves a culvert or any impediment to flow on an Awarded Watercourse will require prior written consent from Cambridgeshire County Council as Lead Local Flood Authority. This is applicable to both permanent and temporary works. In addition, South Cambridgeshire District Council has a 5 metre byelaw strip which prevents development on this land and allows the Council to access the site to carry out any necessary work. Additional consent is required from South Cambridgeshire District Council for works on the byelaw strip.

Background Papers:

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

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014

Report Author:

Thorfinn Caithness
Telephone Number:

Principal Planning Officer
01954 713126

Heads of terms for the completion of a Section 106 agreement

Willingham – South of 1b Over Road (S/2921/15/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	None proposed by Housing Officer

Cambridgeshire County Council										
Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Trigger	Officer agreed	Applicant agreed	Number of existing Pooled obligations
CCC1	Early years	DP/4	NO	According to County Council guidance the development is expected to generate a net increase of 8 early years aged children, of which S106 contributions would be sought for 4 children. In terms of early year's capacity, County education officers have confirmed that there is sufficient capacity in the area in the next 3 years to accommodate the places being generated by this development.						
CCC2	Primary School	DP/4	YES	According to County Council guidance the development is expected to generate a net increase of 5 primary education aged children. This development lies within the catchment area of Willingham Primary School.	£112,000	Fixed fee	YES			Currently no contributions have been pooled for this infrastructure project although

Appendix 1

				<p>To mitigate the impact of the 3 major planning applications in Willingham a primary school extension is required, consisting of 123m2 of additional classroom and associated ancillary spaces.</p> <p>The current estimated cost is in the order of £700K @ 4Q15. This will ensure that there are sufficient teaching spaces. The total cost of £700,000 has therefore been proportioned across the three developments, based on the number of dwellings each is proposing</p>						delegated approval has been given for Rockmill End and Haden Way Willingham which will secure 2 contributions for this project
CCC3	Secondary school	DP/4	NO	<p>According to County Council guidance the development is expected to generate a net increase of 7 secondary education aged children.</p> <p>The catchment school is Cottenham Village College. County education officers have confirmed that at present Cottenham Village College has sufficient capacity to accommodate the secondary places generated by the development.</p>						
CCC4	Libraries and lifelong learning	DP/4	YES	<p>This new development would result in an increase in population of 65 residents (26 x 2.5). Willingham is served by a small library and as this is currently at capacity the County Council would require a contribution of £60.02 per head of increase of population to mitigate the impact arising from this development.</p> <p>The libraries and lifelong learning contribution would be used to contribute towards the internal modification of the library to increase the library operational</p>	£3,901.30					

Appendix 1

				space, shelving to accommodate new books and resources, and additional furniture, books and resources to meet the demands of the new residents.						
CCC5	Strategic waste	RECAP WMDG		Pooling limit reached such that no further contributions may be secured						
CCC6	Transport	TR/3								
CCC7	CCC monitoring	None	NO	The County Council have sought a contribution of £650 (at a rate of £50 per hour) towards the cost of monitoring. The District Council does not support this request as (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) appeal decision in South Cambs have confirmed that monitoring fees cannot be secured on straightforward matters (iii) the District Council will undertake this function and share information with CCC. On this basis the Council considers that the request fails to satisfy the tests as set out in CIL Reg 122 and para 204 of the NPPF.						

South Cambridgeshire District Council										
Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Trigger	Officer agreed	Applicant agreed	Number of existing Pooled obligations
SCDC1	Open space (sport)	SF/10	YES	<p>The recreation study of 2013 identified Willingham required 6.58 ha of sports space whereas it only had 4.02 ha and therefore experienced a deficit of 2.56 ha sports space.</p> <p>The open space audit went on to highlight that:</p>	£27,000 (circa)	Tariff				Currently no contributions have been pooled for this infrastructure project although delegated approval has

			<ul style="list-style-type: none"> • The village has one recreation ground with one junior football pitch, two senior pitch, two mini soccer pitches, cricket square, play area, a bowls green and a pavilion. • The pavilion was extended and refurbished in 2006 as part of a £100,000 project. • Willingham Cricket Club and Willingham Wolves junior football club have teams from • U8's to U15's girls and boys and in excess of 150 children. • Willingham Parish council are looking at developing an outdoor gym, Skate Park, enhanced play equipment and a teenage shelter. <p>In response to the application the Parish Council have advised that the Bowls Club is need of updating and has experienced problems with the green etc and unfortunately it looks as if as a club it will close this year. As a result the Council decided that as part of the Recreation Ground/Pavilion the space should be upgraded so that it could be used as a multi purpose space. Exact details have not been decided upon (which may require a public consultation) but suggestions included such things as possibly a tennis court and/or a all weather pitch for various activities, and upgrading the club house etc</p> <p>Offsite financial contributions are proposed being secured in accordance with the rates</p>						<p>been given for Rockmill End and Haden Way Willingham which will secure 2 contributions for this project</p>
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				published in the open space in new developments SPD as follows: 1 bed £625.73 2 bed £817.17 3 bed £1,150.04 4 bed £1,550.31						
SCDC2	Open space (children's play)	SF/10	YES	<p>The recreation study of 2013 identified Willingham required 3.29 ha of sports space whereas it only had 0.11 ha and therefore experienced a deficit of 3.18 ha sports space.</p> <p>Since that assessment was undertaken additional play space has been provided at the Queen Elizabeth II playing field, however there remains a significant shortfall.</p> <p>Offsite financial contributions are proposed being secured in accordance with the rates published in the open space in new developments SPD as follows:</p> <p>Willingham Parish Council has confirmed that they intend to use the money to part fund a second phase of the QEII playing field.</p> <p>1 bed £0 2 bed £1,202.78 3 bed £1,663.27 4 bed £2,281.84</p>	£36,000 (circa)	Tariff				None
SCDC3	Open space (informal open space)	SF/10	YES	Onsite open space will be required in accordance with SF/10 and SF/11						
SCDC4	Offsite indoor community space	DP/4	YES	The community facility audit of 2009 identified that despite community space being provided across Willingham Plough Hall and Willingham Public Hall, the	£12,000 (circa)					Currently no contributions have been pooled for this

				<p>village experienced a deficit of 110 square metres of indoor community space. The audit also highlighted several measures to improve the condition and use of the facilities.</p> <p>Willingham is defined as a Minor Rural Centre in the Core Strategy and in accordance with the Community Facilities Audit 2009 the proposed standard for Minor Rural Centres is as follows:</p> <ul style="list-style-type: none"> • Rural Centres should have at least one good sized facility which offers access to community groups at competitive rates. • The centre should feature one main hall space suitable for various uses, including casual sport and physical activity; theatrical rehearsals/performances and social functions. The facility should also offer at least one meeting room. • All facilities, including toilets, should be fully accessible, or retro-fitted to ensure compliance with Disability Discrimination Act legislation wherever possible. • Facilities should include a kitchen/catering area for the preparation of food and drink. The venue should have the capacity for Temporary Events for functions which serve alcohol. • Where practical and achievable, new build facilities should be delivered with appropriate energy-efficiency measures in place, although this should be undertaken with the balance of 					<p>infrastructure project although delegated approval has been given for Rockmill End and Haden Way Willingham which will secure 2 contributions for this project</p>
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Appendix 1

				<p>expenditure/saving in mind, given the likely hours of usage.</p> <ul style="list-style-type: none"> Facilities should be designed to offer ease of management, as volunteers are likely to be primarily responsible for day to day upkeep. <p>The contribution required as per the indoor community space policy would be:</p> <p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p> <p>In order to provide sufficient indoor community space for the village Willingham Parish Council have proposed an extension to the Ploughman Hall to provide a meeting room and general facilities for the use of the village.</p>						
SCDC5	Household waste receptacles	RECAP WMDG	YES	£72.50 per house dwelling and £150 per flat						
SCDC6	S106 monitoring		YES	£500	£500					

TOTAL - £193,286.30 (subject to final housing mix)

PER DWELLING - £7,434.09 (subject to final housing mix)

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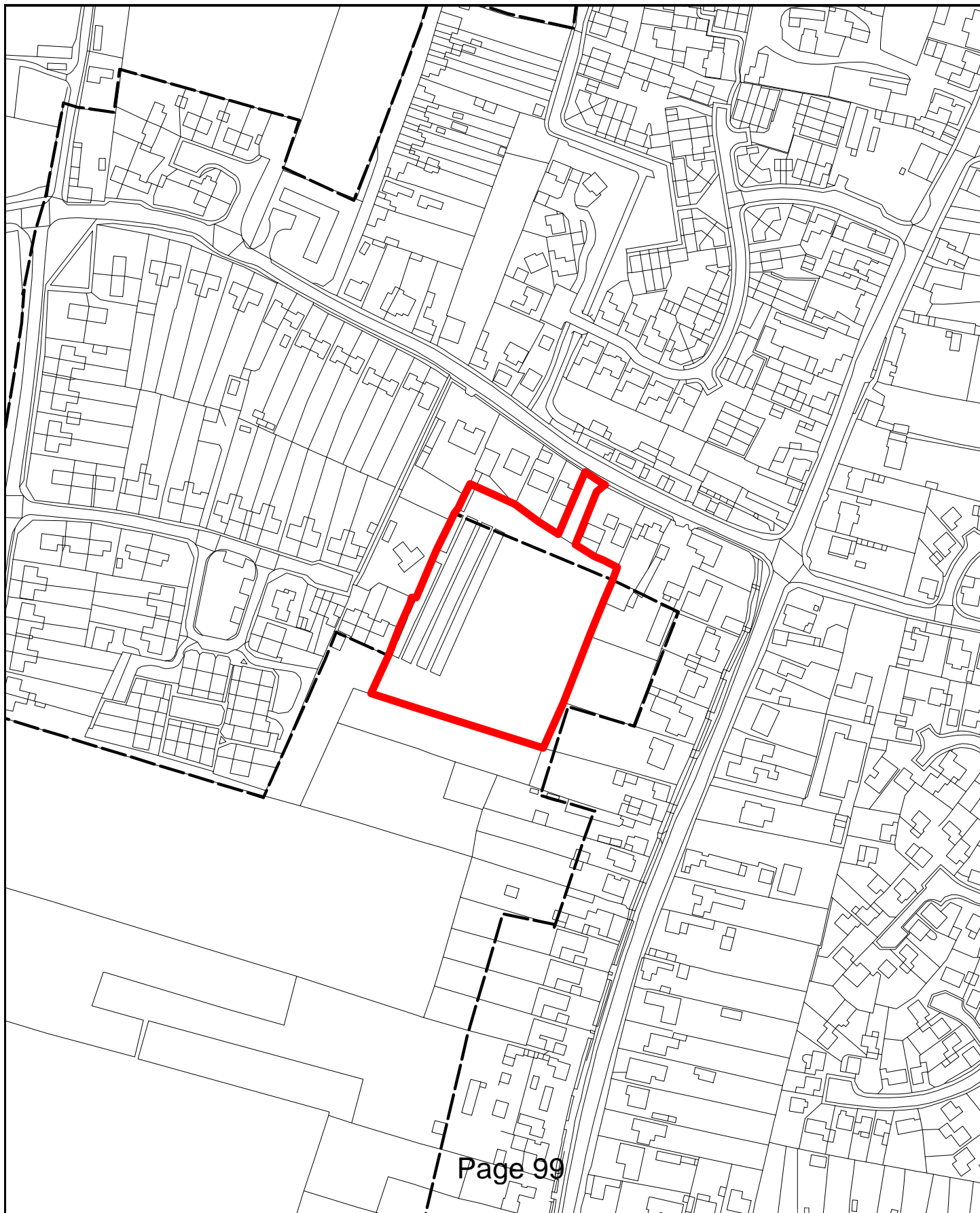
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District Council**

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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0191/16/OL
Parish(es):	Guilden Morden
Proposal:	Outline application for up to 30 dwellings and formation of new access (all other matters including landscaping, layout, scale and appearance are reserved).
Site address:	Site south of Thompson's Meadow, Trap Road, Guilden Morden, Cambridgeshire SG8 0JE
Applicant(s):	Mr John Boston, Guilden Morden Executive Homes
Recommendation:	Refusal
Key material considerations:	The main issues are whether the proposed development would provide a suitable site for housing, having regard to housing land supply, the principles of sustainable development, scale of development and impact on townscape and landscape character, drainage issues, services and facilities, access and transport and ecology.
Committee Site Visit:	6 September 2016
Departure Application:	Yes
Presenting Officer:	John Koch (Development Control Team Leader – West)
Application brought to Committee because:	The application proposal raises considerations of wider than local interest and approval would represent a departure from the Local Plan
Date by which decision due:	09 September 2016 (Extension of time agreed)

Executive Summary

1. This proposal seeks outline permission (access only for approval) for a residential development of up to 30 dwellings on a greenfield site. The site lies within the countryside, outside the designated Development Framework of a Group village as identified in the adopted Local Development Framework and emerging Local Plan. The original proposal was for 36 units and has been reduced to 30 following concerns expressed regarding the indicative layout and potential impact on protected trees.
2. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its scale and location. It is 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 considered not up to date for the purposes of the NPPF.

3. However, the local planning authority must still determine the appropriate weight to apply to relevant development plan policies even where out of date. In this instance whilst Policies ST/6 and DP/7 of the adopted Core Strategy and adopted Development Control Policies which influence the supply of housing land, are considered out of date, they continue to perform a material planning objective, consistent with the policies of the NPPF, in forming part of a suite of policies to control the distribution and scale of new housing by ensuring that development is sustainably located and unsustainable locations are avoided. The strategy supporting the policies is therefore afforded considerable weight.
4. Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. It is considered that Guilden Morden is not a sustainable location for the scale of development proposed, having regard to the level of services and facilities in the village and the accessibility to necessary services and facilities by sustainable modes of transport.
5. In this case, the location and scale of the development are such that officers are of the view that the harm arising from the unsustainable location, significantly and demonstrably outweighs the benefits of the proposal. These include a contribution of up to 30 dwellings towards the required housing land supply, and provision of 40% affordable dwellings (12 units).

Planning History

6. None relevant to the determination of this planning application

Planning Policies

7. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.
8. *National Planning Policy Framework*
Planning Practice Guidance
9. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*
ST/2 Housing Provision
ST/6 Group Villages
10. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments

- DP/7 Development Frameworks
 - HG/1 Housing Density
 - HG/2 Housing Mix
 - HG/3 Affordable Housing
 - CH/4 Setting of Listed Buildings
 - CH/5 Conservation Areas
 - SF/10 Outdoor Play space, Informal Open Space, and New Developments
 - SF/11 Open Space Standards
 - NE/1 Energy Efficiency
 - NE/3 Renewable Energy Technologies in New Development
 - NE/4 Landscape Character Areas
 - NE/6 Biodiversity
 - NE/9 Water and Drainage Infrastructure
 - NE/10 Foul Drainage – Alternative Drainage Systems
 - NE/11 Flood Risk
 - NE/12 Water Conservation
 - NE/14 Light Pollution
 - NE/15 Noise Pollution
 - NE/17 Protecting High Quality Agricultural Land
 - CH/2 Archaeological Sites
 - TR/1 Planning for More Sustainable Travel
 - TR/2 Car and Cycle Parking Standards
 - TR/3 Mitigating Travel Impact
 - TR/4 – Non-motorised Transport
11. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*
- Open Space in New Developments SPD - Adopted January 2009
 - Affordable Housing SPD - Adopted March 2010
 - Trees & Development Sites SPD - Adopted January 2009
 - Landscape in New Developments SPD - Adopted March 2010
 - Biodiversity SPD - Adopted July 2009
 - District Design Guide SPD - Adopted March 2010
 - Health Impact Assessment – Adopted March 2011
12. *Draft Local Plan*
- S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in Favour of Sustainable Development
 - S/5 Provision of New jobs and Homes
 - S/7 Development Frameworks
 - S/10 Group Villages
 - S/12 Phasing, Delivering and Monitoring
 - 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/7 Water Quality
 - 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/6 Green Infrastructure
 - NH/14 Heritage Assets

H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
SC/8 Open space standards
SC/11 Noise pollution
T/I Parking provision

Consultations

13. **Guilden Morden Parish Council** – In relation to the amended proposals, the Parish Council remains unanimously in support of the application and state that the scheme should be accepted for the following reasons:
- The revised scheme has addressed key points raised at the village meeting in March (original proposal), namely slightly lower density and provision of sufficient parking to avoid congestion.
 - The application should be assessed against the National Planning Policy Framework, namely the sustainability of the development. The additional homes are a welcome way to increase the sustainability of the village – including the community facilities, churches, pre-school, school and local businesses such as the pub (and potentially in the future, the Three Tuns which is currently not trading as a pub). Most older pupils travel to Bassingbourn, which currently has a dedicated school bus.
 - The scheme will address the Local Housing Need as it provides the number and mix of homes identified in the 2015 survey.

Raised no objection to the original scheme but did make the following comments:-

- The scheme proposes too many houses resulting in a cramped and ill fitting layout.
 - The amount of car parking proposed within the development is considered insufficient – given the size of the units and overspill car parking
 - The footpath and internal road widths are not acceptable.
 - Concerns regarding foul water drainage. Although Anglian Water state that there is capacity within the system, there is local evidence of drainage problems and not just at times of high rainfall.
 - Highway safety concerns regarding the proximity of the access to the development along Thompsons Meadow and the junction with Trap Road.
14. **District Council Affordable Housing Officer** - Comments that the application of 40% affordable housing applies to the net increase in dwellings. The tenure split for the affordable properties should be 70/30. Therefore 70% of these should be rented and 30% should be provided as intermediate/shared ownership. The highest demand for housing is for 1 and 2 bedroom properties, this is reflective of most of the villages in South Cambridgeshire. The applicants have proposed the following mix:
- 1 x 3 bed house
9 x 1/2 bed house
2 x 1/2 bed bungalow

The proposed mix is considered to be acceptable, reflecting the need within the District and would make a significant contribution to meeting the identified need for 18 affordable units in Guilden Morden.

15. **District Council Urban Design Officer** – Raises no objection to the principle of

development following revisions to the indicative layout and reduction in the number of units to 30. The low density of the scheme is considered appropriate for the village edge location. Back to back distances must be a minimum of 25 metres between corresponding elevations, the public open space requires improved natural surveillance and minimum garden size standards must be met. The amount of public open space to be provided exceeds the required standards and therefore there is space to address these issues at the reserved matters stage.

16. **District Council Ecology Officer** – Raises no objection to the proposal. The applicant has submitted an ecological assessment in support of the application which raises no concerns in terms of harm to the biodiversity value of the site. Following revisions to the indicative layout and the reduction in the number of units and the confirmation of a group Tree Preservation Order (TPO) on the northern and western boundaries of the site, it is considered that these important ecological features could be preserved by the proposed scheme.
17. **District Council Landscape Officer** – Raises no objection to the principle of development and welcomes the retention of the mature trees on the boundaries of the site. Additional measures to enhance biodiversity, along with details of landscape planting and boundary treatments will need to be secured at the reserved matters stage. A loose knot pattern of development should be encouraged at the reserved matters stage to ensure a rural character to this edge of village development.
18. **District Council Tree Officer** - Raises no objection to the revised proposals which has reduced the number of units. The revised indicative layout demonstrates that the proposed quantum of development can be achieved on the site and the area of public open space organised in a manner that would preserve the tree belt around the perimeter of the site – including those that are the subject of TPO's.
19. **Local Highways Authority** – Raises no objection to the proposal subject to the imposition of conditions regarding a traffic management plan and levels of access road.
20. **Cambridgeshire County Council Historic Environment Team** – Raises no objection to the proposal subject to the imposition of a condition regarding a programme of archaeological investigation, following the submission of additional information which identifies an area for further investigation and potential mitigation in the north western corner of the site.
21. **Environment Agency** – Raises no objection to the proposal. Comment that a sustainable scheme for surface water drainage will need to be submitted and that Anglian Water should be satisfied that the main foul sewage drainage network can accommodate the demands of the proposal.
22. **Anglian Water** – Confirm that the Guilden Morden Water Recycling Centre wastewater treatment plant has capacity to deal with the additional flows that would result from the proposed development. In relation to foul water sewage, there is no objection on the basis that further details are submitted by the applicant to demonstrate that off site flood risk can be mitigated. The Lead Local Flood Risk Authority and the Environment Agency should be consulted regarding surface water.
23. **Cambridgeshire County Council Flood and Water Team** – Raises no objection to the proposal following the submission of additional information, subject to the imposition of conditions requiring the submission of a detailed surface water drainage strategy and details of the management and future maintenance of the system

24. **District Council Environmental Health Officer and Health & Environmental Services** – Raises no objection to the proposal subject to the imposition of conditions regarding hours of construction work, a noise assessment relating to the traffic on the adjacent highways and the impact of the development on the existing properties on Thompson's Meadow, pile foundations, airborne dust, a construction programme, a lighting scheme and details of waste management during construction and once the development is occupied. No objection to the content of the Health Impact Assessment.
25. **District Council Contaminated Land Officer** - no objection subject to the imposition of a standard condition requiring the submission of a contaminated land assessment and compliance with the agreed mitigation measures, prior to the commencement of development.
26. **District Council Section 106 Officer** - Comments that contributions are required towards off-site open space and community facilities and monitoring to ensure that the development is acceptable in planning terms. The details of the contributions are appended to this report and summarised in paragraphs 97-103 below.
27. **Design Enabling Panel** – commented on the original submission. Issues relating to the density of development in the central part of the scheme, the location of the open space and the orientation of the properties adjacent to the eastern boundary of the site. These design points have been reflected in the revisions to the indicative layout of the scheme
28. **Cambridgeshire County Council Growth Team** - confirm that no contributions are required as there is capacity at pre-school, primary school and secondary school level and there are no expansion of lifelong learning is considered necessary
29. **Representations**

21 letters of representation have been received from third parties objecting to the proposals, raising the following concerns:

- The proposal will result in a detrimental impact on highway safety.
- The proposals would involve development close to the northern boundary of the site, which would threaten the condition of the protected trees.
- The site is a green field on the edge of the village. There are more suitable sites for development within the village that could provide the affordable housing proposed.
- Access to the site should be taken from Trap Road on the eastern boundary and the 30 mph area extended to result in a scheme from a highway safety perspective.
- The proposal would not meet the definition of sustainable development due to the size of the proposed development on the edge of a village with limited facilities.
- The supporting documentation associated with the application is inaccurate in assessing the impact that the anticipated population would have on the capacity of services and facilities within the village.
- The proposal would result in landscape harm as an extension beyond the strong village edge which currently exists.
- There are insufficient employment opportunities in the village. Occupants of the development would be reliant on the car to access employment and anything above basic services and facilities – ensuring that the scheme does not meet the definition of sustainable development.
- There is no village store in Guilden Morden and the bus service is limited
- Surrounding roads are narrow and lack street lighting, ensuring that the local

environment is not conducive to cycling.

- The site is a significant distance from the closest secondary school (Bassingbourn Village College).
- The site is of biodiversity value and this would be adversely affected by the proposals.
- The proposal would be contrary to policy ST/6 of the Core Strategy
- The proposal is on a greenfield site, development should be concentrated on brownfield sites.
- The village does not need more 'executive' homes – development should focus on increasing the level of affordable housing.
- Development should be focussed in the more sustainable locations in the District (Rural Centres and Minor Rural Centres) as expressed in policies ST/b-k of the Core Strategy.
- The proposal would have an adverse impact on the setting of the heritage assets Morden Hall and Morden House, both of which are adjacent to the application site
- The proposal would have an adverse impact on surface water drainage and foul water drainage capacity.
- The applicant refers to there being a hospital in Bassingbourn, a clinic in Steeple Morden. This is considered to be inaccurate as is the quoted distance to Ashwell and Morden Station.
- The supporting information suggests that the proposal would provide less car parking space due to the sustainable location – this is considered unjustified given the limited public transport provision in the village.
- This scheme is similar to that in Balsham which was recommended for refusal – the same conclusions apply in this case.
- The SHLAA process undertaken in support of the emerging Local Plan recognised the group villages are not sustainable locations for significant development as the vast majority of proposed allocation sites are located in Rural Centres and Minor Rural Centres.
- The lack of services and employment opportunities and distance to the secondary school were identified as issues which led to the dismissal of an appeal in Over for 26 units – similar circumstances exist in this case.
- Noise and pollution during the construction period would have an adverse impact on the residential amenity of neighbouring properties.

Site

30. The site is within the countryside, adjacent and opposite the Guilden Morden Development Framework. It is comprised of approximately 1.75 hectares of land accessed from the northern boundary by a field gate, leading off Thompsons Meadow. The site is located on the eastern edge of the village and is surrounded by a mature tree belt. The trees on the northern and eastern boundaries of the site are the subject of Tree Preservation Orders (TPO's).
31. Pursuant to Policy NE/4, the District Design Guide SPD adopted March 2010 has assessed the site area as 'The Chalk lands'. Key characteristics of this designation include rolling chalk hills and gently undulating plateau. The site itself is paddock land and the land levels are relatively flat.

Proposal

32. The proposal seeks outline planning permission for the erection of up to 30 dwellings and the formation of a new access onto Thompsons Meadow (all other matters including landscape, layout, scale and appearance are reserved). The scheme has been revised to propose 6 fewer units than the original submission, following concerns

expressed with regard to the layout and potential impact on protected trees.

Planning Assessment

Housing Land Supply

33. 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.
34. 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 (February 2016) for South Cambridgeshire is 3.9 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.
35. 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.
36. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted 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.
37. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/7 and NE/17 of the adopted Development Control Policies. Policies S/7, S/8, S/10 and NH/3 of the draft Local Plan are also material considerations but are also considered to be relevant (draft) policies for the supply of housing.
38. 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

39. 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 says 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”.
40. 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.
41. 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.
42. 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.
43. 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

44. The site is located in the countryside, outside the Guilden Morden Development Framework, although adjacent to and opposite on its northern boundary, where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
45. Guilden Morden is identified as a Group Village under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan, one of four categories of rural settlements. The rural settlements, in terms of preference for housing provision, are placed behind the edge of Cambridge and new town of Northstowe. Group Villages are less sustainable settlements than Rural Centres and Minor Rural Centres, having fewer services and facilities and allowing only some of the day-to-day needs of residents to be met without the need to travel outside the village. As noted under paragraphs 79-90, Guilden Morden has only relatively limited facilities and services, with no secondary school, and limited easily accessible public transport services.
46. Development in Group Villages 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. In this case the proposal to develop a scheme for up to 30 dwellings is considered unsustainable due to the relatively low level of services and facilities in the village. Therefore existing Policies ST/6 and DP/7 which form part of a suite of policies to control the distribution and scale of new housing can be afforded considerable weight since they contribute to ensuring that development is sustainably located and unsustainable locations are avoided. When set against the NPPF the proposal also therefore fails as it cannot be considered to be a sustainable location capable of supporting a development of this size. These considerations weigh significantly against the scheme.
47. The Local Plan Village Classification Report June 2012, informed by the Village Services and Facilities Study, reviewed the settlement hierarchy in the adopted Core Strategy 2007, and as part of this considered where individual villages should sit within the hierarchy. The NPPF requires that 'planning policies and decisions should actively manage patterns of growth to make fullest use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.'
48. Whilst the village of Guilden Morden was not referenced specifically within the Report, the document did however provide criteria used in the assessment of the sustainability of settlements within the district. These were public transport, secondary education, village services and facilities, and employment. Furthermore the Report concluded that Guilden Morden did not merit consideration for a higher status within the settlement hierarchy, remaining as classified as a Group Village.
49. Development within group villages such as Guilden Morden is normally limited to schemes of up to 8 dwellings (up to 15 in exceptional circumstances on brownfield sites). 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 more limited range of services to meet the needs of new residents in a sustainable manner than in Rural

Centres. Within the context of the lack of a five year housing land supply, officers are of the view that sites on the edges of more sustainable Minor Rural and Rural Centres can accommodate more than the indicative maximum of 30 units allowed under policy ST/5 and still achieve the definition of sustainable development due to the level of services and facilities provided in these villages. Due to the lack of facilities and services in group villages generally and Guilden Morden specifically, it is considered that significant increases beyond the indicative numbers in adopted policy ST/6 does not, as a matter of principle, comply with the definition of sustainable development in the NPPF.

Deliverability

50. There are no known technical constraints to the site's delivery. Officers are therefore of the view that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.
51. The environmental issues are assessed in the following sections of the report but specifically in relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grade 2 (in this case) agricultural land unless :
 - a. Land is allocated for development in the Local Development Framework
 - b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
52. Whilst the substantive issues are discussed in detail in the remainder of this report, it is considered that, given the sustainable location of the site for residential development and the fact that the Council cannot demonstrate a five year supply of housing land, the loss of agricultural land can only be given limited weight in this instance.

Sustainability of development

53. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.
54. Policy DP/1 of the adopted Local Development Framework and Policy S/3 of the Draft Local Plan set out the principle of sustainable development. Although in respect of DP/1 1a. The policy relates to the supply of housing, in that it refers to the sequential approach to development, and therefore in this respect can be considered out of date; the remainder of the objectives of the policy are consistent with the aims of the NPPF in promoting sustainable development. Officers are therefore of the view that this policy can be given significant weight in the determination of this application.

Economic.

55. The provision of up to 30 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social Aspects.

Provision of new housing

56. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising *'housing should be located where it will enhance or maintain the vitality of rural communities'*, and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
57. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 30 residential dwellings. 40% of these units will be affordable (12 units). The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 30 houses, including the affordable dwellings, is a benefit and significant weight should be attributed to this in the decision making process.
58. Policy HG/2 of the current LDF requires the mix of market dwellings within developments to be split 40% (at least) 1 or 2 bed and approximately 25% 3 bed and the same for 4 or more bed properties. Policy H/8 of the emerging Local Plan is being given significant weight in the determination of planning applications however, due to the limited nature of the unresolved objections to the policy, in accordance with the guidance contained within paragraph 216 of the NPPF. This policy requires a minimum of 30% of each of the three size thresholds to be provided, with the remaining 10% allocated flexibly across developments.
59. This proposal would allocate the following mix to the market housing within the scheme: 54% 1 and 2 bedrooms (16), 23% 3 bedrooms (7) and 23% 4 bedrooms (7). Clearly this equates to any under provision of larger properties when assessed against either the existing or the emerging policy on housing mix.
60. In Guilden Morden, according to data was taken from the 2011 census, 36% of the housing stock in the village is 3 bedrooms in size and 38% have 4 or more bedrooms. Taking the District as a whole, 37% of the housing stock in South Cambridgeshire is 3 bedrooms in size, 33% is 4 or more bedrooms in size.
61. This evidence appears to corroborate the supporting text of emerging policy H/8 which states that *'housing stock (in the District) has traditionally been dominated by larger detached and semi-detached houses. Whilst recent developments have helped to increase the stock of smaller properties available, the overall imbalance of larger properties remains. The 2011 census for example identifies that 75% of the housing stock' are detached or semi-detached houses and bungalows, with 18% terraced homes and 6% flats or maisonettes.'*
62. The number of 4 bedroom properties in this scheme does not meet the minimum requirement as set out in local policy. However, Within the context of sustainable development, it is considered that there is clear evidence of an oversupply of larger properties within the District generally and Guilden Morden specifically. Paragraph 50 of the NPPF also requires planning authorities to *'plan for a mix of housing based on current and future demographic trends, market trends and the needs for different groups in the community'* and to *'identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.'*
63. Public open space is shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. The adopted Open Space SPD requires the provision of approximately 750 square metres of open space for a development on the scale proposed. The indicative proposal would provide 2500 square metres of open

space. However, as the density in parts of the site would need to be reduced to ensure adequate separation distances between properties (plots 21-30), this amount would reduce at the reserved matters stage. Nevertheless, it is considered that the amount of open space in the final scheme would at least meet the policy compliant level of provision. Given that Guilden Morden has an identified shortfall in play space and informal open space, this level of provision is considered to be a significant social benefit of the proposals, particularly the provision of the equipped play space within an area that is substantially greater than the level of open space required by the SPD.

64. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must:
- necessary to make the scheme acceptable in planning terms
 - directly related to the development
 - Fairly and reasonably related in scale and kind to the development proposed.
65. The County Council as Education Authority has confirmed that there is capacity within the pre-school, primary school (Guilden Morden) and secondary school (Bassingbourn Village College), as well as within the library service in terms of lifelong learning facilities. This factor would weigh in favour of the social sustainability of the scheme.
66. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The Urban Design Officer has raised no objection about the proposed development of the site for 29 dwellings, in terms of the resultant form of development.
67. The matter of the sustainability of the site in terms of access to local services is discussed further below.

Environmental.

Impact on character of the village and landscape

68. The application proposes new housing at a density of approximately 17 dwellings per hectare (dph). Policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances.
69. Both Policy HG/1 and H/7 are considered to be policies that relate to the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to the need to respond to local character, which is supported by the aims of the NPPF as identified below, and Policies DP/2 and DP/3 of the adopted LDF. Policies DP/2 and DP/3 are not considered to be housing supply policies and are not therefore considered to be out of date. Officers are of the view that considerable weight can therefore be given to Policy HG/1 and H/7 where the proposed density of a particular development compromises local character and the aims of paragraph 58 of the NPPF which states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.

70. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
71. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
72. The site is subject to extensive tree and hedge planting, with mature tree belts most prominent on the eastern, western and southern boundaries, which screen the site to a significant extent from views along Trap Road. The presence of existing and surrounding residential properties and extensive planting, combined with the appearance of the paddock land opposed to the open agricultural fields to the south, means the site does not read as part of the wider countryside.
73. The site is located on the edge of the village and the approach to the site from the south is rural in character, with properties to the south and east set in substantial plots and open fields separating this part of the village from the High Street (which has a prevailing linear pattern of development) to the west. Development along Church Street and Church Lane is relatively dense although an area of open space associated with the development on Thompsons Meadow provides a sense of openness adjacent to the village framework.
74. The Urban Design and Landscape Team have raised no objection to the proposal, noting the screened nature of the site, following amendments to the indicative design and relocation of the public open space to the eastern portion of the site, ensuring the preservation of the protected trees. It is acknowledged that the density in the central portion of the site would need to be reduced to achieve adequate separation distances between the dwellings. However, as the Design Officer concludes, due to the low density of the scheme, there is no objection to the principle of erecting 30 units on the site from a layout and landscape character point of view.
75. In respect of conservation areas, Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay "special attention to the desirability of preserving the character and appearance of that area". It is considered that the amended indicative layout would not have any adverse affect on the setting of the conservation area, which is located in excess of 160 metres from the site. The application site is well screened and is separated from the conservation area by the modern housing development which extends north of Thompsons Meadow. 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". The grade II listed Dove Cottage (north of the site) is separated from the site by an area of open space which is extensive enough to ensure that its setting would not be adversely affected by the proposed scheme. No other listed buildings would be adversely affected by the proposals.
76. Officers are of the view that the illustrative scheme demonstrates that the site is capable of providing the proposed number of dwellings, having regard to the constraints of the site, and in manner which would not materially detract from the rural character of the area or setting of the village, in accordance with the aims of Policies CH/3, CH/4, CH/5, DP/2 and DP/3.

Residential amenity

77. The application is in outline and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.
78. The submitted drawings demonstrate that the site could accommodate the amount of development proposed without having an unreasonable impact on residential amenity through overlooking or overbearing impact. As stated previously this would require a revision to the layout of the central part of the development as currently indicated, but there is space within the site to achieve this given the low density of the development. Adequate separation distances would be retained to the neighbouring properties to the north, south and east of the site and the retention of the majority of the established tree belt on the boundaries of the site would emphasise the sense of separation. The proposals therefore accord with the relevant amenity criteria of policy DP/3 of the Local Development Framework

Services and Facilities

79. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising *'housing should be located where it will enhance or maintain the vitality of rural communities'*, and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
80. An appeal against the refusal of planning permission for the erection of 26 dwellings on a site at 7 Station Road Over was dismissed in February 2013 (S/0440/12/FL). In dismissing the appeal the Inspector identified 3 key areas where he considered Over being deficient in terms of meeting the requirements for a sustainable location, those being; sources of employment in the vicinity; the nearest secondary school; and services fulfilling anything other than the most basic shopping trips. These requirements and the criteria outlined within The Local Plan Village Classification Report June 2012 have informed the assessment of whether Guilden Morden is a sustainable location.
81. Guilden Morden village is served by relatively few services and facilities but includes a village hall, church, primary school, recreation ground, a grocery store (currently closed – closure has occurred since this application was submitted), a pub (at the time of writing this report this is currently closed) and 2 allotment garden sites.
82. This relative lack of services and employment opportunities is reflected in Guilden Morden being designated a 'Group Village' in the Core Strategy settlement hierarchy. Group villages are described as *'generally less sustainable locations for new development than Rural Centres and Minor Rural Centres, having fewer services and facilities allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village'*, and new housing proposals are restricted to limited development which will help maintain remaining services and facilities.
83. Whilst the village is served by some community and social facilities, it is deficient in its function to provide significant sources of employment, secondary education and services to fulfil other than the most basic shopping trip. As such, journeys out of the village would be a regular necessity for the majority of residents in order to access many day-to-day services.

84. The nearest settlement that would offer services and social facilities, including sources of employment and secondary education, to possibly meet day-to-day needs would be the Minor Rural Centre of Bassingbourn, located approximately 5 miles to the south east. Beyond this, Royston is approximately 9.5 miles from Guilden Morden
85. A school bus service connects Guilden Morden to the nearest secondary school, Bassingbourn Village College.
86. There is a bus stop on Trap Road, approximately 200m from the site. A service connects Guilden Morden to Royston, with 1 bus to Royston and 23 back at commuting times during the week, with an infrequent return service during the rest of the day. A similar service operates on a Saturday, with no service on a Sunday. The service between the village and Cambridge is extremely limited and would not allow commuting from the proposed development without access to private motor transport.
87. It is noted that Thompsons Meadow has a public footpath (on the opposite side of the road), connecting to Trap Road. The existing footpath network allows access to the bus stops referred to above from Thompsons Meadow however this requires crossing the road from the application site. The proposal involves the installation of a footway along the northern boundary of the site to improve connectivity and this would improve the sustainability of the scheme. Details of the extent of the footpath and details of the construction of the link within the highway can be secured by condition at this outline stage.
88. Given the distance to settlements that meet day to day functions however (outlined above), there is little potential for journeys to those locations from the development by bicycle or by foot. Whilst the bus stop is within a convenient distance and accessible given the public footpath and street lighting, the choice of routes and frequency are limited to an extent that reduces the connectivity of the site overall, despite the proposed localised footpath improvements. Furthermore, 2011 Census data regarding modes of transport to work indicate a reliance on private vehicles, with approximately 70% of the working population in work traveling by car or van. Given the above, alternative means of transport to private vehicles would not provide a sufficiently attractive or convenient option for residents.
89. Whilst Guilden Morden is subject to a school bus service to Bassingbourn, providing some offering to students opposed to private vehicular transport, the limited potential for journeys by bicycle or by foot, as identified above, remains relevant.
90. In conclusion, the proposal site is an unsustainable location for the scale of housing proposed, conflicting with the aims of the NPPF, failing to meet the environmental role of sustainable development and the aims of Policies DP/1, DP/7 and ST/6 of the adopted Local Development Framework 2007. As such, the harm resulting from the unsustainable location is significant .

Access and Transport

91. The Highways Authority raises no objection to the proposal subject to the imposition of conditions regarding construction of the proposed drive and submission of a traffic management plan. The proposal is thereby acceptable in this regard.
92. A footpath is provided from the proposed access to join up with the existing footpath which currently ends just south of the junction onto Cambridge Road/High Street. This can be secured by condition.

Surface water drainage

93. The site lies in Flood Zone 1.
94. The Lead Local Flood Authority raises no objection to the proposal, subject to the imposition of conditions regarding restriction in run-off and surface water storage and details of long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted.

The Council's Drainage Manager raises no objection to the proposal, subject to the imposition of a condition requiring details of the surface water drainage system. The proposal is thereby acceptable in this regard.

Foul water drainage

95. Anglian Water raises no objection to the proposal, stating there is capacity for Wastewater Treatment and Foul Sewerage. The proposal is thereby acceptable in this regard.

Ecology and Trees

96. The Ecology Officer raises no objection to the proposal. The proposal is thereby acceptable in this regard.
97. The Tree Officer has raised no objections to the proposals following a revision to the indicative masterplan and a reduction in the number of units proposed, which ensure that adequate separation could be retained to the protected trees on the northern and eastern boundaries and the mature planting on the other boundaries of the site. Details of the means of protection of existing trees during the construction of the development and once the scheme is occupied could be secured at the outline stage and details of new planting at the reserved matters stage, had the principle of development been considered acceptable.

Renewable Energy

98. The applicant has indicated that the scheme will have regard for Policy NE/3 and the requirement of renewable technologies, but has stated that this can only be resolved at the detailed stage as further design and layout information becomes available.
99. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities.

Other Constraints

100. Consultees have also suggested a number of other conditions in the event the application was to be approved. These include matters relating to archaeology (paragraph 20 above), construction details (paragraph 24) and contamination (paragraph 25). These are all considered to meet the relevant tests and would need to be imposed if permission was granted.

Planning Obligations

101. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, LPAs had been able to combine planning obligation

contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are no longer be able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.

102. The Section 106 Officer has confirmed that there have not been 5 Section 106 agreements in respect of developments in the village of Guilden Morden since 6 April 2010 contributing towards (i) offsite open space and (ii) offsite indoor community space improvements.
103. Planning Practice Guidance requires that 'In all cases, including where tariff style charges are sought (which could apply in Guilden Morden), the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind'. It goes on to say that 'Planning obligations must be fully justified and evidenced' and as such the LPA take the view that a project should be identified in order to ensure CIL compliance.
104. Appendix 1 provides details of the developer contribution required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF. Following consultation with Guilden Morden Parish Council, it has been identified that there is a project to provide outdoor gym equipment at the recreation ground and improve the existing outdoor bike activity area. Given the deficit in open space and play provision within the village (as identified in the Open Space and Recreation Study of 2013 commissioned by the Council), it is considered that securing a contribution commensurate with the anticipated population arising from the development would be reasonable, if the scheme was to be approved. The total pooled contribution towards the provision of these facilities would be £33,000.
105. In relation to outdoor community facilities, the Parish Council have identified the need for a new play area, replacing the existing facility adjacent to the primary school which is no longer in a condition that is fit for use. A tariff contribution based on the anticipated population increase arising from the scheme of £49,000 towards this scheme could be secured by a Section 106 agreement.
106. In term of indoor facilities, a 2009 audit commissioned by the District Council recommended that 111 square metres of indoor space should be provided per 1000 people. The audit identified a shortage in provision of indoor community space in Guilden Morden and the Parish Council have identified the installation of a solar PV system as a project to which a pooled contribution could be sought, commensurate with the anticipated population increase from this development. This contribution would be in the region of £13,500 and could be secured via the Section 106 agreement.
107. Household Waste Receptacles charged at £72.50 per dwelling and a monitoring fee of approximately £500 (dependent on number of Council employee hours involved) would also be applied.

Other Matters

108. The recommendation for refusal of this planning application is considered to be consistent with the strategy that the Local Planning Authority has pursued in relation

to resisting larger scale development in the less sustainable group and infill villages.

109. An appeal decision relating to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Shepreth Road in Foxton was dismissed earlier this year. Foxton is a Group Village. The inspector concluded that, due to serious harm to the setting of the listed Foxton House, the proposal did not comprise sustainable development.
110. The Foxton appeal started on the 31 July 2015, with statements due on the 11 September 2015 and the inquiry evidence given on the 12 January 2016 and held on the 9 February 2016.
111. Given the date of the Foxton appeal, it is considered that both the application and appeal pre-date the Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*) dated 17 March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspector's assessment of these particulars, did not benefit from this ruling and in particular to recognition by the Court of Appeal that out of date housing supply policies can still be given weight- even considerable weight – if they still maintain a planning function.
112. It is considered that policy ST/6 and DP/7 still maintain an important and valid function because they ensure that development is sustainably located and unsustainable locations are avoided. This matter was not addressed in considering this appeal. As such, the relevance of that decision and the desirability in principle of consistency in decision making is outweighed by the fact that this important factor was not addressed or considered in earlier appeal decisions. Following the decision of the Court of Appeal, it is necessary in all cases to consider what weight should be attached to out of date housing supply policies having regard inter alia to whether they still fulfil a planning function.
113. Notwithstanding the timing of the Foxton appeal decision, that village has access to a mainline railway station with a regular service to Cambridge and London. This is considered to be a significant point in concluding that, although both Group Villages, Foxton could be considered a far more environmentally sustainable location for development than Guilden Morden.
114. A decision to allow up to 35 dwellings in Duxford (also a Group Village) was also decided on a timescale which ensured that the Local Planning Authority's defence was made prior to the Court of Appeal decision referred to above. The Inspector in that case considered that policy ST/6 should be afforded limited weight due to its 'out of date' status. However, Duxford has a much more frequent bus service and therefore occupants of the development approved would be able to access a wide range of facilities far more easily and in a more sustainable fashion than would be the case in this application. The Duxford decision is considered to emphasise that the impact of a proposed development on each settlement must be considered on its own merits, including villages that fall within the same broad category within the defined settlement hierarchy. As such, applying significant weight to Core Strategy ST/6 in determining this application on the edge of Guilden Morden is not inconsistent with the Duxford decision, as the purpose of the policy is compliant with the NPPF and it is considered that additional harm has been identified in this case.
115. An appeal for outline planning permission for up to 30 dwellings on land at 18 Boxworth End, Swavesey was allowed, also earlier this year, after the Foxton decision. The majority of the site is located within the countryside and Swavesey is currently designated as a Group Village. The appeal was allowed and planning

permission granted, with the inspector concluding that the development would represent sustainable development.

116. With respect to those appeal sites not being considered unsustainable locations, their individual merits in terms of availability and accessibility of services, public transport links and employment opportunities are not comparable in this instance. Furthermore, each site is assessed on its individual merits.
117. It is also considered important to note that Swavesey is proposed to be re-classified as a Minor Rural Centre in the emerging Local Plan under Policy ST/5, an upgrade from its current status as a Group Village in the current LDF. This reflects an assessment that this village is considered to be a more sustainable location than Guilden Morden or the other villages which it is proposed to retain in that category of hierarchy of settlements. Swavesey has a greater range of services and facilities and superior public transport links than the level of provision in Guilden Morden. Therefore officers consider that giving significant weight to Core Strategy policy ST/6 in this case is not inconsistent with the definition of sustainable development.
118. Finally, the most recent appeal decision where housing land supply was a key consideration was at Melbourn for an outline application for 199 dwellings and a care home. In allowing the appeal, the inspector gave only "limited weight" to the conflict with Policy ST/5. This decision can also be distinguished from the present case as it involved a Minor Rural Centre and not a Group Village and does not implicitly alter the strategic approach to policy ST/6 and the protection of the smaller, less sustainable villages from inappropriate levels of development.

Conclusion

119. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:
120. ST/6: Group Villages – indicative maximum scheme size of 8 dwellings
DP/1 – Sustainable Development (by virtue of paragraph (1a))
DP/7: Village Frameworks
HG/1: Density
HG/2: Housing Mix
NE/6: Biodiversity
NE/17: Protecting High Quality Agricultural Land
CH/2: Archaeological Sites
CH/4 Setting of Listed Buildings
CH/5 Conservation Areas
NE/17 Protecting High Quality Agricultural Land
121. 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.
122. For the reasons outlined in the main body of this report, officers are of the view that significant weight can be given to Policies ST/6 and DP/7 in this case. Officers have identified in the report the areas where they consider that significant and demonstrable harm will result from the proposal, in terms of the unsustainable location for a development of the scale proposed.

- 123 In coming to this view officers have had regard to the recent Court of Appeal decision in assessing the weight that can be given to housing supply policies that are out of date. Nonetheless, these adverse impacts must be weighed against the potential benefits of the development outlined in the preceding section of this report.
- 124 In this respect, officers are mindful that the Parish Council remains unanimously in support of the application. It is noted that it considers that the revised scheme has addressed key points raised at a village meeting and that the additional homes are seen as a welcome way to increase the sustainability of the village and provide the number and mix of homes identified in a 2015 survey.
- 125 While this is a very balanced decision, in this case the adverse impacts of the development are still considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole. Although the development would provide a larger number of dwellings to meet the identified shortfall in supply and this is a benefit, this increase would equally compound the concerns that Guilden Morden is not a sustainable location for the scale of development proposed.
- 126 Planning permission should therefore on balance be refused because material considerations do not clearly outweigh the substantial harm identified, and conflict with out of date policies of the LDF. Officers have outlined in paragraphs 41 why Policies ST/6 and DP/7 should still be given significant weight in this case.

Recommendation

Officers recommend that the Planning Committee should refuse the proposal for the following reasons.

1. Guilden Morden is identified as a Group Village in the Adopted Core Strategy DPD 2007, where Policy ST/6 states that development is normally restricted to groups of a maximum scheme size of 8 dwellings within the village framework. The proposed site is outside the village framework of Guilden Morden where DP/7 of the adopted Development Control Policies DPD development restricts development to uses which need to be located in the countryside. The Council recognises that the aforementioned policies are currently considered out of date, and that the application therefore needs to be determined in accordance with paragraph 14 of the National Planning Policy Framework, with the presumption in favour of sustainable development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. However, the Council is of the view that considerable weight can be given to Policy ST/6 as it continues to fulfil a planning objective in 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. Some weight can also be given to Policy DP/7 as it continues to fulfil a planning objective of limiting development, and is also consistent with the NPPF presumption in favour of sustainable development. The Council also recognises that Policy DP/1 is out of date in so far as DP/1 1a. relates to the supply of housing, however in all other respects the Council is of the view that Policy DP/1 is consistent with the aims of the NPPF in respect of the presumption in favour of sustainable development, and therefore significant weight can be given to Policy DP/1 as it continues to fulfil a planning objective consistent with the NPPF.

In this case the scale of the development proposed is considered not to represent a sustainable form of development in Guilden Morden. Although some local community and social facilities are available, the services in Guilden Morden have been found deficient in three areas, which are likely to generate regular journeys. These are the lack of significant sources of employment in the vicinity, the nearest secondary school being Bassingbourn Village College, and that anything other than the most basic shopping trip not being able to be fulfilled within the village. As such, journeys out of the village would be a regular necessity for the majority of residents in order to access many day-to day services. Due to the irregularity of public transport services in the village, alternative means of transport to private vehicles would not provide a sufficiently attractive or convenient option to future residents. On this basis the proposal is considered to materially and demonstrably conflict with the aims of the NPPF as it fails to meet the environmental role of sustainable development and Policies DP/1, DP/7 and ST/6 of the adopted Local Development Framework 2007, which are all policies which are considered to continue to fulfil a planning objective in terms of securing development is located sustainably. Any benefits arising from the development are considered to be significantly and demonstrably outweighed by the identified harm.

Background Papers:

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/0191/16/OL

Report Author:

David Thompson

Principal Planning Officer

Telephone Number:

01954 713250

Planning application number: S/0191/16/OL Trap Road

Village: Guilden Morden

Settlement category: Group village

Date: 02 August 2016

Produced by: James Fisher (s106 officer)

JUSTIFICATION OF SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

1. Introduction

- 1.1 When securing planning obligations from new development the Local Planning Authority must be satisfied that such requests are compliant with the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and paragraphs 203 and 204 of the National Planning Policy Framework.
- 1.2 One key principle of CIL is that central government recognised that most new developments were not making a contribution towards the provision of, or improvement to, community facilities/infrastructure as the scale of development did not trigger planning obligations in accordance with locally adopted planning policy. CIL ensures a charge is levied on all new development regardless of scale, based on a net impact of new development, and that irrespective of size, all new residential dwellings make a financial contribution.
- 1.3 There is still however a legitimate role for development specific planning obligations to enable a local planning authority to be confident that the specific consequences of a particular development can be mitigated. However, to ensure there is no overlap between planning obligations and CIL contributions, the CIL Regulations 122 and 123 place limits on planning obligations as follows:
 - Regulation 122 of the CIL regulations 6th April 2010 (and paragraph 204 of the NPPF) states that a planning obligation may only constitute a reason for granting planning permission for the development if 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.
 - As of April 2015, Regulation 123 of the CIL Regulations set restrictions on the pooling of planning obligations. Local authorities can no longer pool more than 5 S106 obligations together (dating back to 6th April 2010) to pay for a single infrastructure project or type of infrastructure.
- 1.4 Regulations 122 and 123 of the CIL Regulations do not however preclude the use of tariff style contributions to secure planning obligations provided they meet the above requirements of Regulations 122 and 123.
- 1.5 The Planning Practice Guidance (PPG) confirms that tariff style charges may still be used (e.g. the formula set out in the Open Space in New Developments SPD) but that the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. The District Council has been successful in

defending the continued use of its tariff style policies during planning appeals, where specific schemes existed.

- 1.6 One example of this is in the determination of a recent appeal in respect of contributions towards several off site public open space projects and community infrastructure for a proposed development at the former Railway Tavern public house, Great Shelford (Ref: APP/W0530/W/15/3133015), which was allowed and granted planning permission at appeal. In this case the inspector concluded that the planning obligations requested by the Council were in accordance with the CIL Regulations and attached weight to them in making his decision (paragraph 10):

'I am also satisfied that the proposed contributions are necessary, directly related, and fairly and reasonably related in scale and kind to the proposed development, in accordance with CIL Regulation 122. I have therefore attached weight to them in reaching my decision.'

- 1.7 In respect of an appeal for 50 dwellings at Land to the north of Lanthorn Stile, Fulbourn (APP/W0530/W/16/3144909), where tariff style contributions were also accepted, the District Council sought an onsite LEAP, offsite contributions towards sports improvements and contributions towards a new youth building and where the inspector concluded as follows:

'Policies DP/1 and DP/4 of the DCP require contributions towards necessary infrastructure. The Council has identified deficiencies in outdoor sport facilities and indoor meeting facilities in Fulbourn. The development would create additional demand for such facilities and contributions towards new infrastructure would be necessary. The Council has identified projects on which the contributions would be spent.'

There is also an identified need for additional children's play facilities in the village. Provision could be made on site in this respect but financial provision for future maintenance would be required by means of a planning obligation.

Cambridgeshire County Council has identified a need for contributions towards early years, primary and secondary education facilities and towards libraries and lifelong learning facilities. The adopted RECAP document requires financial contributions towards waste receptacles.

The need for the various contributions has been demonstrated to be necessary and to meet the other tests in Regulation 122 of the CIL Regulations. The Council and the County Council have advised that the pooling restriction in Regulation 123 of the CIL Regulations would not be exceeded for the requested infrastructure contributions.'

- 1.8 At a more recent appeal for 35 dwellings at Greenacres Duxford (APP/W0530/W/15/3138791) the inspector concluded:

'In addition to the provision of a contribution to Duxford Primary School as described above, the measures provided for through the Section 106 Agreement dated 16 March 2016 include financial contributions to libraries and lifelong learning, community facilities, off-site public open space, household waste bins collection and a monitoring contribution. The proposal would also provide for 40% of the total net

dwellings to be affordable. I consider that these measures comply with the relevant development plan policies and supplementary planning guidance and meet the tests in Regulation 122 of the Community Infrastructure Regulations, 2010. In terms of Regulation 123 which requires obligations to relate to projects where fewer than five contributions have already been provided, I have no reason to believe that this test has not been met’.

- 1.9 South Cambridgeshire District Council has submitted a Draft Charging Schedule, under the Planning Act 2008 and Community Infrastructure Levy Regulations (CIL), for independent examination. Given the close relationship between the proposed rates and the Local Plan, the CIL examination cannot take place until the Local Plan has first been examined. The draft Local Plan was submitted for Examination in March 2014. The latest position and timetable for examination of the draft Local Plan is set out in the Statement of Common Ground.
- 1.10 The District Council does not have a planning obligations SPD and, although the basis of some of the contributions have a formulaic approach, as required by the now abolished planning obligations circular 05/2005, the contributions have regard to the Regulation 122 tests, as set out above, and monies are only sought to mitigate the impact of the development rather than remedy any existing deficiency. In addition, all contributions have regard to the pooling rules set out in Regulation 123.
- 1.11 The Local Planning Authority can confirm that there has **not** been more than 5 generic contributions towards (i) offsite sports space and (ii) offsite indoor community space in Guilden Morden since 6 April 2010 and therefore there is no specific requirement in the CIL Regulation to name specific projects as to how the money will be used. That said planning guidance recommends that decision takers understand how the money is likely to be used to mitigate the impact of the development.
- 1.12 In respect of this application, planning obligations are sought from South Cambridgeshire District Council for:
- a) **Household Waste Receptacles** being a contribution equivalent to £72.50 per house and £150 per flat;
 - b) **Public Open Space**
 - (i) Formal sports in the form of an offsite contribution
 - (ii) Formal children’s play space in the form of an offsite contribution
 - Informal children’s play space in the form of onsite space provision
 - (iii) Informal open space in the form of onsite space provision
 - c) **Indoor Community Space** in the form of an offsite contribution
 - d) **Monitoring Fees** being a contribution of £500.

2. Household waste receptacles

- 2.1 In conjunction with Cambridgeshire local authorities, the RECAP waste management design guide was adopted by South Cambridgeshire District Council on 13th March 2008. The guide contains a toolkit outlining the basis for planning conditions and obligations, and applicants should demonstrate that they have considered this in

their application submission. It became a supplementary planning document under Cambridgeshire County Council's new Minerals and Waste Plan when adopted by the County Council on 22nd February 2012.

- 2.2 In accordance with the guide and development control policies DP/4 Infrastructure and new developments, developers are required to provide for the household waste receptacles as part of a scheme.
- 2.3 The local cost of providing and delivering each household waste receptacle has been calculated at £72.50 per house dwelling and £150 per flat dwelling to provide the relevant bins.
- 2.4 As above this request has been tested and supported during a number of planning appeals.

3. Public open space

- 3.1 Development Control Policy SF/10 adopted July 2007 states that *'All residential developments will be required to contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities) and informal open space to meet the additional need generated by the development in accordance with the standards in Policy SF/11'*. Policy SF/11 outlines the minimum standards for outdoor play space and informal open space as 2.8 hectares per 1,000 people, comprising:

- 1. Outdoor Sport – 1.6 hectares per 1,000 people
- 2. Children's Playspace – 0.8 hectares per 1,000 people
- 3. Informal Open Space – 0.4 hectares per 1,000 people

- 3.2 The Open Space in New Developments Supplementary Planning Document further divided the children's play space standard to 0.4 hectares for formal children's play space (i.e. equipped play areas NEAPS and LEAPS) and 0.4 hectares for informal children's play space (unequipped play areas i.e. LAPS). The SPD also sets out the threshold at where onsite provision will be required and therefore where it is appropriate to secure offsite financial contributions. It also provides a method by which offsite financial contributions will be calculated in respect of new development.

- 3.3 The open space requirements on a per dwelling is shown in Table 1 below

	Formal sports space	Formal play space	Informal play space	Informal open space
1 bed	21.4m ²	Nil	Nil	5.4 m ²
2 bed	28m ²	7m ²	7m ²	7m ²
3 bed	38.7m ²	9.7m ²	9.7m ²	9.7m ²
4+ bed	53.1m ²	13.3m ²	13.3m ²	13.3m ²

Table 1: Open space requirements per dwelling

- 3.4 Para 2.15 and 2.28 of the SPD explains in full detail how financial contributions (both capital and maintenance payments) are calculated in the event that the necessary provision of onsite open space is not satisfied in full.

- 3.5 Contributions and/or provision towards Outdoor Sport, Formal Children's Playspace, Informal Children's Playspace and Informal Open Space are sought by the Local Planning Authority to mitigate the impacts of the proposed development.
- 3.6 Section 106 agreements pursuant to any outline approval will be drafted with the relevant tables enabling the final value to be calculated at reserved matters stage.

Outdoor Sports Provision

- 3.7 The Recreation and Open Space Study 2013, forming part of the Local Plan submission, showed that Guilden Morden needed 1.63 ha but has 3.00 ha i.e. a surplus of 1.37 ha of Outdoor Sport Provision.
- 3.8 Guilden Morden has one recreation ground with a cricket pitch; senior football pitch and a mini soccer pitch. The recreation study identified the need to extend the pavilion.
- 3.9 In accordance with policies SF/10 and SF/11 the applicant will be required to make a contribution towards the increase in demand for provision of outdoor sports provision to mitigate the impacts of the proposed development. Failure to make provision for outdoor sports space would mean that the development could not be considered sustainable in accordance with the requirements of the NPPF in particular Section 8.0 Promoting Health Communities.
- 3.10 Guilden Morden Parish Council has said that in order to meet the needs of future residents sports contributions are required to (a) provide outdoor gym equipment for use by both adults and teenagers. This would provide both fun and health benefits and would expect to cost between £15-20,000 and (b) provide improvement to its current "grassy humps which are used by youngsters of the village for biking on. The Parish Council envisages that they could not only be used for BMX (and other types) bikes but also hover boards. The expected cost is £25,000.
- 3.11 The off-site contribution towards the increase in demand for provision of outdoor sports provision is set out in Table 2 below. As an estimate the development would be required to pay £33,000 in accordance with the policy.

Dwellings with number of bedrooms	(£) Contribution per Dwelling
One bed	625.73
Two bed	817.17
Three bed	1,130.04
Four bed	1,550.31

Table 2: Contribution towards Outdoor Open Sports Space per dwelling

Formal and Informal Playspace

- 3.12 The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Guilden Morden needed 0.82 ha Children's Play Space whereas the village had 0.04, i.e. a deficit of 0.78 ha of Children's Play Space.
- 3.13 Children's Play Space is defined as 'Designated areas for children and young people containing a range of facilities and an environment that has been designed to

provide focused opportunities for outdoor play. Also includes informal playing space within housing areas’.

- 3.14 The open space in new developments SPD goes on to clarify that the ‘starting point for the mix of the Children’s play space will be 50% formal and 50% informal. A lower percentage of formal space may be acceptable if it can be demonstrated that provision of the LAPS / LEAPS / NEAPs hierarchy can be achieved appropriately with less than 50% formal provision’.
- 3.15 The open space SPD (on page 23) explains that a Local Area for Play (LAP) caters for a target age group of 2-6 and provides soft and hard landscaping with features and design to help stimulate imaginative play. A Local Equipped Area for Play (LEAP) has a target age group is 2-8 (focussing mainly at 4-8) and has 9 pieces of play equipment (which will comprise at least 6 pieces of play equipment for 4-8 year olds and at least 3 pieces of equipment for toddlers). A Neighbourhood Equipped Area for Play (NEAP) has a target age group of 8-14 and may comprise informal ball courts, wheeled sports facilities and/or more traditional equipped areas with a minimum of 8 pieces of play equipment suitable for the age group.
- 3.16 The SPD provides a ‘guide for when on-site provision will be sought’ in terms children’s space facilities (i.e. LAPs, LEAPs and NEAPs). For example the SPD suggests that a LAP is required at 10 dwellings, a LEAP at 50 dwellings and a NEAP at 200 dwellings. A LEAP requires an activity zone of 500 m2 and a NEAP requires an activity zone of 1200 m2.
- 3.17 Although the SPD may at first glance imply that the formal open space requirement is met through the provision of LAPs, LEAPs and NEAPs I do not take the view that the SPD intended that the provision of a LAP or even LEAP in isolation is sufficient to satisfy the formal children’s play space needs of a development alone, where (for example) less than 200 dwellings are proposed.
- 3.18 The reason why this view is taken is that the LEAP only caters for a target age group of 2-8, whereas a NEAP target age group 8-14. If the developer only provides a LEAP It is therefore suggested that the development is not providing a range of facilities or mitigating its impact on the basis that it is lacking in infrastructure for 8-14 years olds.
- 3.19 The SPD says that ‘Where full provision of outdoor play space is not made on site, additional land or funding will be secured through the Section 106 Agreement or via planning obligations / conditions for improvements and / or extension to existing recreation facilities. This will be based on considerations within the village or adjoining area and will be determined in consultation with the Parish and District Councils’. Logic would therefore suggest that an offsite contribution is needed to provide children’s play equipment for those age ranges not being provided for onsite.
- 3.20 Based on a likely housing mix the development would be required to provide 300 m2 of formal play space and 300 m2 of informal play space. As the site is not for 50 dwellings under normal circumstances it would not be required to provide onsite equipped space (i.e. the minimum size required for a LEAP is 500 m2).

- 3.21 The open space in new developments SPD states that a LEAP serves an area of 450 metres distance (i.e. a 6 minute walk). The nearest play area to this site is around 350 metres away.
- 3.22 The open space SPD would require formal play space contributions as set out in accordance with the following table (on the basis that informal play space is provided onsite). Guilden Morden Parish Council has identified a that project that they wish be delivered as being a new playground at Guilden Morden primary school on the basis that the current equipment has been condemned and there is little prospect of it being replaced. The money would be used to provide either fixed or portable equipment.
- 3.23 The level of contribution is set out below and which would generate a contribution in the region of £49,000. Any residual monies would be used to help fund the shortfall of the BMX project which is classified as both sports and play).

Dwellings with number of bedrooms	(£) Contribution per Dwelling
One bed	0
Two bed	1,202.78
Three bed	1,663.27
Four bed	2,281.84

Table 3: Contribution towards formal children's play space per dwelling

Informal Open Space

- 3.24 The Recreation and Open Space Study July 2013, forming part of the local plan submission, showed that Guilden Morden needed 0.41 ha of informal open space and had no areas defined as informal open space.
- 3.25 In accordance with policies SF/10 and SF/11 the applicant will be required to make a contribution towards the increase in demand for provision of informal open space. The space requirement is set out in Table 1 above with the total provision to be calculated based on the approved housing mix.
- 3.26 The informal open space requirement (and informal play space requirement) is satisfied through the provision of a publically accessible green space proposed being located within the development.

Contributions towards the maintenance of open space and play facilities

- 3.27 Paragraph 2.19 of the Open Space in New Developments SPD advises that '*for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed*'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement.
- 3.28 It is the Local Planning Authority's preference that the public open space is offered to Guilden Morden Parish Council for adoption but recognising that the Parish Council has the right to refuse any such offer.

4. Community Facilities

- 4.1 In accordance with Development Control Policy DP/4 infrastructure and new developments, all residential developments generate a need for the provision of, or improvement to, indoor community facilities. Where this impact is not mitigated through onsite provision a financial contribution towards offsite improvement works will be required.
- 4.2 The Council undertook an external audit and needs assessment undertaken in 2009, in respect of all primary community facilities in each village. The purpose of this audit was threefold (i) to make a recommendation as to the indoor space requirements across the District (ii) to make a recommendation on the type of indoor space based on each settlement category and (iii) make a recommendation as to the level of developer contributions that should be sought to meet both the quantity and quality space standard.
- 4.3 Whilst not formally adopted as an SPD, this informal approach was considered and approved at the Planning and New Communities portfolio holder's meeting on 5th December 2009 and has been applied since.
- 4.4 Firstly the audit recommended the provision of 111 square metres of indoor community space per 1,000 people.
- 4.5 Secondly the audit recommended that for Minor Rural Centres the indoor community space should be as follows:
- Rural Centres should have at least one good sized facility which offers access to community groups at competitive rates.
 - The centre should feature one main hall space suitable for various uses, including casual sport and physical activity; theatrical rehearsals/performances and social functions. The facility should also offer at least one meeting room.
 - All facilities, including toilets, should be fully accessible, or retro-fitted to ensure compliance with Disability Discrimination Act legislation wherever possible.
 - Facilities should include a kitchen/catering area for the preparation of food and drink. The venue should have the capacity for Temporary Events for functions which serve alcohol.
 - Where practical and achievable, new build facilities should be delivered with appropriate energy-efficiency measures in place, although this should be undertaken with the balance of expenditure/saving in mind, given the likely hours of usage.
 - Facilities should be designed to offer ease of management, as volunteers are likely to be primarily responsible for day to day upkeep.
- 4.6 Thirdly the audit also established a tariff in respect of providing and maintaining (i.e. capital and revenue) sums necessary to provide such facilities. These values formed the basis of contributions being sought from new development. The cost of providing offsite community space provision equates to £212 per person (comprising

£166.50 for capital cost and £45.50 for maintenance cost). Further details of calculating the capital and maintenance costs are included at paragraphs 5.14 to 5.33 of the audit.

- 4.7 In accordance with the policy Guilden Morden needs 111 m2 of indoor community space whereas it has 85 m2 resulting in a deficit of 26 m2.
- 4.8 Based on the likely number of people arising from the development an area of circa 8 m2 is required.
- 4.9 Guilden Morden is served by Guilden Morden Village Hall which the audit said was a predominantly wooden building which is showing some signs of aging. Not ideal for sport/leisure pursuits, the hall has received some investment and has a newly finished kitchen/changing area. Plans for replacement are underway.
- 4.10 The audit highlighted a number of improvements and the Parish Council have said that they intend to use the money for the redecoration of the village hall followed by the installation of a new 4k/w PV system.
- 4.11 A financial contribution based on the approved housing mix will be required in accordance with the published charges as set out in Table 5 below.

Dwellings with number of bedrooms	(£) Contribution per Dwelling
One bed	248.08
Two bed	371
Three bed	513.04
Four bed	703.84

Table 4: Requirement for indoor community space per dwelling

5. Monitoring Fees

- 5.1 To ensure the proper and timely provision and perpetual usage of onsite infrastructure (including public open space, children's play areas and affordable housing) the District Council is seeking to secure a contribution towards fulfilling its monitoring function. Although the physical site monitoring undertaken by the Council will not have an end date as such, the Council considers it right to cap this at the time necessary to monitor the site throughout its construction and for a short time thereafter. The estimated number of hours result in a contribution of £500.
- 5.2 The District Council is aware of the Judicial Review for Oxfordshire County Council dated 3rd February 2015 where the Honourable Mrs Justice Lang determined that on straight forward matters (i.e. one off financial payments), securing a section 106 monitoring fee would not meet the tests as set out in CIL Regulation 122. Due to the nature of this application the District Council consider that securing a monitoring contribution does accord with the CIL tests and is not contrary to the views given by Mrs Justice Lang.
- 5.3 Furthermore the request for a District Council monitoring contribution was considered by the planning inspector when approving a previous application for 90 dwellings (APP/W0530/A/13/2209166) and in reaching his decision the planning inspector determined that 'In these circumstances I am satisfied that provisions set

out in the Agreement are compliant with paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy [CIL] Regulations 2010’.

- 5.4 The Council can confirm that it has also secured monitoring contributions in other developments (of smaller scale to this appeal site) as part of planning appeal decision post the Oxfordshire Judicial Review.

6. References

Open space in new developments SPD 2009

<https://www.scambs.gov.uk/content/open-space-new-developments-spd>

Recreation study 2013

<https://www.scambs.gov.uk/content/recreation-and-open-space-study-july-2013>

Community Facilities Assessment 2009

<https://www.scambs.gov.uk/sites/default/files/documents/Community%20Facilities%20Audit%20-%20Sept%202009.pdf>

RECAP waste management design guide

http://www.cambridgeshire.gov.uk/info/20099/planning_and_development/49/water_minerals_and_waste/6

National Planning Policy Framework 2012

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Planning practice guidance

<http://planningguidance.communities.gov.uk/>



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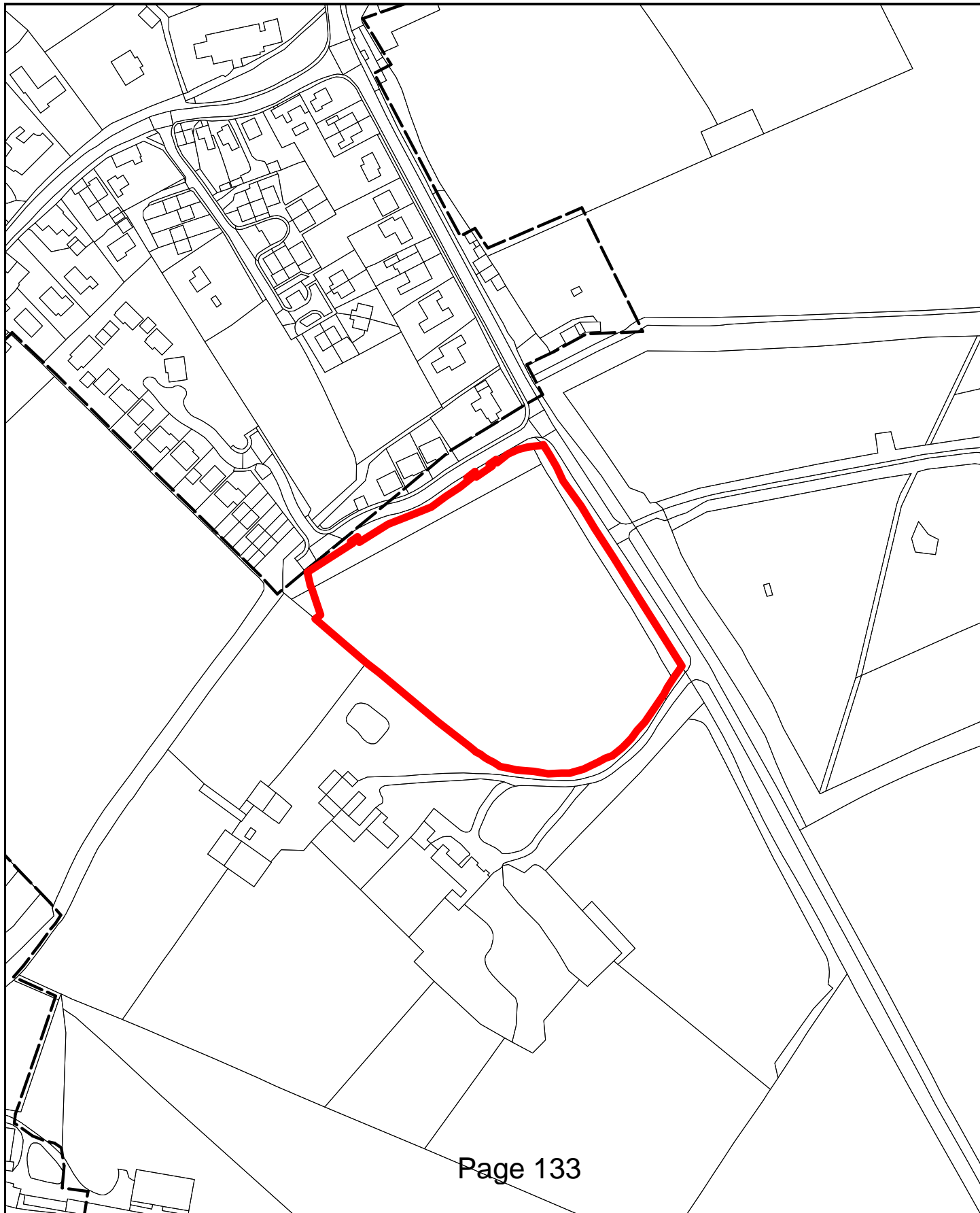
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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2016

AUTHOR/S: Head of Development Management

Application Number:	S/0243/16/FL
Parish(es):	Bassingbourn
Proposal:	New vehicular and pedestrian access off Guise Lane. Realignment of boundary perimeter fence, New Car Park and Footpath to connect to the existing Club House
Site address:	Bassingbourn Snowsports Centre, Bassingbourn Barracks, Bassingbourn, Royston, Hertfordshire, SG8 5LX
Applicant(s):	Martin Middleton, Bassingbourn Snowsports Club
Recommendation:	Delegated Approval
Key material considerations:	Planning Policy and Principle Promoting Healthy Communities Access and Highway Safety Design Considerations Residential Amenity Landscape and Visual Amenity Flood Risk & Drainage Ecology Developer Contributions
Committee Site Visit:	6 September 2016
Departure Application:	No
Presenting Officer:	Thorfinn Caithness, Principal Planning Officer
Application brought to Committee because:	The Parish Council objects to the application, which conflicts with officers' recommendation.
Date by which decision due:	15 September 2016 (extension of time agreed)

Executive Summary

1. The application seeks full planning permission for the creation of a new vehicular access to serve Bassingbourn Snowsports Centre, including a new car park and other associated ancillary development.
2. The Snowsports Centre has been in operation since the 1960's, with access historically

gained through the main gate of Bassingbourn Barracks. Over the last 3-4 years it has not been possible to open and operate the leisure facility because of logistical problems associated with the shared use of the principal access to the Ministry of Defence facility. Shared use of the main barracks gate is no longer possible.

3. In an effort to ensure that the snowsports centre can re-open and continue to operate it is necessary to try to find an appropriate access solution. The identified option is to use Guise Lane (via Bassingbourn village) to access the facility.
4. There is significant objection to the use of Guise Lane from the Parish Council and local residents, who consider that the proposals will generate a significant and unacceptable increase in traffic through the village, leading to congestion, highway safety problems and a loss of amenity.
5. The proposals have been carefully considered by the County Highways Authority, and whilst it is acknowledged that there will be a noticeable increase in traffic through the village, using North End and Guise Lane in particular, the local highway network is considered to have sufficient capacity to accommodate the predicted increase. Moreover, the predicted traffic flows are not anticipated to result in significant additional congestion on the highway network and there are no local highway safety issues which would act as a constraint to the application proposals.
6. Traffic flows can be expected to be accommodated at key junctions and subject to the provision of mitigation works, including passing places on Guise Lane, a financial contribution towards the implementation of improved pedestrian crossing facilities on High Street in the village and adherence to an agreed Travel Plan, and subject to these, it is considered that the proposals will be acceptable from a highway perspective.
7. It is also acknowledged that the increase in traffic will have some impacts on the residential amenities of existing village residents, notably those who live on the relatively quiet Guise Lane, however the likely impacts are not considered to be so significant as to be harmful.
8. It should be made clear that this is a balanced recommendation, and in weighing in favour of the proposal, due regard has been had to the strong national planning policy and Sport England support for the promotion of healthy communities, including maintaining access to high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities.
9. In order to be clear as to the likely traffic and highway impacts associated with the development, the Major Developments Team of the County Council Highways Authority requested additional information with respect to details of local bus services, evidence to demonstrate that the level of parking is appropriate, details of the location of club members, details of the last 60 months' accident records together with an analysis of any trends or clusters, more clarity with regards forecast trip generation, results of a vehicle count at the junction of Guise Lane and North End during the forecast weekday evening and Saturday morning peak times, analysis of the adequacy of the 2 no. proposed passing places on Guise Lane and commitment to engage in the preparation and adherence to a Travel Plan.
10. The Local Planning Authority has received this additional information and has re-consulted the Major Developments Team, Bassingbourn Parish Council and local residents. Favourable comments have been received from the Major Developments Team, however additional representations remain outstanding from the Parish Council

and local residents because the expiry date for comments is 2 September 2016, which is still ongoing at the time of writing this report. Members of the Planning Committee will be provided with further updates at the committee meeting.

11. Conditions are needed to agree details of materials, landscaping, boundary treatments, tree protection, ecological enhancement, timing of vegetation clearance, foul and surface water drainage, repairs to damage to Guise Lane during construction, construction activities, provision of passing places on Guise Lane, agreement and adherence to a Travel Plan to promote car sharing and use of mini buses. A financial contribution of £5,000 is also being sought from the applicant to provide improved crossing facilities within Bassingbourn Village. This will need to be secured by legal agreement or unilateral undertaking.

Site and Surroundings

12. The existing ski slope facility site is located in the open countryside at the western side of Bassingbourn Barracks, a Ministry of Defence facility. The barracks is accessed from the east using the A1198 Old North Road.
13. The existing site consists of a large ski slope, the construction and operation of which dates back to the 1960's. The slope was originally installed and operated exclusively as an MOD training facility. In the 1970's access and use was extended to the wider public through a members only arrangement. It is understood that this arrangement continued until approximately four years ago when a review of security has concluded that the shared access arrangement is no longer acceptable or possible.
14. The site comprises an area of 2.47 hectares, which includes the ski slope, within site access and hardstanding for parking, club house and hard and soft landscaped areas around the slope.
15. Guise Lane is located in the open countryside, approximately 1km North of the main body of Bassingbourn village. Guise Lane is accessed off North End, which connects with High Street and Brook Road in the centre of Bassingbourn. Guise Lane is an adopted Public Highway, as are North End, High Street and Brook Road.
16. Guise Lane comprises a small quiet street of residential character at its western end where it meets with North End. There are some existing residential properties situated either side of Guise Lane.
17. At its eastern end, beyond the existing residential properties, Guise Lane narrows at which point there is a clear and abrupt transition into open countryside, however the lane is of made-up tarmac construction. The made-up lane continues eastwards by approximately 120m, where, at its eastern end it dog-legs left and heads North.
18. Adjacent to the dog-leg there is a Pumping Station on the northern / eastern side of the lane. The lane continues North past the pumping station where it runs along and forms the western edge of Bassingbourn Barracks. Approximately 250m North of the dog-leg there is an access on the eastern side of the lane serving the Anglian Water Works. At this point the made up track becomes an unmade track of agricultural character. The application site is located immediately North of the water works and to the East side of Guise Lane behind a security fence and a copse of mature tree planting.
19. Guise Lane bears the characteristics of a quiet, narrow, lane serving the pumping station, water works and agricultural fields. The lane is also used by recreational walkers, cyclists and horse riders.

20. Within the boundaries of the barracks the site comprises of the ski slope and associated hardstanding. To the west of this is an area of overgrown vegetation between the slope and Guise Lane where it is proposed to locate the new connecting access to Guise Lane, the 50 (no.) space car park and a new footpath connecting the car park to the existing club house.
21. Sections of Guise Lane are located within Flood Zone 3. Table 2 of the Technical Guidance to the National Planning Policy Framework states that 'Outdoor Sports and Recreation' is 'Water-Compatible Development' and Table 3 of the same document states that 'Water Compatible Development is appropriate within Flood Zone 3'.
22. The application site is bounded to the North and East by the MoD Bassingbourn Barracks, to the South by the Anglian Water Works and to the West by Guise Lane.

Proposals

23. The application consists of the following key elements: -
 1. Use of Guise Lane to access the Bassingbourn Snowsports Centre.
 2. Creation of widened vehicular access off Guise Lane into the Snowsports Centre – to be shared with the existing Anglian Water Works.
 3. Creation of new 50 space off-street car park.
 4. Realignment of boundary perimeter fence.
 5. Installation of new within site footpath to connect new car park to the existing club house.
 6. Installation of 2 (no.) passing places on Guise Lane, including minor tree felling works.
 7. Tree felling with the skip slop site to accommodate the new access road and car park.
24. The proposals are a product of pre-application discussions between the club with the local community, the local planning authority, the MOD and Bassingbourn Barracks and Cambridge County Council Highways Authority. Pre-submission consultation has included three community presentation days at the local community centre. It is understood from the applicant that these were poorly attended and in response to local awareness of the impending application a local action group in opposition to the application has been formed.

Alternative Options

25. Other, alternative options to access the slope have been considered, the majority of which necessitate access through the main barracks. These have been discounted because the MOD is no longer willing to support access through the barracks. An alternative option to Guise Lane via The Causeway has also been ruled out because it would necessitate use of private land.
26. Access via North End and Guise Lane is therefore the only remaining option which currently would enable the facility to re-open.
27. The facility is currently unusable therefore the proposed access from Guise Lane, a public highway serving only a small number of residential properties, the Anglian Water Works and some local agricultural fields, would enable the facility to re-open.

Construction Details

28. The proposal incorporates a new entry point requiring slight realignment of the barrack's perimeter fence and the introduction of two new passing places on Guise Lane.
29. The scheme proposes two new passing places but no alterations to the appearance of the existing carriageway. There will be a new access spur into the site, feeding off the existing access to the Anglian water Works site.
30. For large, one off-open day events, which can attract up to 500 visitors, the club would seek to negotiate access through the barracks. If the Barracks do not agree to this use, such events would not take place.
31. The proposals do not include parking spaces for coaches. The club operates an advance booking arrangement only; therefore users will be informed that there is no capacity for coaches for larger group bookings.
32. It is proposed to use the old taxiway to accommodate the proposed new 50 no. space car park, so there will be minimal disturbance to existing mature trees and / or wildlife habitats.
33. The two proposed passing places along Guise Lane have been carefully selected to avoid existing mature trees. They will be constructed of asphalt to match the adjacent Guise Lane surface and in accordance with Cambridgeshire County Council Standard details. The footpath will be constructed of a natural coloured resin stone chipping surface. The car park will be constructed of natural stone chippings laid on top of the former airfield taxing area, with a wooden knee rail fence surround. The realigned perimeter security fence will be constructed to match the existing security fence.
34. Any new lighting of the car park / footpath link from the car park to the club house will be by solar powered low level bollard lighting.
35. Whilst parts of Guise Lane are located in Flood Zones 2 and 3, the main body of the site is located in Flood Zone 1. Moreover, the scheme has been designed so that the two proposed passing places, new access spur and the car park will be located in Flood Zone 1. It is therefore only a very small proportion of the existing public highway which is located within flood risk.

Historic and Forecast Predicted Peak Period Traffic Movements

36. At its peak before its closure in 2012, the Snowsports Club had approximately 250 members, with clusters of members located in Cambridge and Royston. In addition to these local clusters, the facility has also had a regional catchment area, with users coming from Peterborough, London, Milton Keynes and Bury St Edmunds. It is therefore clear that this has been, and in all likelihood would continue to be, a regional trip source generator.
37. The applicants have undertaken a recent traffic survey of the junction of Guise Lane with North End to assess existing traffic flows at this junction during the predicted weekday evening and Saturday morning peak times, as requested by the County Council's Major Developments Team. The survey reveals that the maximum traffic flow through the junction was 65 cars between 17.00 and 18.00 on Wednesday 15 June 2016 and 63 cars on Saturday 25 June 2016 between 15.00 and 16.00. The results of this survey are contained within a Highways Technical Note prepared by a

qualified Transport engineer. A professional analysis of this traffic count indicates that this is currently a very lightly trafficked junction, with a maximum of 1 vehicle a minute passing through at peak times.

38. The Highways Technical Note makes it clear that historic access through the barracks to the ski slope by bicycle and foot has been discouraged by the MoD. Moreover, an assessment of local bus services demonstrates that access to the facility by public transport is not a realistic / viable option. It is therefore concluded and accepted that both historically and in the future, access to the ski slope has and will most likely continue to be by private car and or mini bus. However, car sharing has been a widespread phenomenon historically and this would be expected to continue in the future, as would mini bus travel. These more sustainable travel practices would be encouraged through the applicant's commitment to produce and adhere to a Travel Plan.
39. Based on an understanding of the historic capacity of the slope and the knowledge and observations of club operators and members, a full capacity ski slope session of 20-30 people would have generated 15-20 cars - approximately 60 % of those using the slope. This indicates a pattern and practice of car sharing.
40. The ski slope has a capacity of 30 people. This cannot and will not increase, as it is influenced and dictated by the size of the slope and the capacity of the ski lift.
41. Based on 30 years + historic experience, peak weekday times have and would continue to be 20 – 30 users between 17.00 and 19.00 and 20 – 30 users between 19.00 and 21.00.

Weekend peak times are more varied and protracted extending from 9.00 to 13.30.

42. The maximum number of arrivals in any one hour during the weekday PM peak period would be 23, and 27 in the Saturday peak period. This peak assumes the maximum use of the slope, which is expected between November and January.
43. Traffic flows associated with peak times has historically been and is predicted to continue to be tidal in nature.
44. Predicted traffic movements indicate that there would be a 50% increase in traffic flows using the North End / Guise Lane junction. Given the existing very low trafficked nature of this junction the anticipated traffic increase, based on peak periods, would be in the region of 1 vehicle per minute.

Planning Policy

46. The following policies are considered relevant to this application.

National Guidance

47. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance 2014 (PPG)

Development Plan Policies

48. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/6 Group Villages

49. **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
 SF/1 Protection of Village Services and Facilities
 NE/4 Landscape Character Areas
 NE/6 Biodiversity
 NE/9 Water and Drainage Infrastructure
 NE/11 Flood Risk
 NE/14 Lighting Proposals
 TR/1 Planning For More Sustainable Travel
 TR/2 Car and Cycle Parking Standards
 TR/3 Mitigating Travel Impact
50. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
 District Design Guide - Adopted March 2010
 Trees & Development Sites – Adopted January 2009
 Landscape in New Developments SPD - Adopted March 2010
 Biodiversity SPD - Adopted July 2009
51. **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/6 The Development Strategy to 2031
 S/7 Development Frameworks
 S/9 Minor Rural Centres
 CC/6 Construction Methods
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 HQ/1 Design Principles
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity
 SC3 Protection of Village Services and Facilities
 SC/4 Meeting Community Needs
 SC/6 Indoor Community Facilities
 SC/7 Outdoor Play Space, Informal Open Space and New Developments
 SC/9 Protection of Existing Recreation Areas, Allotments and Community Orchards
 SC/10 Lighting Proposals
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/8 Infrastructure and New Developments

Consultation

52. **Bassingbourn cum Kneesworth Parish Council**

Unanimous objection.

Highway Safety – concerns over Guise Lane being a single track road with no provision for pedestrians. There are no street lights so will be a hazard for pedestrians

in the dark. The locations of the proposed passing places are unsatisfactory, as drivers will not be able to see oncoming vehicles around the bend. Visiting coaches would be unable to turn around. The junction of Guise Lane and North End has a sharp bend with poor visibility.

Traffic – Concerns over increased traffic through the village including additional noise and pollution.

Government Policy – The application conflicts with the National Planning Policy Framework Guidelines on promoting sustainable transport. Guise Lane is subject to flooding and flood risk has not been taken into account.

53. **Local Highway Authority**

(a) Cambridge County Council Transport Assessment Team

These comments are further to an application for access to Bassingbourn Snowsports Centre via Guise Lane and Transport Statement provided as part of the application. The site has previously been accessed via Bassingbourn Barracks which is no longer possible. These comments are made with input from both the Transport Assessment Team and the Highways Development Management Team at CCC. The comments are further to comments dated 31st May and additional information provided by the applicant in a technical note dated July 2016.

Comment 1 - Whilst a bus route passes close to the site it is accepted that very few patrons would use the bus to visit the snow sports centre. This is due to the frequency and time of operation and wide area in which patrons will visit the ski slope from.

Comment 2 - The application proposes a provision of 50 car parking spaces and 20 cycle parking spaces. This is an acceptable amount and is based on assumptions of car sharing that are agreed.

Comment 3 - It is clear that membership of the club is from a wide area and that the majority of club users would travel by car to and from the site. The club have stated that they are aware of members car sharing and this has been assumed to be a level of 40% of users as car passengers and nearly 60% as car drivers. This is based on anecdotal evidence of the number of cars parked at the club during sessions and is accepted.

Comment 4 The accident data for the area requested has been reviewed and it is not considered that the site will lead to a detriment to highway safety.

Comment 5 Data provided by the applicant outlines that at peak times there will be 20 to 30 users of the ski slope per session during weekday evenings and at busy times on weekends. These are expected to be the busiest times and at other times there will continue to be users of the ski slope.

The nature of arrivals and departures has been set out by the applicant which outlines that traffic flows will mostly be tidal in nature. This is due to the specific start and end times of sessions.

On a weekday evening typical arrival times are stated to be the half hour before 5pm and 7pm, and most departures are in the half hours after 7pm and 9pm when both sessions end. The highest vehicle flows would be expected to be between 6.30 and

7.30pm with 30 vehicles in total, with 15 vehicles in each direction.

On a typical Saturday the key arrival times are the half hours before 10am, 11am and midday, and most departures are in the half hours following 11.15am, 12.30pm and 1.15pm. The highest vehicle flows would be expected to be between 11am and midday with 44 movements, of which most movements are tidal in nature. However, during this hour there is expected to be a small number of arrivals (5) that would potentially conflict with some departures.

With two passing places able to accommodate 2 vehicles each, to be constructed by the applicant, and other informal passing places, on the bend and the access to the waste water treatment plant. it is considered that Guise Lane will have sufficient passing places to allow vehicles to pass each other. The analysis of vehicle movements is based on the clubs expected operations and is acceptable.

Comment 6 - Traffic flow data collected by the club illustrates that the flows generated by the club will represent a significant increase in flows on Guise Lane and North End. However, the existing flows on North End and Fen Road are very low as shown in the data.

It is the view of CCC that the traffic levels from the ski slope would not result in significant additional congestion on the highway network. Traffic flows can be expected to be accommodated at key junctions. However, the site will result in an increase in vehicular traffic around the evening peak period on a weekday.

54. **Mitigation**

Comment 7 Guise Lane is a single track road for much of its length. Provisions to provide two passing places on Guise Lane have been proposed by the applicant to allow vehicles to pass each other. As stated above this is considered to address the need for passing places on Guise Lane. These measures should be installed as part of S278 works by the applicant should approval be given. Comment 8 As noted above the site will result in an increase in vehicular traffic around the evening peak period on a weekday. As a result, to mitigate the impact of higher traffic flows the applicant is requested to contribute the sum of £5,000 towards the implementation of improved pedestrian crossing facilities on High Street Bassingbourn. This could be part of a S106 agreement, or as an Unilateral Agreement to pay the Parish Council.

Comment 9 - Subject to approval a Travel Plan should be required via a condition. This should include targets and measures to encourage users to car share particularly, and 3 use minibuses to reduce the number of single occupancy car journeys to and from the site.

55. **Conclusions**

There are several key considerations in highway terms with regards to this application. These are addressed as follows.

- Whether this application will result in an unacceptable level of traffic that would result in congestion on the highway network, which would require mitigation. See comment 6 above.
- Whether the application will result in a detriment to highway safety which would also require mitigation. See comment 4 above.

- Whether sufficient measures are proposed to make the access to the site acceptable in highway terms. See comment 5 above.
- Whether the site reasonably can be accessed by non-car means. See comment 9 above.

These issues have been addressed to the satisfaction of the Highway Authority and as a result CCC has no objection to this application subject to the above mitigation being secured.

It should be noted that whilst an increase in traffic flows may result in a reduction in amenity this is a matter for the Local Planning Authority to consider.

56. (b) General Highway Control Comments

No objections subject to conditions requiring the proposed passing bays to be completed and permanently open for use prior to the opening of the proposed new access. Furthermore, a pre-commencement condition of Guise Lane should be undertaken and any damaged caused repaired.

57. **Sport England** - The application falls within the scope of National Government guidelines for consultation with Sport England, because it relates to the potential loss of, or loss of use for sport, of a major sports facility.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework. Sport England's planning objectives are to protect existing facilities, enhance the quality, accessibility and management of existing facilities, and to provide new facilities to meet demand.

The proposal relates to the construction of an alternative access point for users of the snow sports facilities (primarily the dry ski slope) at the military barracks. The facilities have been closed since the cessation of operations at the barracks in 2013, as the MOD will not allow public access through the site whilst its use is moth-balled.

The club has been established on the site for approximately 40 years and provides strategic access to skiing facilities for users across a wide area including Cambridgeshire, Bedfordshire, Hertfordshire and Essex. The nearest alternative facilities are in Milton Keynes, Peterborough, Hemel Hemstead or Welwyn Garden City.

The only way for the facilities to made available again for club members and the wider community is to establish an alternative access which does not require the public to pass through the main body of the barracks, as this will not be permitted by the MOD. Consequentially, the granting of planning permission is critical to the future of this long established club, which provides access to snow sports facilities across a wide geographical area. I note that the club have temporary access to the ski slope in Welwyn Garden City, but the distance involved means that the number of club members accessing this facility is a small percentage of overall club members.

With regard to national planning policy, paragraph 73 of the NPPF states "Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities". The development complies with these paragraphs by providing access to allow an important and unique sporting facility to re-open to the public, a facility that serves a wide range of members

across the local area and beyond. The circumstances with regard to the moth-balling of the barracks has resulted in the need for a new vehicular / pedestrian access to help protect this sports facility.

Sport England would therefore wish to express our support for this application, which is critical to securing the future of this sports facility and club and is in line with Sport England, local and national planning policies which seek to protect sports facilities and ensure users can access existing facilities, as they make an important contribution to overall health and well-being of local communities.

Sport England considers that the application is consistent with our following policy objective(s):

Planning Policy Objective 1 – protection of existing sports facilities.

Planning Policy Objective 2 – enhancement of existing facility through improving accessibility to the sports facilities.

This being the case, Sport England offers its support to this application as the proposal is critical in securing the future of this club which provides strategic facilities for snow sport participants in this area.

58. **Environment Agency** - No Objections. The site lies largely within Flood Zone 1 and exceeds 1 hectare. Areas along the access road are Flood Zones 2 and 3. For safety reasons signs should be placed at either end of the access road advising visitors to be aware that the area is at risk of flooding.

If there are any works proposed to the local watercourse / ditch, it will be necessary to consult the Lead Local Flood Authority in respect of any proposed works to ordinary watercourses, including culverting.

59. **Environmental Health** - No response.

60. **Bassingbourn Barracks** - No response.

61. **Drainage Manager – South Cambridgeshire District Council** - No response

Representations

62. 232 letters of representation have been received from residents, split for and against the application as follows:

- i) 185 letters of support;
- ii) 47 letters of objection.

63. The following representations have been made in support of the application: -

- The historic ski club has been a valuable, well-managed, affordable, fully-inclusive, friendly local community facility and asset for all ages;
- The facility has served both the local community and its wider catchment, providing a safe and well-supervised facility;
- The facility has provided clubs for young and old, beginners and for experienced skiers;

- The facility has provided enjoyment for those with disabilities and other chronic illnesses;
- The benefits outweigh the local traffic concerns;
- South Cambs is a growing area with a lack of sports facilities;
- The closure of the facility was a tragedy for the local area so there would be significant and welcome benefits if it can reopen;
- There is no other local facility like this – the nearest alternatives are Ipswich, Norwich or Welwyn, meaning significant, unsustainable travel distances
- Exercise and family fun activities should be encouraged;
- This has been a superb sports facility which should be re-opened;
- Facilities such as this are critical to the development of skiing in England;
- A great facility for the local community to socialise, exercise and have fun;
- This is a unique and valuable facility – excited to hear it could be reopening;
- Encourages exercise for all ages;
- Introduces children to sport at an early age;
- Supports local charities;
- Positive job creation benefits for the local area;;
- A valuable facility for cubs, scouts, brownies and other local groups;

64. The following representations have been made in opposition to the application: -

- Guise Lane is too narrow and quiet and totally unsuitable to accommodate this scale of development and the significant increases in traffic volumes;
- Guise Lane is not designed for two-way traffic.
- Guise Lane is only 3.7m wide. This is too narrow for emergency vehicles;
- There is no provision of a within-site turning circle for emergency vehicles;
- Conflict with access to Anglian Water Works;
- Conflict with large agricultural vehicles;
- No consideration given to other traffic generation, such as commercial delivery vehicles, refuse lorries etc;
- The likely amount of traffic is being underestimated, taking account of movements in both directions by those simultaneously arriving and leaving, the fact that this is a commercial venture which will seek to maximise patronage and the inevitability of growth over time. There is also talk of the local hockey club also using this new proposed access
- The facility needs to be accessed from an A road;
- Dangerous, unsafe, blind, awkward junction of North End with Guise Lane;
- An unsuitable venture for this area;
- The use will grow over time leading to further increases in traffic and no limits on use and vehicle amounts – this is a stepping stone to a much larger traffic generating land use;
- Bassingbourn already suffers from significant congestion and road safety hazards and problems;
- The proposed passing places are totally inadequate;
- Conflict with dog walkers and elderly local residents using Guise Lane for recreation;
- Walkers will be forced to step off the carriageway to avoid collision, with no provision of a pavement;
- Noise nuisance and disturbance and loss of local residential amenity, particularly to residents of Guise Lane and Saggars Close, many of whom are retired;
- Loss of wildlife habitat;
- No significant benefit to the village;

- Increased noise and pollution;
 - Loss of quiet use and enjoyment of Guise Lane as an existing valuable recreational asset.
 - Increase in light pollution;
 - This will be a disaster for the village which is already clogged up with traffic;
 - This is not a local facility but a land use attracting people from considerable distances, which is not sustainable;
 - Guise Lane regularly floods;
 - Conflict with other traffic using the lane, including the Anglian Water Works and agricultural traffic accessing local fields;
 - Approving this will bring traffic in the village to a standstill;
 - Enough is enough – the village cannot take any more traffic;
 - The majority of visitors will arrive by car. Public transport is not a viable option;
 - Likely to be significant conflict with school traffic;
 - This application will ruin and change the local distinctiveness of the existing quiet lane;
 - Those responsible for taking a decision must visit the village to understand the existing traffic situation and the adverse impact this proposal will have.
65. A representation has also been submitted by Snowsport England. The following points have been made in support of the proposal: -
- As the national Governing Body for snowsports in England we support the application.
 - Club members have been unable to access the slope for 3 years and are having to travel to different slopes to partake in an activity which should be available closer to home;
 - The loss of the facility has led to a loss of club membership and people no longer partaking in the support.

Planning Assessment

66. Applications are to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The adopted Development Plan comprises the South Cambridgeshire Core Strategy DPD, 2007, Development Control Policies DPD, 2007 and Site Specific Policies DPD.
67. The emerging Local Plan comprises the South Cambridgeshire Local Plan, Proposed Submission Version, July 2013 and associated Policies Map. This plan has not yet been adopted and remains subject to independent examination therefore very limited weight can be attached to the policies contained therein at this time.
68. The key issues in relation to this application are considered to be Planning Policy and Principle, Promoting Healthy Communities, Sustainability, Access and Highway Safety, Design Considerations, Residential Amenity, Landscape and Visual Amenity, Flood Risk and Drainage, Ecology and Developer Contributions

Planning Policy and Principle

69. The general principle of providing an alternative vehicular and pedestrian access to an existing, well-established sports and recreation facility located in the open countryside is considered to be acceptable. There are no national or Local Development Plan policies which set out an, in principle, presumption against delivering an alternative

access arrangement to the existing ski slope facility. Likewise, there are no significant site constraints which would render the use of Guise Lane to access the existing snow slope inappropriate. Whilst some parts of Guise Lane are located within Flood Zone 3 and may be subject to episodes of flooding, the proposed new access into the site off Guise Lane (shared with the existing Water Works), the 50 no. space car park, connecting pathway, realigned security fence and 2 (no.) passing places on Guise Lane are all located within Flood Zone 1.

70. The key material planning considerations in this case are the likely amount of traffic to be generated by the use of new access route and the impact this would have on the capacity and safety of the local highway network and its users and the impacts on the residential amenities of the locality as a consequence of the predicted increase in traffic.
71. At a national planning policy level this is clear and strong support for promoting healthy communities, with paragraph 69 of the NPPF calling upon the planning system to facilitate social interaction and the creation of health, inclusive communities and paragraph 70 seeking to deliver the social, recreational and cultural facilities and services the community needs. To facilitate this, planning policies and decisions should, amongst other things, plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities, and guard against the unnecessary loss of valued facilities and services. Furthermore, paragraph 73 recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
72. Section 4 of the NPPF seeks to promote sustainable transport. Paragraph 32 states “All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
73. The NPPF also sets out at the heart of the Framework there is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. There are three well established dimensions of sustainable development, economic, social and environmental, which should be sought jointly and simultaneously and development should be guided to sustainable locations. Pursuing sustainable development involves, amongst other things, improving the conditions in which people live, work, travel and take leisure.
74. It is evident from the considerable number of local and wider representations received in relation to this application that there is strong community and wider support both for and against the application proposals. Therefore, in pursuing the goal of achieving sustainable development, it is clear that there is in this particular case a strong conflict between those who consider that the application proposals are important and necessary to achieve and deliver sustainable development in the form of improved access to good quality sports and recreation, leading to improved health and well-being (and other positive outcomes) and those who are convinced that the traffic, residential amenity and wider adverse environmental impacts will fundamentally undermine and compromise the achievement of sustainable development. Consequentially, this is a difficult and balanced case to judge.

Promoting Healthy Communities

75. As already outlined above, there is strong national planning policy support for the provision and enhancement of quality sport and recreational facilities and access to them. These core national objectives are echoed by Sport England, which has been formally consulted on this application. Sport England supports this application as the proposal is critical in securing the future of the Snowsports Club which provides strategic facilities for snow sport participants in this area.
76. It is also evident from the significant number of representations made to the application that there is strong support from various sections of the local and wider community to the application proposals, including from existing and past club members, parents, families, schools, charities and clubs etc.
77. The extensive and well-established history of use of the facility would indicate that it has been attractive to and used by a broad section of society, with many valuing the multifaceted positive impacts it has delivered, including social interaction, exercise, health and well-being and education. The facility has also proved to be a valuable local business, creating and sustaining a small number of jobs for local people.
78. The closure of the ski slope some 3-4 years ago has been expressed by many as a disappointing chapter in the club's history, which has operated for 30-40 years. This current application therefore provides a real opportunity to deliver a positive outcome in terms of protection and enhancement of existing sports facilities through improved accessibility. Given that the applicant has explored and exhausted alternative access options, namely reviving access through Bassingbourn Barracks, which is for the foreseeable future, not possible, the likely outcome of refusing this application is that the facility and club would remain closed indefinitely. This is considered to be a significant material planning consideration weighing in favour of the application.

Sustainability

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

Economic

80. The sports club is an existing rural business and paragraph 28 of the NPPF sets out that the planning system should support economic growth in rural areas and support the sustainable growth and expansion of all types of business and enterprise in rural areas and promote the development of land-based rural businesses and sustainable leisure developments that benefit businesses in rural areas, communities and visitors.
81. Offering support to this application will help to revive and revitalise the economic aspirations of the snowsports club. There will also be wider positive economic multiplier effects for the construction industry and allied trades, for food and drink sales at the club house, for retail outlets selling ski clothing and equipment, and employment for local people, including site operatives, instructors and minibus drivers.

Social

82. The proposals will have a number of positive social sustainability outcomes, notably enhanced access to a valuable sports and recreation facility, providing scope for exercise and social interaction for all age groups, leading to improved health and well-being. Those making positive written representations have also commented on the educational benefits for young people which the facility has delivered historically, plus

access to positive experiences for those with disabilities and chronic illnesses. The club has in the past held a number of charity events. All of these are positive material planning considerations weighing in favour of finding an access solution to the facility.

83. Conversely, it must also be recognised that many local residents object to the proposal, highlighting the existing traffic safety and congestion problems within the village, which it is considered, will be compounded and exacerbated by the application proposals. Objectors highlight a number of likely negative outcomes, including increased traffic and associated noise nuisance, disturbance and pollution, loss of privacy and amenity to existing residents, notably those on Guise Lane and the transformation and loss of the existing quiet, tranquil character of Guise Lane which defines its attractiveness as a valuable local recreational facility for walking and horse riding in particular.
84. It will be the case that for those walking or riding horses along the lane, there will be instances of potential conflict with motorised traffic, and the likelihood and frequency will be greater than is currently the case, however traffic speeds are likely to be slow given the width of the lane and with a degree of caution and mutual respect it is considered that the potential for conflict will be low. Once past the new access, Guise Lane continues on as a countryside track and walkers and riders will be able to continue to enjoy this attraction free from conflict with the ski slope traffic.

Environmental

85. The environmental impacts associated with the development relate mainly to the impacts of increased traffic travelling through the village and using North End and Guise Lane in particular. Recent traffic surveys indicate that the junction of Guise Lane with North End is a very lightly trafficked junction, with approximately 60-65 peak time movements. The proposals are likely to result in a 50% increase in traffic flows using the North End / Guise Lane junction. Given the existing very low trafficked nature of this junction the anticipated traffic increase, based on peak periods, would be in the region of 1 vehicle per minute.
86. The proposals will result in some minor tree felling shrub clearance, but in the main, the proposals have been designed to be low impact, sharing and modifying the existing access to the Anglian water Works, using the historic taxing area for the proposed car park and footpath connection and installation the proposed passing places to avoid the best quality and most mature trees.

Access and Highway Safety

87. The County Council's Highways and Major Developments Teams have been formally consulted on the application. A meeting has also been undertaken with highways and planning officers and representatives of the parish council to discuss local concerns about predicated traffic movements.
88. The application is supported by a Transport Statement and additional Highways Technical Note. Traffic count surveys have also recently been undertaken at the junction of Guise Lane and North End.
89. Whilst a bus route passes close to the site it is accepted that very few patrons would use the bus to visit the snow sports centre. This is due to the frequency and time of operation and wide area in which patrons will visit the ski slope from.

90. The application proposes a provision of 50 car parking spaces and 20 cycle parking spaces. This is an acceptable amount and is based on assumptions of car sharing that are agreed.
91. It is clear that membership of the club is from a wide area and that the majority of club users would travel by car to and from the site. The club have stated that they are aware of members car sharing and this has been assumed to be a level of 40% of users as car passengers and nearly 60% as car drivers. This is based on anecdotal evidence of the number of cars parked at the club during sessions and is accepted.
92. The accident data for the area requested has been reviewed and it is not considered that the site will lead to a detriment to highway safety.
93. Data provided by the applicant outlines that at peak times there will be 20 to 30 users of the ski slope per session during weekday evenings and at busy times on weekends. These are expected to be the busiest times and at other times there will continue to be users of the ski slope.
94. The nature of arrivals and departures has been set out by the applicant which outlines that traffic flows will mostly be tidal in nature. This is due to the specific start and end times of sessions.
95. On a weekday evening typical arrival times are stated to be the half hour before 5pm and 7pm, and most departures are in the half hours after 7pm and 9pm when both sessions end. The highest vehicle flows would be expected to be between 6.30 and 7.30pm with 30 vehicles in total, with 15 vehicles in each direction.
96. On a typical Saturday the key arrival times are the half hours before 10am, 11am and midday, and most departures are in the half hours following 11.15am, 12.30pm and 1.15pm. The highest vehicle flows would be expected to be between 11am and midday with 44 movements, of which most movements are tidal in nature. However, during this hour there is expected to be a small number of arrivals (5) that would potentially conflict with some departures.
97. With two passing places able to accommodate 2 vehicles each, to be constructed by the applicant, and other informal passing places, on the bend and the access to the waste water treatment plant. it is considered that Guise Lane will have sufficient passing places to allow vehicles to pass each other. The analysis of vehicle movements is based on the clubs expected operations and is acceptable.
98. Traffic flow data collected by the club illustrates that the flows generated by the club will represent a significant increase in flows on Guise Lane and North End. However, the existing flows on North End and Fen Road are very low as shown in the data.
99. It is the view of CCC that the traffic levels from the ski slope would not result in significant additional congestion on the highway network. Traffic flows can be expected to be accommodated at key junctions. However, the site will result in an increase in vehicular traffic around the evening peak period on a weekday.

Highway Impact Mitigation

100. Guise Lane is a single track road for much of its length. Provisions to provide two passing places on Guise Lane have been proposed by the applicant to allow vehicles to pass each other. As stated above this is considered to address the need for

passing places on Guise Lane. These measures should be installed as part of S278 works by the applicant should approval be given. Comment 8 As noted above the site will result in an increase in vehicular traffic around the evening peak period on a weekday. As a result, to mitigate the impact of higher traffic flows the applicant is requested to contribute the sum of £5,000 towards the implementation of improved pedestrian crossing facilities on High Street Bassingbourn. This could be part of a S106 agreement, or as an Unilateral Agreement to pay the Parish Council.

101. Subject to approval a Travel Plan should be required via a condition. This should include targets and measures to encourage users to car share particularly, and use minibuses to reduce the number of single occupancy car journeys to and from the site.

Highway Conclusions

102. There are several key conclusions in highway terms with regards to this application. These are as follows.
103. • The application will not result in an unacceptable level of traffic that would result in congestion on the highway network, which would require mitigation.
104. • The application will not result in a detriment to highway safety which would also require mitigation.
105. • Sufficient measures are proposed to make the access to the site acceptable in highway terms, notably the redesigned access into the site is satisfactory, as are the proposed 2 (no.) passing places on Guise Lane.
106. • The site can reasonably be accessed by non-car means, notably minibus, which can be promoted using an agreed Travel Plan. It is accepted that access by public transport, cycle and on foot is not feasible.
107. The application has been addressed to the satisfaction of the Highway Authority and as a result Cambridgeshire County Council has no objection to this application subject to the above mitigation being secured.
108. It should be noted that whilst an increase in traffic flows may result in a reduction in amenity this is a matter for the Local Planning Authority to consider.
109. Overall, there are no objections subject to conditions requiring the proposed passing bays to be completed and permanently open for use prior to the opening of the proposed new access. Furthermore, a pre-commencement condition of Guise Lane should be undertaken and any damaged caused repaired. In addition, a Travel Plan should be submitted to and agreed in writing with the Council and the applicant should make a financial contribution to the provision of improved pedestrian crossing facilities in the village, to mitigate against the anticipated traffic increases through the village.
110. Local residents and the Parish Council dispute the reliability of the forecast traffic increases and contend that they will be significantly greater than that presented. Objectors consider that the forecast figures do not reflect the inevitable increases which would be likely for a commercial business which they say would seek to maximise visitor numbers. There are also concerns that other sports clubs, such as the hockey club, which has historically also gained access to sports pitches through the main gate to barracks would also seek to gain access using Guise Lane. In response to this, the applicant states that traffic will be curtailed by the capacity of the

ski slope, which can hold a maximum of 30 people, plus a small class of 8-10 younger children using the lower slope, therefore the forecast trip generation is an accurate reflection of the worst case scenario. At this stage it is difficult to comment on the potential for other clubs to use the proposed new access. The current application proposals relate to the ski club only and the submitted layout shows an access and car parking facility associated only with the ski slope land use. The implications of other recreational land uses which may or may not operate from the barracks using Guise Lane would need to be assessed separately and so this situation can be monitored.

Design Considerations

111. Section 7 of the National Framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, paragraph 58 of the NPPF states that developments should, amongst other things, add to the overall quality of the area, establish a strong sense of place, respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation, and be visually attractive with appropriate landscaping. These aspirations are echoed in policies DP/2 and HQ/1 of the adopted and emerging Local Plans respectively and the District Design Guide.
112. The design considerations associated with this application are not considered to be significant, as the proposals are mainly associated with the use of an existing access. There will be some physical development, but the 2 no. passing places are small and low key and will be read and seen as small additions to the existing carriageway. Likewise, the new access will comprise a physical modification to the existing water works access. The within site car park and footpath will be largely screened from Guise Lane by existing and proposed planting and in any case will be largely observed from the barracks side of this planting and thus appreciated within the context of the large barracks site. Conditions can be used to agree specific details of materials, hard and soft landscaping, boundary treatments and lighting. Subject to agreeing these it is considered that the design implications of the proposals will be acceptable.

Residential Amenity

113. It is acknowledged that Guise Lane comprises a small handful of existing residential properties, including a number of bungalows occupied by retired residents. It is also evident from the conducted traffic survey that Guise Lane is very lightly trafficked. Given these particular characteristics it is reasonable to describe Guise Lane as a very quiet village lane at close quarters to the transition into open countryside. Set within this context the application proposals have the potential to increase traffic, noise nuisance and disturbance to residential amenity.
114. It has been forecast that the application proposals are likely to double the amount of traffic using Guise Lane, which is expected to be manifested at worst case peak times by one additional car movement per minute compared to the existing situation. Whilst this increase will be noticeable, it is not considered that this increase and change would lead to a harmful impact on residential amenity. There may be some instances of inconvenience associated with gaining vehicular access to and from their properties but existing residents would still have the use, quiet and enjoyment and sanctuary of their homes and private carriages which would be unlikely to be compromised by the

application proposals.

115. In the interests of protecting local residents during the construction phase conditions are advised to control the timing of construction activities, and particularly the use of Guise Lane for deliveries.
116. With regards post construction, a condition is recommended to agree an appropriate lighting scheme to mitigate any risks of light pollution, however given the distance and presence of significant intervening vegetation, light pollution is unlikely to be a problem for those living on Guise Lane.

Landscape and Visual Amenity

117. The landscape and visual amenity implications of the proposals are not considered to be significant. There will be some minor tree felling and shrub clearance but the landscape and visual effects of the new car park and associated turning area and footpath will be largely screened by existing and proposed planting on the Guise Lane boundary. The proposed passing places comprise very modest land take and likewise their visual effects are not envisaged to be significant.
118. Furthermore, the proposed car park and connecting footpath are to be located on former hardstanding taxing areas. It will be necessary to clear some overgrown vegetation to reveal this hardstanding, but the landscape and visual amenity effects should reasonably be judged in the context of the existing site, which is not elevated or exposed in any way. Arguably, the key existing visual detractor in the locality is the ski slope itself, which exerts a much greater landscape character and visual amenity effect than the application proposals.

Flood Risk and Drainage

- 119.. Section 100 of the NPPF seeks to meet the challenge of climate change, flooding and coastal change. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Moreover, Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by, amongst other things, applying the Sequential Test, and if necessary, the Exception Test.
120. Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding, and, a sequential approach should be used in areas known to be at risk from any form of flooding.
121. Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:
 - Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and

- Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including emergency planning; and it gives priority to the use of sustainable drainage systems.
122. Policy NE/11 of the adopted Local Development Framework Development Control Policies DPD states that in relation to flood risk, applications will be judged against national policy.
 123. Policy CC/9 of the emerging Local Plan states that in order to minimise flood risk, development will only be permitted where, amongst other things, the sequential test and exception tests established by the National Planning Policy Framework demonstrate the development is acceptable.
 124. The vast majority of the application site is located in flood zone 1 and is therefore not at risk from flooding. This includes the existing ski slope and the proposed locations for the new access into the site from Guise Lane, the new car park, connecting footpath, realigned security fence and 2 no. passing places on Guise Lane.
 125. Small parts of Guise Lane, and existing adopted public highway, fall within flood zone 3 and are thus at risk from flooding events.
 126. The Environment Agency has been consulted and has confirmed that the key elements of the application proposals are not affected by flood risk. Furthermore, outdoor sports and recreation is classed as water-compatible development and water-compatible development is considered appropriate in flood zone 3.
 127. The Environment Agency has advised that the applicant displays signs at either end of the Guise Lane access route to advise visitors that the lane is at risk from flooding. The site operators can also make this known to customers when booking lessons etc. In the event of a flood the site operators can make arrangements to close the facility, as would be the case for other sports facilities, such as football pitches which can be waterlogged or frozen in winter months. In the event of a severe and un-forecast flooding event it is expected that a suitable evacuation and escape route could be made available in agreement with the MoD through the barracks, which is in Flood Zone 1.

Trees and Ecology

128. The proposals will necessitate the clearance of some overgrown shrubs and self-seeded fledgling trees on the former taxiing area of the barracks to accommodate the 50 no. space car park and connecting footpath. This is not likely to result in any significant loss of trees or wildlife habitat. There will also be some minor tree felling to accommodate the widening access off Guise Lane and the 2 no. passing places. These measures are not considered to be significant and will not have any significant effects on landscape character or biodiversity.

Developer Contributions

129. A financial contribution of £5,000 is being sought from the applicant to assist with improved crossing facilities within Bassingbourn village. A recent meeting has been held with representatives of the Parish Council where concerns have been expressed about existing traffic problems in the village and concerns that these will be compounded by the application proposals. The provision of improved crossing facilities within the village is one improvement area specifically identified by the Parish

Council. The Authority and Cambridge County Council are continuing discussions with the Parish Council with regards to their general concerns about traffic in the village and possible measures outside this planning application to mitigate their impacts. The £5,000 contribution being sought is considered to be reasonable and relevant in this case, given the potential for increased traffic movements through the village associated with the proposed new access to the ski slope.

Conclusion

130. The application seeks to provide an alternative access arrangement to serve Bassingbourn Snowsports Centre, a well-established and highly regarded local and regional sports and recreation facility which has in recent times been forced to close because public access through Bassingbourn Barracks is now prohibited.
131. A number of alternative access options have been considered, however the only feasible option to enable the facility to re-open is the use of Guise Lane.
132. Guise Lane is a narrow country lane, serving a small number of existing residential properties. It also provides access to agricultural fields and to a pump house and an Anglian Water Works plant. The lane is presently very lightly trafficked and also provides a valuable local resource for locals for walking and horse riding.
133. It is clear that the application proposals will lead to an increase in traffic using Guise Lane and North End, and as a consequence there will be more traffic flowing through the village, and at times contributing to incidences and occasions of congestion and traffic build up, particularly at general peak travel times in the villages and the weekday evening and Saturday morning peak times associated with the snow sports centre.
134. Existing and predicted traffic flows have been analysed and carefully considered by the County Council's Highways and Major Developments Highway Teams. Notwithstanding the clear and sustained Parish Council and local resident objections with respect to traffic generation and highway safety and the acknowledged scenarios of peak traffic flows at forecast weekday evening and Saturday morning times, it is not considered that the proposals would result in an unacceptable level of traffic that would result in congestion on the highway network and predicted traffic flows can be expected to be accommodated at key junctions.
135. Furthermore, it is not considered that the proposals would result in a detriment to highway safety requiring mitigation, likewise there are sufficient measures in place to make the access to the site acceptable in highway terms through the provision of 2 (no.) passing places on Guise Lane.
136. To mitigate the impact of higher traffic flows, the Highways Authority recommends that the applicant contribute the sum of £5,000 towards the implementation of improved pedestrian crossing facilities on High Street, to be secured through a legal agreement or unilateral undertaking.
137. In addition, subject to submission and agreement of a suitable Travel Plan it is also considered that operators and users of the facility can help to control and reduce traffic volumes by promoting car sharing and the use of mini buses in combination with other methods.
138. It is acknowledged that the predicted increases in traffic on Guise Lane will have some impacts on the privacy and amenities of existing local residents, however the

forecast traffic increases are expected to be in the region of 1 additional car per minute. Although traffic levels on Guise Lane are expected to double, it is currently a very lightly trafficked road and therefore the predicted flows relative to this existing situation are not significant. Movements are also tidal rather than constant, with clear weekday evening and Saturday morning peaks identified, therefore it is considered that local residents will adjust and the impacts will not be so significant as to undermine the privacy and residential amenities that local residents would reasonably expect to enjoy.

139. Due regard has also been had to other factors, including tree removals, ecological impacts and the flood risk and drainage implications associated with the proposals, and in all cases the proposals are considered to be acceptable.
140. It is clear that the proposals have generated both strong support and opposition and it is recognised that this is a situation where planning policies seeking to achieve and deliver sustainable development may be in conflict. This is therefore a difficult and balanced decision, the outcome of which on the one hand will lead to the re-opening of the Snowsports Centre, and on the other could mean it remains permanently closed.
141. Having regard to national and local planning policies, the strong support from Sport England, the carefully considered no objections from the County Highways Authority and to all other material planning considerations, it is considered that the planning balance should weigh in favour of the application and the numerous positive and sustainable planning outcomes it can deliver, not least improved access to quality sport and recreation, social interaction, improved health and well-being for all ages, and educational benefits. These outcomes are considered to outweigh the recognised increase in traffic and the associated effects on residential amenity and environmental quality.

Recommendation

142. Delegated approval subject to the following:

143. **Conditions**

- (i) 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.) Approved Plans.
- (ii) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - EX-001 Rev P – Location Plan
 - P-001 Rev P – Location Plan as Proposed & Proposed Passing Place No.2
 - P-002 Rev P – Site Plan as Proposed (Sheet 1)
 - P-003 Rev P – Site Plan as Proposed (Sheet 2)
 - P-004 Rev P – Site Plan as Proposed (Sheet 3).

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

- (iii) No development shall take place until details of the materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)Landscaping.

- (iv) 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 (which must include the retention of existing trees and hedgerows on the northern and eastern boundaries of the site), 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.)Boundary Treatments.

- (v) 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.

- (vi) 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].

(a) 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.

(b) 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.

(c) 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.)

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

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

- (viii) No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

- (ix) Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- (x) 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.) Falls and Levels and Drainage and Construction of Access Road

- (xi) 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.

(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.)

- (xii) The proposed passing bays as shown on drawing number P-001 Rev P shall be completed and made permanently open for use prior to the opening of the proposed new access for any use not associated with the construction process.

(Reason – In the interests of highway safety).

- (xiii) No development shall take place until the applicant has undertaken a pre-commencement condition survey of Guise Lane. Any damage caused by the exceptional loading that the proposed works will create shall be repaired to the satisfaction of the local planning authority within 28 days of the opening of the car park area to uses not directly associated with the construction process.

(Reason – In the interests of highway safety).

- (xiv) No demolition or construction works shall commence until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are: -

- (1) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).
- (2) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street.
- (3) Movements and control of all deliveries (all loading and unloading should be undertaken off the public highway).
- (4) Control of dust, mud and debris).

(Reason – In the interests of highway safety).

- (xv) No construction related deliveries shall be taken at or despatched from the site except between the hours of 0800 – 1800 Monday to Friday,

0800 – 1300 Saturday and at no time on Sundays or Bank or Public Holidays.

(Reason – In the interests of residential amenity)

- (xvi) No development shall take place until the applicant has submitted for approval in writing by the local planning authority details of a Travel Plan for the site. This shall include targets and measures to encourage users to car share particularly, and use minibuses to reduce the number of single occupancy car journeys to and from the site
(Reason – In the interests of sustainable travel patterns and sustainable development.)

144. S106 Contributions

- (i) A financial contribution of £5,000 to assist with improved crossing facilities within Bassingbourn village.

Background Papers:

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

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014

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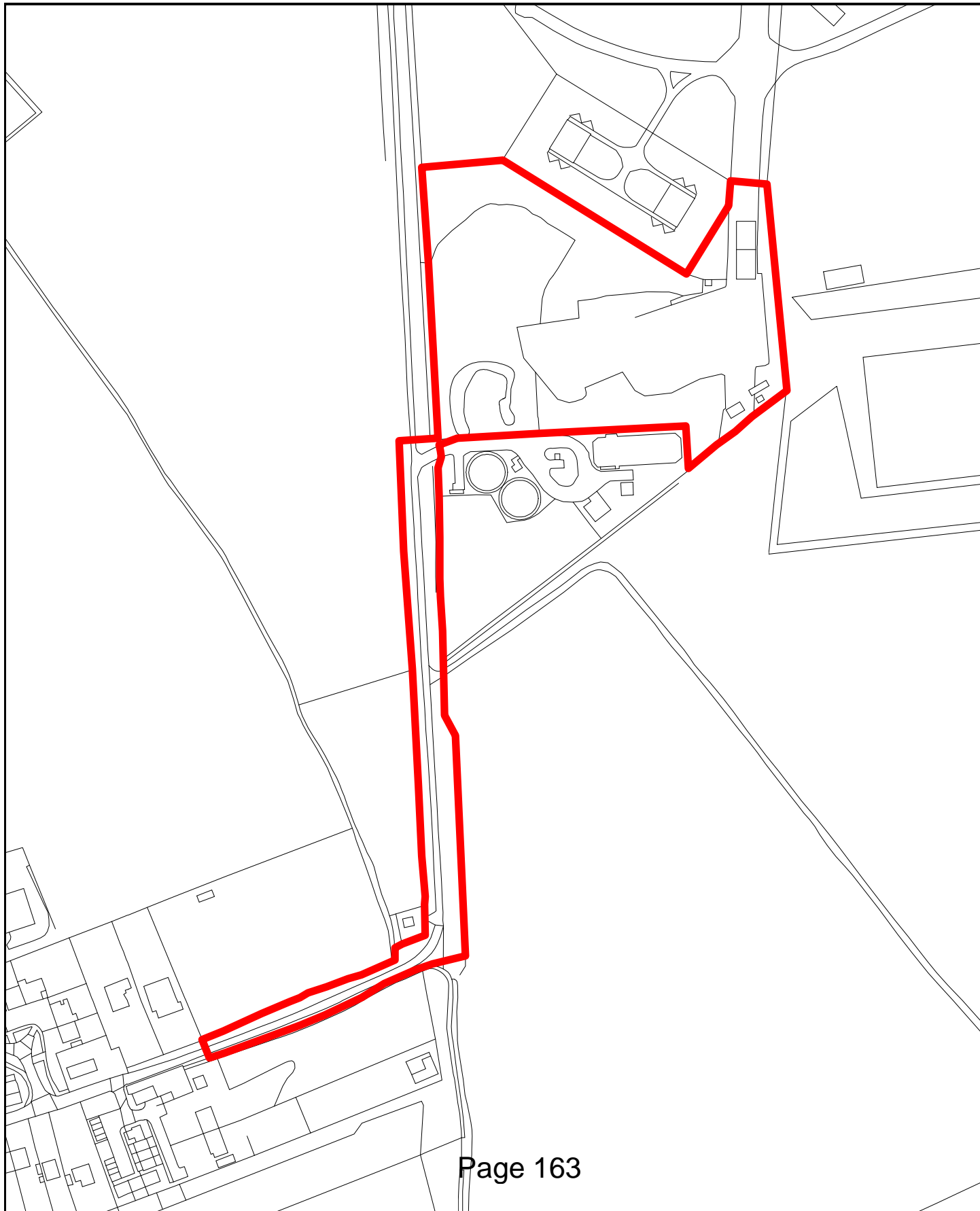
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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2016

AUTHOR/S: Head of Development Management

Application Number:	S/0534/16/FL
Parish(es):	Whittlesford
Proposal:	Erection of two semi-detached dwellings
Site address:	Land immediately to west of Bar Lane Cottages, Newton Road, Whittlesford, CB22 4PE
Applicant(s):	Mr Graham Bowles
Recommendation:	Approval
Key material considerations:	The main issues are Green Belt, Planning Policy and Principle, Housing Land Supply, Principles of Sustainable Development, Scale of Development, Landscape Character and Visual Amenity, Residential Amenity Drainage, Highway Impacts and Ecology.
Committee Site Visit:	6 September 2016
Departure Application:	Yes
Presenting Officer:	Thorfinn Caithness, Principal Planning Officer
Application brought to Committee because:	The application comprises a departure from the Development Plan.
Date by which decision due:	14 th September 2016 (Agreed Extension of Time).

Executive Summary

1. Full planning permission is sought for the erection of one pair of two-storey, 3-bedroom, semi-detached houses on a small, undeveloped infill site in the open countryside and the Cambridge Green Belt, close to the Group village of Whittlesford.
2. National Green Belt policy provides opportunities for limited infilling which would not have a greater impact on the openness of the Green belt and the purpose of including land within it than the existing development. The proposal is considered to be appropriate in the Green Belt and development of this small gap would not harm the openness, permanency of openness and the purpose of including land within the Green Belt.
3. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its location in the open countryside. It is

recognised that the district does not currently have a 5 year housing land supply, therefore the relevant adopted LDF policies in relation to the supply of housing are considered not up to date for the purposes of the NPPF.

4. The local planning authority must determine the appropriate weight to apply to relevant development plan policies even where out of date. In this instance, whilst Policies ST/6 and DP/7 of the adopted Core Strategy and adopted Development Control Policies, which influence the supply of housing land, are considered out of date, they continue to perform a material planning objective, consistent with the policies of the NPPF. They form part of a suite of policies to control the scale and distribution of new housing, ensuring that development is directed to the most sustainable locations. The Policies thereby are afforded considerable weight.
5. Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
6. In this case, the small scale nature of this proposal is considered to be acceptable and appropriate for Whittlesford, having regard to accessibility to services and facilities, employment opportunities, secondary education and public transport provision.
7. Officers are of the view that the benefits of the provision of two additional market homes, contributing to current recognised shortfall in housing supply, outweighs any harm from the proposal.
8. Regard has been had to impacts on the street scene, residential amenity, drainage, ecology and access and highway safety, and in all respects the application proposals are considered to be acceptable.

Site and Surroundings

9. The application site is located in the Cambridge Green Belt. It is also located in the open countryside, outside of the defined village framework for Whittlesford, an adopted Policy ST/6 Group Village.
10. The site is located on the North side of Newton Road, close to its junction with Middlemoor Road. The site is located approximately 1km West North West of the centre of Whittlesford village and approximately 800m West North West of the village framework.
11. To the East of the site there is a row of houses and cottages of traditional design, character and appearance – Bar Hill Cottages. To the West is a recently completed development of 8 affordable houses, approved as an exception site under planning reference S/0761/14/FL. Further West there are houses on both sides of Newton Road. Directly opposite the site on the opposite side of Newton Road there are allotments beyond a mature hedge bounding Newton Road.
12. The application site is presently overgrown with shrubs and there is a poor quality hedge along the roadside frontage.
13. Taking account of the prevailing site context, it is reasonable to describe the site as a small gap in an otherwise built up frontage of houses on the North Side of Newton

Road.

14. The application site is of flat, rectangular shape and has an area of 0.1 hectares.
15. The site is not within a designated Conservation Area and does not form the setting to any Listed Buildings. The site lies within Flood Zone 1 and therefore is not at risk from flooding.
16. **The Proposals**
17. This is a full planning application for the erection of one pair of two-storey, 3-bedroom market houses.
18. It is proposed to site the cottages on the same building line as the existing houses to the East and West, therefore the buildings will be set back from the roadside behind a new 900mm high timber rail fence and new native species hedgerow and frontage garden.
19. The two properties will have pedestrian access onto Newton Road to the front of the buildings. Given the alignment and configuration of Newton Road it is necessary to take vehicular access from a position further West, to be shared with the recently completed development of 8 no. affordable houses, where visibility splays are achievable.
20. To the rear of the two properties 2 no. off-street parking and associated turning / service space for each house will be provided.
21. To the rear of each property there will also be a good sized private garden, approximately 11 metres in length, bounded by 1.8m high close boarded fences. The frontage gardens will be more open to reflective the character and appearance of the new development to the West and will be defined by a low hedge and timber rail fence.
22. Foul and surface water is to be discharged to the mains sewer in Newton Road.
23. The properties would be of hipped roof form and are to be constructed of red / brown facing bricks and brown concrete roof tiles
24. The development proposals will necessitate the diversion of an existing overhead power line.
25. The site has been promoted for development by the applicant as a modest infill site within an otherwise built up frontage. The applicant acknowledges that the site lies within the open countryside and in the Green Belt but contends that the Council's current shortfall in housing land supply offers support to what is otherwise a small scale infill proposal which will not cause any material harm to the openness of the Green Belt or to any other interests of acknowledged importance.
26. A recent full planning application for a similar development of 2 houses on the application site was withdrawn in September 2015, reference S/2034/15/FL. Design changes have been made and further planning policy arguments in support of the proposal have been presented.
27. **Planning History**

S/2034/15/FUL – Erection of 2 semi-detached dwellings, land West of Bar Lane Cottages – Withdrawn 28 September 2015.

S/0761/14/FL - Erection of 8 Affordable Dwellings including Associated External Works and Roadways, at land adjacent to 22 Newton Road, Whittlesford – Approved 9 February 2015 (Adjacent site to the West).

S/0417/99/0 – 3 Houses – Refused.

S/0269/80/0 – 3 Dwellings – Refused.

28. Planning Policies

The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.

**29. National Planning Policy Framework
Planning Practice Guidance**

**30. South Cambridgeshire Local Development Framework (LDF) Core Strategy,
adopted January 2007**

ST/1 Green Belt

ST/2 Housing Provision

ST/6 Group Villages

31. South Cambridgeshire LDF Development Control Policies, adopted July 2007

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Developments

DP/7 Development Frameworks

GB/1 Development in the Green Belt

GB/2 Mitigating the Impact of Development in the Green Belt

HG/1 Housing Density

HG/2 Housing Mix

SF/10 Outdoor Play space, Informal Open Space, and New Developments

SF/11 Open Space Standards

NE/1 Energy Efficiency

NE/4 Landscape Character Areas

NE/6 Biodiversity

NE/9 Water and Drainage Infrastructure

NE/10 Foul Drainage – Alternative Drainage Systems

NE/12 Water Conservation

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

32. South Cambridgeshire LDF Supplementary Planning Documents (SPD)

Open Space in New Developments SPD - Adopted January 2009

Trees & Development Sites SPD - Adopted January 2009

Landscape in New Developments SPD - Adopted March 2010

Biodiversity SPD - Adopted July 2009

District Design Guide SPD - Adopted March 2010

33. **Draft Local Plan**
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/4 Cambridge Green Belt
S/5 Provision of New jobs and Homes
S/7 Development Frameworks
S/10 Group Villages
CC/1 Mitigation and Adaptation to Climate Change
CC/2 Renewable and Low Carbon Energy Generation
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
H/7 Housing Density
T/1 Parking Provision
T/18 Infrastructure and New Developments
TI/9 Education Facilities

Consultations

34. **Whittlesford Parish Council** - Objection on the following grounds: -
1. The proposal is contrary to Green Belt policy;
 2. The site is well outside the village framework;
 3. Whittlesford is classed as a 'Group Village' and any development, apart from that on brownfield sites, is restricted to 8 units. Immediately adjacent to the site, 8 units have already been built in the last 12 months on land previously owned by the same applicants.
35. **Local Highway Authority** - No objections subject to conditions regarding agreement of a construction traffic management plan and removal of permitted development rights for any new vehicular accesses onto Newton Road in front of the application site.
36. **Cambridge University** - No objection.
37. **Conservation (Ecology)** - No objections. The application is supported by an ecological assessment, which describes the site as being dominated by common place habitats of low nature conservation, biodiversity and protected species interest that do not present a significant development constraint. Conditions are required to control the timing of vegetation removal and to secure ecological enhancement for the site.
38. **Environmental Health** - No objections subject to conditions to control construction activities and pile foundations.

Representations

39. No representations have been made in response to this application.

Planning Assessment

40. Applications are to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The adopted Development Plan comprises the South Cambridgeshire Core Strategy DPD, 2007, Development Control Policies DPD, 2007 and Site Specific Policies DPD.
41. The emerging Local Plan comprises the South Cambridgeshire Local Plan, Proposed Submission Version, July 2013 and associated Policies Map. This plan has not yet been adopted and remains subject to independent examination therefore very limited weight can be attached to the policies contained therein at this time.
42. The key issues in relation to this application are considered to be Green Belt, Housing Land Supply, Planning Policy and Principle, Landscape and Visual Amenity, Highway Safety, Neighbour Amenity, Trees and Landscaping, Biodiversity and Developer Contributions.

Green Belt

43. Whether inappropriate

Paragraph 87 of the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

44. Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
45. Paragraphs 89-90 of the NPPF set out those categories of development which may be regarded as not inappropriate, subject to certain conditions. The application proposals comprise limited infilling which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The site no longer has the appearance of countryside or assist in safeguarding the countryside from encroachment. Although technically outside of the development framework, the site is nevertheless located within Whittlesford village, in amongst other well established housing located directly either side. Therefore the proposal can be regarded as not inappropriate development under paragraph 89 of the NPPF.

Openness

46. Paragraph 79 of the Framework indicates that openness is an essential characteristic of the Green Belt. It follows that openness is defined by an absence of buildings or other development.
47. The application site comprises a modest sized gap between two rows of modern and more traditional housing, in what can be regarded as an otherwise built up frontage on the North side of Newton Road. The wider open and undeveloped land to the rear of

the application site and on the opposite side of Newton Road in particular is considered to make the greatest and most significant contribution to the openness of the Green Belt in this particular location. By contrast, the application site comprises a modest infill opportunity, the development of which would not cause any material harm to the Green Belt.

Other Harm

48. There is considered to be no other harm to the Green Belt.

Housing Land Supply

49. The National Planning Policy Framework (2012) (NPPF) requires local planning authorities to boost significantly the supply of housing. To achieve this a five-year housing land supply with an additional buffer, as set out in paragraph 47, should be identified and maintained.
50. The local planning authority accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
51. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted 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.
52. 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 attach to such relevant policies.
53. In the case of this application the key relevant policies which must be considered as potentially influencing the supply and / or restriction of housing land are as follows: -

Core Strategy

ST/1 Green Belt
ST/2 Housing Provision
ST/6 Group Villages

Development Control Policies DPD, 2007

DP/7 Development Frameworks
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
HG/1 Housing Density
HG/2 Housing Mix
NE/6 Biodiversity

Draft Submission Local Plan

S/4 Cambridge Green Belt
S/7 Development Frameworks
S/10 Group Villages
NH/4 Biodiversity
H/7 Housing Density

54. Paragraph 14 of the NPPF sets out 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 (which includes land designated as Green Belt in adopted plans for instance).
55. In terms of the supply of land for housing in the Green Belt, paragraph 89 of the NPPF states that 'limited infilling . . . which would not have a greater impact on the openness of the Green belt and the purpose of including land within it than the existing development' may be considered as not inappropriate. The proposal is considered to comprise a small gap site within an otherwise built up frontage which can reasonably be described as limited infilling. It is not considered that the closure and consumption of this gap with a modest development of 2 houses would have any greater impact on the openness of the Green Belt and the purpose of including land within it than the existing surrounding development.

Principle of development

56. The application site is located a considerable distance outside of the defined village framework of Whittlesford (approximately 800m away) in the open countryside. Policy DP/7 of the adopted Local Development Framework and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of 2 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.
57. Whittlesford is identified as a Group Village under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan. Although Whittlesford has relatively limited facilities and services, with no secondary school, it is within relatively close proximity to sources of employment and offers alternative methods of transport by way of good public transport links.
58. Development in Group Villages 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. The application proposal for 2 dwellings is considered to comprise an appropriate scale for Whittlesford, taking account of accessibility to services and

facilities and sustainable modes of transport.

Deliverability

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

Sustainability of development

60. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. These dimensions are considered in the respective bold sub-headings below.

Economic

61. The provision of 2 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social

62. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire by delivering 2 additional market houses.
63. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessibility to local services. The detailed design and layout of the scheme is considered to be of good quality and has been designed to be reflective of the neighbouring housing development either side, with respect to size, scale, form, massing, siting, spacing, detailed appearance and materials.

Environmental

Landscape Character and Visual Amenity

64. The application proposes new housing at a density of approximately 15 dwellings per hectare (dph). Policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances.
65. Policies HG/1 and H/7 are policies that relate to the supply of housing, and are therefore to be considered to be out of date. However, one the aim of the policy is to ensure that development responds to and is reflective of local character. Officers are of the view that considerable weight can be given to policies HG/1 and H/7 if the proposed density of a particular development would compromise local character and conflict with the aims of paragraph 58 of the NPPF, which states that development should respond to local character and reflect the identity of local surroundings and materials. In this particular case, although the proposed density of 15 dph falls below the 30 dph density which would normally be expected, the lower density proposed is reflective of neighbouring housing development. A higher density would be likely to be

visually and physically incompatible with the local village context. Moreover, a higher density would be likely to be harmful to the openness of the Green Belt.

- 66. Policy DP/2 of the Local Development Framework states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
- 67. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
- 68. The application site comprises a small gap within an otherwise built up frontage. The proposed buildings have been set back into the site behind an attractive open green frontage to ensure that they reflective of the existing building line in the street. The proposed scale and mass is the same as the existing neighbouring development either side.
- 69. In terms of detailed design and appearance the proposals will be reflective of the cottages to the East and the newer housing development to the West. Parking will be well hidden to the rear of the site. Conditions requiring a landscaping scheme and boundary treatment are nonetheless considered appropriate.

Residential Amenity

- 70. The proposed footprints of the two dwellings will be situated between the existing older properties to the East and the newer recently completed dwellings to the West. There will be a gap of 3m to the new properties to the West and a larger gap of 7 metres to the older cottage to the East. This pattern of development spacing is considered to be in keeping with the general street scene and is considered to be one which will ensure there will be no material harm caused to neighbouring residential amenity.
- 71. The 7 metre gap to the property to the East is largely comprised of a side drive and yard serving 1 Bar Cottage. This existing neighbour has a number of ground and first floor windows on the western elevation facing the application site. At a distance of 7 metres the proposed house would have some potential to be physically overbearing, however the principal elevations of this existing property face South onto Newton Road and North into the rear garden serving this property. The West side elevation windows are largely secondary and whilst there is a small sitting out area on this west side of the property, the principal garden area is located to the rear.
- 72. There will be two ground floor windows on the eastern elevation of Plot 2 facing 1 Bar Lane Cottages, however these serve a ground floor toilet and utility. In any case, there is a 1.8m high close boarded fence proposed along the boundary with 1 Bar Lane Cottages. There is also a first floor window proposed in the eastern elevation of Plot 2. This will serve an en-suite and thus will be obscurely glazed, so there will be no potential for overlooking of 1 Bar Lane Cottages.
- 73. Taking account of these particular contextual factors it is considered that there will be an acceptable relationship between the application site and 1 Bar Lane Cottages.
- 74. There are no residential amenity impacts to any other sides. A condition requiring levels to be confirmed is nonetheless considered necessary.

Services and Facilities

75. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising '*housing should be located where it will enhance or maintain the vitality of rural communities*', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
76. Whittlesford is served by some services and facilities which include a village hall, church, primary school, social club, pavilion, post office/village stores, two pubs, vets, art gallery, hotel and a petrol garage. The scale of proposed development is very modest and would help to support and sustain these existing services and facilities.

Access and Transport

77. The Highways Authority raises no objection to the proposal subject to the imposition of conditions regarding submission and agreement of a construction traffic management plan and removal of permitted development rights for any new vehicular accesses to be taken from Newton Road. The proposal is thereby acceptable from a highways perspective. The condition relating to removal of PD rights for a new access onto Newton Road is not considered to be necessary because this is an adopted highway and planning permission would be required in any case for the creation of a new vehicular access.

Drainage

78. The site lies in Flood Zone 1 and is not at risk from flooding.
79. Given the very small nature of the proposal it is considered to deal with the management of foul and surface water disposal by way of planning condition.

Ecology

80. The Ecology Officer raises no objection to the proposal subject to conditions to control the timing of vegetation clearance and to secure ecological enhancement. The proposal is thereby acceptable in this regard.

Planning Obligations

81. The proposals are not of a scale which would trigger and developer contributions.

Conclusion

82. The application site is located in the Green Belt, however the site forms an acceptable example of limited infilling which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The proposal therefore complies with paragraph 89 of the NPPF and should be regarded as development which is not inappropriate in the Green Belt.
83. The wider open and undeveloped land to the rear of the application site and on the opposite side of Newton Road is considered to make the greatest and most significant contribution to the openness of the Green Belt in this particular location. By contrast, the application site comprises a modest infill opportunity, the development of which would not cause any material harm to the Green Belt.
84. In considering this application, the following relevant adopted development plan

policies are to be regarded as out of date while there is no five year housing land supply:

Core Strategy

ST/1 Green Belt
ST/2 Housing Provision
ST/6 Group Villages

Development Control Policies DPD, 2007

DP/7 Development Frameworks
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
HG/1 Housing Density
HG/2 Housing Mix
NE/6 Biodiversity

Draft Submission Local Plan

S/4 Cambridge Green Belt
S/7 Development Frameworks
S/10 Group Villages
NH/4 Biodiversity
H/7 Housing Density

85. 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, which sets out a presumption in favour of sustainable development.
86. In this case, although the application site is located outside of the village framework, it occupies a sustainable location within a group of housing close to Whittlesford. The location is considered to be a sustainable one and the scale of development proposed is considered to be acceptable. The site is not remote or isolated and has reasonable accessibility to employment opportunities and public transport provision.
87. The proposals will have some positive sustainability outcomes, contribution in a modest but nevertheless valuable way to meeting the Council's current shortfall in housing land provision.
88. The proposals are considered to be acceptable in relation to their detail layout, design and appearance, impacts on residential and visual amenity, access and highway safety and all other material planning considerations.

Recommendation

89. Officers recommend that the Planning Committee should approve the proposal subject to the following conditions:
- (i) **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.) Approved Plans.

- (ii) **The development hereby permitted shall be carried out in accordance with the following approved plans:**

- **PC-700-P01 Rev B – Plans, Elevations, Site Plan and Location Plan**

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

- (iii) **No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)Landscaping.

- (iv) **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.)Boundary Treatments.

- (v) **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.

- (vi) **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for each dwelling shall be completed before that dwelling is occupied in accordance**

with the approved details and shall thereafter be retained.

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

- (vii) No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.**

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

- (viii) Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.**

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- (ix) 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.)

- (x) 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.**

(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.)

- (xi) No demolition or construction works shall commence until a traffic**

management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are: -

- (1) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).**
- (2) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street.**
- (3) Movements and control of all deliveries (all loading and unloading should be undertaken off the public highway).**
- (4) Control of dust, mud and debris).**

(Reason – In the interests of highway safety).

- (xii) No construction site machinery or plant shall be operated, no noisy works shall be carried out and no constructed related deliveries taken at or despatched from the site except between the hours of 0800 – 1800 Monday to Friday, 0800 – 1300 Saturday and at no time on Sundays or Bank or Public Holidays.**

(Reason – In the interests of residential amenity)

- (xiii) Should driven pile foundations be proposed, no development shall commence until a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer.**

(Reason – In the interests of residential amenity).

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

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

Background Papers:

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/0238/16/OL

Report Author:

Thorfinn Caithness
Telephone Number:

Principal Planning Officer
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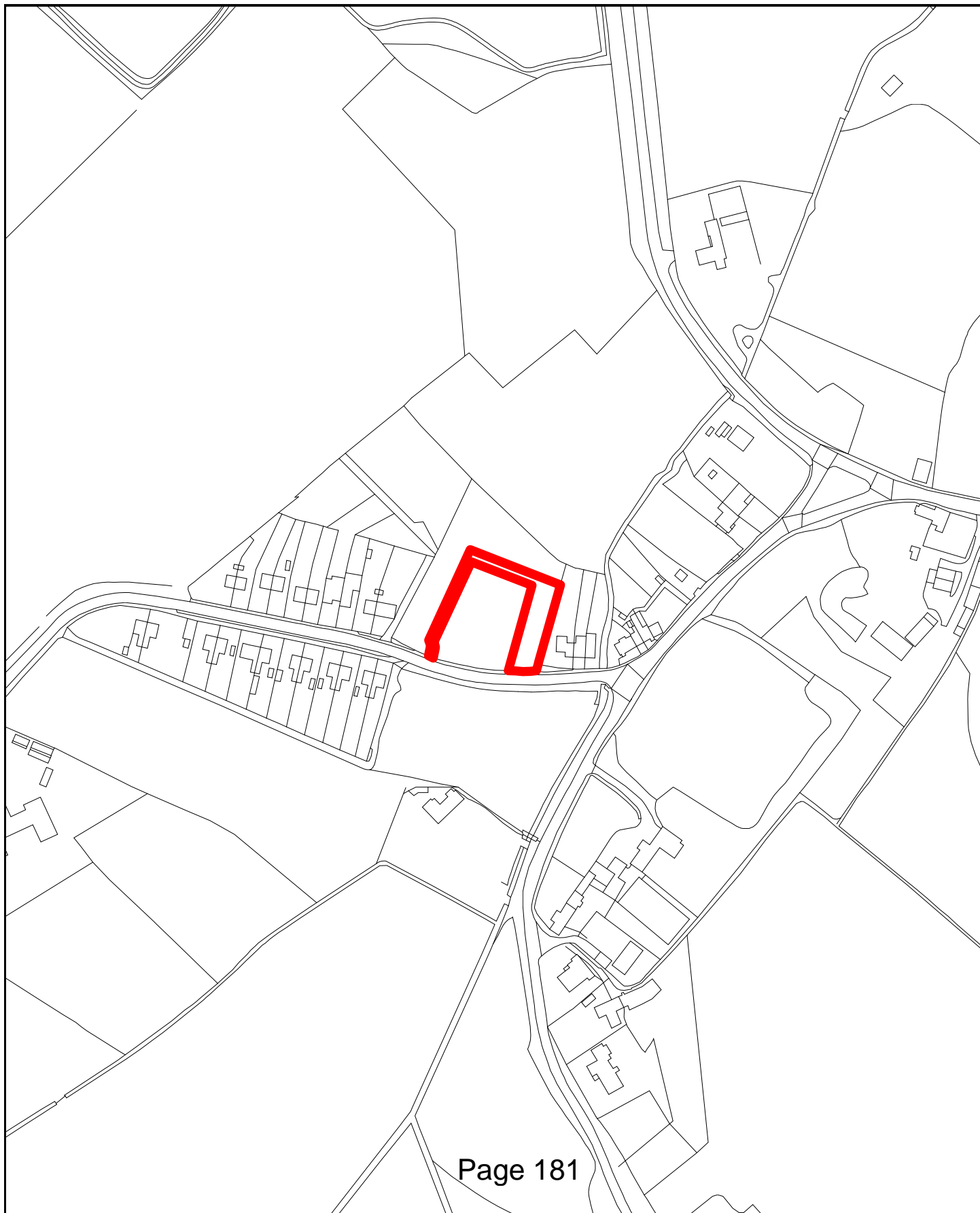
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Cambridgeshire
District Council**

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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2016

AUTHOR/S: Head of Development Management

Application Number:	S/0089/16/FL
Parish(es):	Papworth Everard
Proposal:	Demolition of existing dilapidated church and erection of four new apartments
Site address:	St Francis of Assisi Roman Catholic Church, Ermine Street North, Papworth Everard, Cambridgeshire
Applicant(s):	Nicholas Kearney, Roman Catholic Diocese of East Anglia
Recommendation:	Delegated Approval Subject to Legal Agreement to Secure Affordable Housing
Key material considerations:	Planning Policy and Principle Housing Land Supply Sustainability Loss of Community Facility Impact on Character and Appearance of Conservation Area Access and Parking Design Considerations Density Housing Mix Affordable Housing Impacts on Trees Residential Amenity Archaeology Developer Contributions
Committee Site Visit:	6 September 2016
Departure Application:	Yes
Presenting Officer:	Thorfinn Caithness, Principal Planning Officer
Application brought to Committee because:	The recommendation to approve conflicts with the objection of the Parish Council
Date by which decision due:	9 September 2016 (extension of time agreed)

Executive Summary

1. The application seeks full planning permission for the erection of four residential

apartments following demolition of St Francis Of Assisi Roman Catholic Church at Papworth Everard. The application site is located inside the village framework of a Minor Rural Centre wherein residential development proposals of up to 30 dwellings on individual sites will be supported. This is considered to be an accessible and sustainable location in the centre of the village, close to a good range of services and facilities and will involve the re-use of previously developed land.

2. Site Specific Policy SP/10 of the adopted Local Plan is considered to be a housing delivery / restriction policy, as it seeks to promote the delivery, but also restrict the potential amount of housing in order to achieve a mix of land uses, to include employment and community uses. This policy is considered to be out of date, and whilst some weight can be afforded to it, it is considered the greatest weight should be afforded to the delivery of more housing at a time when there is a recognised shortfall, rather than the delivery of a mix of land uses.
3. The concerns of the Parish Council with regards to the loss of a valuable local community facility are noted, however the church of 1960's origin is in an extremely poor state of disrepair, is boarded up, the wider grounds are unkempt and unmaintained and the site and building has been closed and inaccessible to the public for 10 years. It may be the case that an alternative owner could acquire the site, reinvest in the existing building and make it available and accessible once again for community use. However, the submitted structural report outlines that this would require significant and extensive repairs and renovation works, the cost of which is considered to be disproportionate to the value of the site and building and thus is unlikely to be a viable proposition.
4. Although national and local planning policies seek to guard against the loss of valuable local facilities it is not considered that the proposed loss in this case would cause an unacceptable reduction in the level of community or service provision in the locality, taking account of the protracted period over which the building has been closed and unavailable for public use, the presence of other village services and facilities which provide a convenient and accessible alternative to the application site and the structural engineer's report outlining the extensive repairs required at considerable and disproportionate cost.
5. With regards to the impact of the proposed demolition and redevelopment on the Papworth Everard Conservation Area it is considered that there will be no harm and the character and appearance of this designated heritage asset will be preserved, in accordance with section 72(1) of the Listed Buildings and Conservation Areas Act, 1990. This places a statutory duty on the local planning authority to have special regard to the desirability of preserving and enhancing the character, appearance and setting of Conservation Areas. The proposed demolition of the existing dilapidated building of 1960's ubiquitous, utilitarian design and appearance and its replacement with a well designed, quality new building reflective of the scale, design and appearance of neighbouring buildings is considered to comprise a positive planning gain and significant enhancement of the heritage asset.
6. The concerns of the Parish Council with regard to access and parking are noted, however there are no objections from the Highway Authority. The proposed access has good visibility in both directions and on-street parking for the general public will remain available in the existing frontage lay-bay, despite a small reduction to accommodate the access. The proposed off-street car parking will be located to the sides and front of the building, however the retention of the existing mature frontage trees, combined with the planting of a new frontage hedge will screen an otherwise small scale and largely innocuous domestic parking area.

7. Regard has been had to a number of mature trees on the site, including a protected tree on the frontage. The detailed layout and design seeks to retain these valuable natural assets and accommodate the new build proposals within this constraint, much in the same way as the existing building, which is in fact much closer to the existing trees than the application proposals, has developed a compatible relationship with these mature trees. The positions of the proposed access, building and parking areas have sought to take account of root protection areas, and where encroachment is necessary, this is small in scale and suitable no-dig construction methods can be employed to safeguard the tree roots.
8. The proposals trigger a requirement to provide 40% affordable housing. The applicant is committed to meeting this obligation and has undertaken initial negotiations with a number of Registered providers, with confirmed interest from at least one for on-site provision. The provision of 2 no. on-site affordable units is considered to weigh significantly in favour of the application, and to a degree compensates for the perceived loss of a valuable community facility. Likewise, the provision of 2 no. additional market homes at an accessible and sustainable location involving the re-use of previously developed land also balances in favour of the proposal.
9. Account has also been had for other material planning considerations and interests of acknowledged importance, including archaeology, drainage and residential amenity and the application is considered to be acceptable in all regards.
10. Taking account of all of these factors, notwithstanding the loss of the existing community facility, it is considered that there are a number of convenient and accessible alternatives available in the village which will satisfactorily compensate for this loss. Moreover, there are a number of clear positive planning outcomes which balance in favour of the application, including enhancement of the Conservation Area, provision of additional housing (including much needed affordable housing) and reuse of a previously developed land at an accessible and sustainable location.

Site and Surroundings

11. The application site comprises a 1960's origin brick building of utilitarian design and appearance. It has been used historically as a church with church hall for religious serves and for general community meeting and other functions. The building closed in 2007 at which time a survey was undertaken and the building was judged to be unsafe and costs for repair and renovation were deemed to be disproportionate and unviable to bring the building back into community use. The building has been boarded up and has remain closed and inaccessible to the public ever since. The boarded up building is highly visible in the public street scene and currently exerts a negative impact generally and also more specifically on the designated Conservation Area. The associated grounds to the sides and rear, which are exposed and visible from a footpath linking Ermine Street North to the Elm Way residential estate are also overgrown and unkempt and there are visible signs that the building and the site have been subject to vandalism.
12. The church building is located within the village framework and also within the designated Conservation Area. The site is also located within adopted Site Specific Policy Area SP/10 Site 2- Papworth Everard Village Development - Papworth Everard West Central. The objectives of this adopted policy are as follows: -

“Redevelopment will be based on a mixed-use development aimed at the continued invigoration of the village of the village centre with community uses, employment and housing development.

Any scheme must be well related to, and respect the character of, Papworth Everard Village centre and integrate with the housing allocation to the south”.

13. Policy SP/10 also states that further guidance will be detailed in supplementary planning documents, however to date these have never been prepared.
14. The continued invigoration of the village centre objectives of Policy SP/10 Site 2 are being carried forward into emerging Local Plan Policy H/3 ‘Papworth Everard West Central’, which again seeks to secure a mix of uses including community, employment and housing.
15. The site contains a number of attractive, mature trees, notably along the Ermine Street North frontage. These trees make an important contribution to the character, appearance and distinctiveness of the street scene and the designated Conservation Area.
16. Surrounding land uses comprise residential development on three sides to the North, South and West and Ermine Street North to the East, beyond which is a modern development of shops, cafe and library in a contemporary central village location.
17. There is a public footpath located to the North of the site which links Ermine Street North with Elm Way.
18. The site is in Flood Zone 1 and therefore is not affected by flood risk.

The Proposals

19. The application consists of the following key elements: -
 - (a) Demolition of existing 1960’s dilapidated and closed church building;
 - (b) Erection of a two storey building to house 4 no. 2-bedroom apartments;
 - (c) Provision of 2 no. on-site affordable homes;
 - (d) Modest contribution to housing land supply;
 - (e) Re-use of previously developed land at an accessible, sustainable location;
 - (f) Retention, protection and incorporation of existing mature trees and additional supplementary landscape planting;
 - (g) Provision of off-street parking, turning and servicing space;
 - (h) Good quality new build design in keeping with the size, scale, form and detailed design and materials of existing neighbouring developments;
 - (i) Provision of good sized private and communal amenity areas.
 - (j) Creation of new vehicular access onto Ermine Street North.

Planning History

20. S/2196/13/FL – Demolition of extension to church and erection of 1 dwelling – Refused – On grounds of no developer contributions offered.

S/1857/07/F – Demolition of church and erection of 2 dwellings – Refused on grounds of conflict with emerging Policy SP/10 in terms of lack of mix of land uses and inefficient use of land.

S/2435/02/O – Demolition of church and erection of 2 dwellings – Withdrawn.

S/0752/74/0 – Proposed Nursery / playgroup usage for two years only

Planning Policy

21. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.

National Guidance

22. National Planning Policy Framework 2012 (NPPF)
National Planning Practice Guidance 2014 (NPPG)

Development Plan Policies

23. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/3 Re-Using Previously Developed Land and Buildings
ST/5 Minor Rural Centres
24. **South Cambridgeshire LDF Site Specific Policies DPD, 2010**
SP/10 Papworth Everard Village Development
25. **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
SF/1 Protection of Village Services and Facilities
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/9 Water and Drainage Infrastructure
CH/2 Archaeological Sites
CH/5 Conservation Areas
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
26. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**
District Design Guide - Adopted March 2010
Open Space in New Developments SPD - Adopted January 2009
Affordable Housing – Adopted March 2010
Trees & Development Sites – Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
Cambridgeshire and Peterborough Waste Partnership (RECAP) Waste Management Design Guide – Adopted February 2012
Conservation Areas

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

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/9 Minor Rural Centres
CC/1 Mitigation and Adaption to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
HQ/1 Design Principles
NH14 Heritage Assets
H/3 Papworth Everard West Central
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
H/11 Residential Space Standards for Market Housing
SC/3 Protection of Village Services and Facilities
SC/4 Meeting Community Needs
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

28. **Papworth Everard Parish Council** - The Parish Council recommends refusal for the following reasons: -

Vehicular Access

The access will cut across the existing Ermine Street lay-by, the reduction in size constitutes a loss of amenity for the general public who use the lay-by as a convenient village centre drop-off and pick up point, particularly for the local school. The lay-by is also used by those accessing village amenities, such as the GP's surgery, pharmacy, library, post office and shops.

The site is also a short distance from a light-controlled pedestrian crossing, frequently used by schoolchildren and the elderly. A better, safer and more convenient access to the site would be from Elm Way.

Lack of Clarity on the Plans

The plans are not clear with regards to the position of the application site relative to the public footpath connecting Ermine Street North with Elm Way, which is a safer routes to school designated path.

Parking

The presence of parked cars to the frontage will be visually unattractive and inconvenient for residents. Parking should be to the rear where there is more than

adequate space. Access should also be from Elm Way.

Hedge Planting Proposals

The use of a Hawthorn hedge on the Ermine Street North frontage is not suitable due to likelihood of car and bicycle tyre punctures.

Lack of Funding for Items of Community Benefit

The application, if approved will be removing what has been for many years an important community building and meeting place – both the church and its adjacent church hall. It is also within the Papworth West Central development areas covered under Site Specific Policy SP/10 of the LDF, which seeks a mixed-use re-development of this part of Papworth Everard. In recognition of this, and as this application is purely for residential use, an adequate donation should be made by the owner / developer towards the provision of replacement facilities that will benefit the village community. The Parish Council continues to seek appropriate site for the provision of a small hall suitable for young people's recreation – both formal (scouts, guides etc) and informal (drop-in centre / youth club). Improvements to the provision of facilities on the playing field, which is very near to the application site are also sought.

29. **Local Highways Authority** - No objections subject to conditions relating to the following: -
- Provision and maintenance of vehicular and pedestrian visibility splays.
 - Falls and levels of the access road to prevent water draining onto the public highway.
 - Access to be constructed using a bound material.
 - Minimum width of access.
 - Provision and retention of off-street parking and turning space.
 - Permanent closure of existing access to the church.
 - Traffic Management Plan to be submitted and agreed.
30. **Historic Buildings Officer** - No great concerns about the proposed design. The external materials and details of the windows and doors should be conditioned.
31. **Archaeology** - No objections. The site lies in an area of high archaeological potential. No objection subject to the imposition of a standard condition requiring implementation of a programme of archaeological work in accordance with a written scheme of investigation.
32. **Trees Officer** - Comments awaited.

Representations

33. No letters of representation have been received from local residents.

Planning Assessment

34. Applications are to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The adopted Development Plan comprises the South Cambridgeshire Core Strategy DPD, 2007, Development Control Policies DPD, 2007 and Site Specific Policies DPD.

35. The emerging Local Plan comprises the South Cambridgeshire Local Plan, Proposed Submission Version, July 2013 and associated Policies Map. This plan has not yet been adopted and remains subject to independent examination therefore very limited weight can be attached to the policies contained therein at this time.
36. The application has been advertised as a development affecting the setting of a Conservation Area.
37. The key issues in relation to this application are considered to be Planning Policy and Principle, Housing Land Supply, Sustainability, Loss of Community Facility, Impact on Character and, Appearance of Conservation Area, Access and Parking, Design Considerations, Density, Housing Mix, Affordable Housing, Impacts on Trees, Residential Amenity, Archaeology, Developer Contributions.

Planning Policy and Principle of Development

Housing Land Supply

38. 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.
39. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
40. Further guidance as to which policies should be considered as 'restricting housing land supply' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court extended the definition of 'relevant policies for the supply of housing' from, 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what weight should attach to such relevant policies.
41. In the case of this application policies which must be considered as potentially influencing the supply of housing land are as follows:

Core Strategy

ST/2 (Housing Provision),
ST/3 (Re-Using Previously Developed Land and Buildings)
ST/5 (Minor Rural Centres)

Site Specific Policies

SP/10 Papworth Everard Village Development

Development Control Policies

DP/1 Sustainable Development
DP/7 Development Frameworks
HG/1 Housing Density
CH/2 Archaeological Sites
CH/5 Conservation Areas

Emerging Submission Local Plan

S/7 (Development Frameworks)
S/9 (Minor Rural Centres)
H/7 (Housing Density)
H/3 Papworth Everard West Central

42. 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.
43. The application site is located inside the Papworth Everard village framework where the principle of residential development is regarded as acceptable in principle.
44. Site Specific Policy SP/10 however seeks to secure a mix of development within the Papworth Everard Site Specific Policy Area with the objective of reinvigorating the village centre. The application is exclusively for housing and does not include a mix of land uses. Policy SP/10 seeks to deliver housing and restrict the amount of housing in favour of a mix with other uses. It is therefore a housing supply and restriction policy and so is considered out of date. As such, whilst some weight can continue to be given to the objectives of this policy, when assessed in the planning balance, it is considered that the greatest weight should be given to the objective increasing the delivery of housing given the current shortfall, rather than the achievement of a mix of land uses on this particular application site.
45. It is also the case that the application site is modest in size and thus given this factor it is unlikely to be practical or feasible to deliver a mixed land use proposal. It is acknowledged that this may be a consequence of the piecemeal nature of the current application, which seeks only to redevelop a small part of the Policy SP/10 area as opposed to its holistic redevelopment, and whilst this could be interpreted as a policy conflict, it has been set out that this housing delivery / restriction policy is out of date therefore greater weight should be attached to the overall sustainability benefits of the application proposals.
46. Papworth Everard is identified as a Minor Rural Centre under Policy ST/5 of the LDF Core Strategy and as a Minor Rural Centre under Policy S/9 of the emerging Local Plan where there is a good range of services and facilities, public transport provision and accessibility to employment opportunities. Policy ST/5 of the adopted Core Strategy offers support to residential development and redevelopment up to an

indicative maximum scheme size of 30 dwellings within the village framework. Policy S/9 of the emerging Local Plan supports residential developments up to an indicative maximum scheme size of 30 dwellings, within the development frameworks of Minor Rural Centres. The erection of 4 apartments would therefore be consistent with the scale and amount of residential development normally supported in such locations and thus is considered to be acceptable in relation to this tier of the settlement hierarchy, set out within both the existing and emerging Development Plans. Papworth Everard is a sustainable location which is capable of accommodating this level of additional housing. Therefore substantial weight can be applied to policy ST/5 of the adopted Local Plan and Policy S/9 of the emerging Local Plan.

Deliverability

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

Sustainability of Development

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

Economic

49. The provision of 4 new apartments will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social

50. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering 4 residential apartments. 40% of these units will be affordable (2 units), to be provided on-site by a Registered Local Provider. Officers are of the view the provision of 4 apartments, including the affordable dwellings, is a benefit and significant weight should be attributed to this in the decision making process.

Environmental

Trees/Landscaping

51. The site contains a small number of mature trees, including a protected tree on the site frontage. At the time of writing this report the formal response from the Council's Tree section is awaited, however the application proposals seek to safeguard and retain the existing mature trees. A new mature hedgerow is also proposed to complement the existing frontage trees.
52. The application is supported by an arboricultural assessment. Planning conditions are recommended to ensure appropriate tree protection measures are installed during the construction phase, to agree landscaping for the site and to ensure replacement planting if required.

The retention of mature trees and provision of additional planting should also be regarded as valuable biodiversity management and enhancement for the site.

Loss of Community Facility

53. At a national planning policy level there is clear and strong support for promoting healthy communities, with paragraph 69 of the NPPF calling upon the planning system to facilitate social interaction and the creation of healthy, inclusive communities and paragraph 70 seeking to deliver the social, recreational and cultural facilities and services the community needs. To facilitate this, planning policies and decisions should, amongst other things, plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities, and guard against the unnecessary loss of valued facilities and services.
54. At a local level, Policy SF/1 of the Development Control Policies DPD states that planning permission will be refused for proposals which would result in the loss of a village service, including village pubs, shops, post offices, community meeting places or health centres, where such a loss would cause an unacceptable reduction in the level of community or service provision in the locality. The following matters will be considered in determining the significance of the loss: -

The established use of the premises and its existing potential contribution to the social amenity of the local population

55. The existing use of the building is a 1960's origin church and church hall. The building has been closed, boarded up and inaccessible to the community since 2007. It is in a considerable state of disrepair. A structural survey report supports the current application and demonstrates that to return the building to an acceptable and viable condition would require considerable repair and upgrading works at considerable and disproportionate cost.
56. If someone was prepared to invest considerably in regenerating the building it is possible that it could once again make a valuable contribution to the social amenity of the community, but having regard to its age, condition and the associated cost, a judgement needs to be reached as to whether such an outcome is realistic, and the likely time scale involved. Taking account of the conclusions and recommendations of the structural survey report it is considered highly unlikely that there would be any forthcoming interest / investment to repair and upgrade the existing building and return it to community use. Its likely potential future contribution to local social amenity is therefore considered to be limited.

Assets of Community Value

57. The Localism Act, ("the Act"), 2011 introduced the Assets of Community Value (England) Regulations 2012. The provisions give local groups a right to nominate a building or other land for listing by the local planning authority as an asset of community value. It can be listed if a principal ("non-ancillary") use of the asset furthers (or has recently furthered) their community's social well-being or social interests (which include cultural, sporting or recreational interests) and is likely to do so in the future. When a listed asset is to be sold, local community groups will in many cases have a fairer chance to make a bid to buy it on the open market. The Regulations require that the owner of an asset on the list must notify the Council before making it available for sale or lease and community groups will have an

opportunity to register a potential bidder.

58. Checks have been undertaken and the building the subject of this application is not on the Council's List of assets of Community Value.
59. It should be made clear that the Regulations set out a number of exceptions. These include disposals of closed Church of England Churches under Part 6 of the Mission and pastoral Measure 2011. As such, in the case of the application building, which is a church, it is unlikely that the Regulations would apply in any case.

The presence of other village services and facilities which provide an alternative with convenient access by good local public transport services, or by cycle and walking

60. The applicant has outlined that there are a number of other similar community meeting room facilities and religious buildings in the village which would compensate for the loss of this particular community asset, including 2 churches (St Peters and the Vinter Room), 4 sports clubs, a library opposite the site and a large recently refurbished village hall, all of which are at convenient and accessible locations. Taking account of this local provision and the fact that the facility has been closed for 10 years, with no compelling community action to seek its repair and re-opening, it is considered that there are a number of reasonable, convenient and accessible alternatives capable of absorbing and compensating for what appears to be the inevitable loss of this facility.

The future economic viability of the use including, in appropriate cases, financial information and the results of any efforts to market the premises for a minimum of 12 months at a realistic price

61. The applicant has not provided any evidence of a marketing exercise, however a recent structural survey report has been submitted which outlines that the building displays several significant defects necessitating extensive refurbishment, including re-rendering, re-roofing, removal of internal asbestos cement boarding, new insulation, replacement services (wiring and plumbing), new windows, and new rainwater goods. Internally it also the case that all internal furniture, fixtures and fittings have been removed and these would need to be replaced, and internal redecoration undertaken. It is considered that costs associated with such extensive works would be prohibitively extensive and thus the prospect of the historic community use being reinstated is not considered to be viable. The demolition and rebuild option being proposed by this current application is therefore considered to be a reasonable one.

Impact on Character and Appearance of Conservation Area

Conservation Area

62. In relation to preserving the character and appearance of Conservation Areas Section 72(1) of the Act provides:

“ . . . special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”
63. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states:

“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”.

64. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
65. 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”.
66. Recent planning case law has confirmed that paying “special attention” to the desirability of preserving or enhancing the character and appearance of a conservation area under section 72, 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 Conservation Areas means doing no harm.
67. Moreover, there is a statutory presumption, and a strong one, against granting planning permission for any development which would fail to preserve the character or appearance of a conservation area. A finding of harm to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. Even if harm is considered to be “less than substantial” then “considerable importance and weight” to the desirability of preserving and or enhancing should be applied.
68. In the context of considering this application, a judgement must be made as to whether the development proposals would cause any harm to Papworth Everard Conservation Area, having regard to the statutory duty to have special regard to the desirability of preserving character and appearance.
69. If there is harm, a judgement needs to be made as to whether this harm is substantial (including total loss of significance of a heritage asset) or less than substantial. Where harm is identified, the overarching statutory duty requires considerable weight to be given to preservation, and a strong statutory presumption against development should apply.
70. The application site is located in the designated Conservation Area. The existing church building is a rather ordinary, utilitarian looking structure of 1960’s origin. It does not possess any obvious, unique or distinctive architectural or historic interest and it is not a Listed Building. It is in a dilapidated condition and is boarded up and is an inactive building. Given its ordinary design, poor quality condition and appearance and inactive use it is considered that the building should not be regarded as performing a positive role in terms of defining the character and appearance of the Conservation Area. In fact, it is considered that the building exerts a negative and harmful impact on the character and appearance of the heritage asset, therefore the proposed demolition and replacement with a quality new building, set within the retention of the

existing mature trees on the site frontage is considered to represent a significant planning gain and enhancement of the heritage asset.

71. It is considered that the proposed enhancement of the Conservation Area Heritage Asset should be classed as a significant material planning consideration to which great weight should be attached.

Archaeology

72. The application site is in an area of known archaeological sensitivity.
73. The County Archaeologist has been formally consulted and has no objections subject to a standard condition requiring implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Access and Parking

74. The existing church building has an existing vehicular access onto Ermine Street North. This is to be closed off and a new vehicular access proposed at the southern end of the frontage to avoid the mature trees.
75. The new access will be accessed through an existing small on-street lay-by which provides on-street parking for approximately 6 cars. One or two of these on-street spaces would be lost to ensure the access is not blocked, but 3 / 4 spaces would be left over for continued on-street parking
76. Parking is proposed in an informal parking court to the front and sides of the building behind the mature trees.
77. The Parish Council has expressed concerns about the loss of on street parking in the existing lay-by and about potential conflict with the nearby pelican crossing point. They also consider that the proposed parking to the front of the building is undesirable, as it would be exposed in the street scene views. Furthermore, they consider that access to the site should be gained from Elm Way to the rear and they have concerns about conflict with the footpath connecting Elm Way to Ermine Street North.
78. The Highways Authority has considered the application and raises no objections subject to the imposition of conditions regarding provision and maintenance of visibility splays, the falls, levels and construction of the proposed access, submission of a traffic management plan and permanent closure of the existing vehicular access. The proposal is thereby acceptable in this regard.
79. The concerns of the Parish are noted, however the proposed access will result in only a minor loss of on-street parking in the existing lay-by.
80. With regards conflict with the pelican crossing, the Highway Authority does not consider that there would be any conflict. It is the case that the church building would have generated its own traffic movements historically and a modest development of 4 apartments is likely to generate less traffic than the existing land use, therefore conflict with the crossing is not considered to be a material highway concern.
81. With regards the off-street parking provision to the sides and front of the building, this is considered to be reflective of other similar examples. Set behind the mature frontage trees and supplementary new frontage hedge, this parking will be less

exposed than the current on-street parking in the lay-by which the Parish Council is keen to see retained.

82. The request by the Parish Council for the access to be taken from the rear is noted, however the local planning and highway authorities must judge the merits of the access proposals presented and in this case the proposed access from Ermine Street North is considered to be acceptable and no different to the existing community building. The applicant has also pointed out that access from Elm Way is not an option because the point of contact with Elm Way comprises third party land which is not within the applicant's ownership or control.
83. In relation to the existing connecting footpath between Elm way and Erime street North there will be no conflict. This footpath will be left intact and so the proposals will have no impacts on its continued use and enjoyment.
84. Overall there are considered to be no highway reasons to warrant refusal of the application.

Design Considerations

85. Section 7 of the National Framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, paragraph 58 of the NPPF states that developments should, amongst other things, add to the overall quality of the area, establish a strong sense of place, respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation, and be visually attractive with appropriate landscaping.
86. The layout and design proposals are considered to be satisfactory and should be regarded as a considerable improvement in townscape and visual amenity terms, replacing the poor quality, dilapidated eyesore of a building with a quality new building, reflective of an in keeping with the scale, orientation and detailed design and appearance of neighbouring new developments.
87. The spaces around buildings and the landscaping of sites also make an important contribution to the design quality of development sites and in this regard the proposals seek to retain the existing mature trees and absorb the new building into this existing mature sylvan context.
88. Conditions are advised to agree details of materials, hard and soft landscaping and boundary treatments to ensure a quality built environment will be delivered.

Housing Density

89. The site measures 0.1 hectares in area. The development equates to a density in the region of 40 dwellings per hectare, which is considered to represent an effective and efficient use of previously developed land at a sustainable, accessible location, in accordance with the requirements of Policy HG/1 of the LDF.

Housing Mix

90. The application is only modest in terms of unit numbers and thus it is difficult to deliver a mix of property sizes in this case. It is considered that the provision of 4 no. 2-bed

properties will provide some smaller house types which will be attractive to the market, thus there is considered to be no material conflict with the requirements of Policy HG/2 of the adopted Local Plan and Policy H/8 of the emerging Local Plan. The apartments accord with Policy H/11 Residential Space Standards for Market Housing in the emerging Local Plan.

Affordable Housing

91. Policy HG/3 of the adopted Development Plan seeks the provision of 40% affordable housing on residential development schemes of 2 or more dwellings. Policy H/9 of the emerging Local Plan seeks provision of 40% affordable housing on schemes of 3 or more. The application therefore triggers provision of affordable houses based on adopted and emerging policy. The submission proposes on-site delivery of affordable housing, comprising of 2 units. The applicant is committed to meeting this obligation and has commenced discussions with Registered Providers, with firm interest expressed from at least one provider. A legal agreement will be needed to ensure delivery of a satisfactory scheme of on-site affordable housing.

Impacts on Trees

92. The application site contains a number of mature trees, notably along the Ermine Street North frontage, including a protected tree. The application is supported by an arboricultural assessment by a suitable qualified tree consultant. At the time of writing this report the formal response of the Council's tree officer is awaited. The application makes it clear that the existing mature trees are to be retained and the proposals can be accommodated on the site without significant or harmful encroachment into root protection areas. Conditions will be needed to agree routes for services, tree protection measures during construction and non-dig construction methods where development of the frontage parking is partially proposed in the root protection areas.
93. It should be noted that the proposed building will be located further back into the site than the existing building and thus the building will have an improved physical relationship with the mature trees than is currently the case.
94. Members will be updated at the committee meeting with the formal comments of the tree officer.

Residential Amenity

95. Overall, the submitted drawings demonstrate that the site is capable of accommodating the proposals without having any adverse effects on residential amenity through overlooking or overbearing impact, as required by the relevant amenity criteria of policy DP/3 of the Local Development Framework.
96. The siting and orientation of the development is such that there will be good separation distances from neighbouring properties and no opportunities for overlooking.
97. Conditions are recommended to protect existing residents during the construction phase and future residents. PD rights should also be removed for new first floor windows in the northern and southern elevations to prevent overlooking of existing neighbouring properties.
98. The residents of the new apartments will be served with good quality living environments and aspects, including provision of private and communal amenity

areas and safe and convenient off-street parking.

Developer Contributions

99. The new development would put extra demand on open space and community facilities in Papworth Everard.
100. Recent Government advice (issued through the National Planning Practice Guidance) has led to confusion over the ability of local planning authorities to seek financial contributions. That advice has now been largely cancelled as a result of the recent judicial review decision, which allows the payment of contributions to continue in appropriate cases. However, Papworth Everard is one of the villages that has pooled five or more offsite public open space contributions and as such any further request would not be Community Infrastructure Levy (CIL) compliant unless there is a specific need for contributions to make the development acceptable in planning terms. The more informal policy on indoor community facilities is also lacking when considering the CIL.
101. In this case, there is not considered to be a specific need in order to mitigate the impact of the development and contributions are not therefore sought.

Conclusion

102. In considering this application, the following relevant adopted development plan policies are to be regarded as 'out of date' while there is no five year housing land supply:

Core Strategy

ST/2 (Housing Provision),
ST/3 (Re-Using Previously Developed Land and Buildings)
ST/5 (Minor Rural Centres)

Site Specific Policies

SP/10 Papworth Everard Village Development

Development Control Policies

DP/1 Sustainable Development
DP/7 Development Frameworks
HG/1 Housing Density
CH/2 Archaeological Sites
CH/5 Conservation Areas

Emerging Submission Local Plan

S/7 (Development Frameworks)
S/9 (Minor Rural Centres)
H/7 (Housing Density)
H/3 Papworth Everard West Central

103. 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.

104. The application does exclusively propose housing in the Site Specific Policy SP/10 area of Papworth Everard where the policy seeks to deliver mixed uses including employment and community uses in addition to housing. This is considered to be a housing supply and restriction policy which is not considered up to date; therefore only limited weight should be applied to this policy objective. Conversely, the current shortfall in housing land supply means that greater weight should be applied to the presumption in favour of sustainable development and in this case there are considered to be several sustainability benefits which collectively override the loss of the existing community facility, as follows: -
- i) The provision of 4 additional dwellings and their contribution towards the 1400 dwellings required to achieve a 5 year housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector in the recent Waterbeach Appeal decisions.
 - ii) The provision of 2 affordable dwellings towards the need of 1,700 applicants across the district, to be secured off-site through a commuted sum.
 - iii) The reuse of previously developed land at a highly accessible and sustainable location.
 - iv) Significant enhancement of the Conservation Area by virtue of the removal of an unsightly and un-used and inactive building;
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy and improve their sustainability.
105. The adverse impacts of this development identified by the Parish Council, namely loss of a valued community facility, access constraints and loss of on-street parking provision are noted. However, in light of the current shortfall in housing, the existence of other convenient and accessible alternative community facilities, the positive enhancement to the Conservation Area, the re-use of previously developed land at an accessible and sustainable location and the provision of affordable housing, on balance, are considered sufficient to outweigh the loss to the community of the existing building.
106. Planning permission should therefore be granted because material considerations clearly outweigh the harm identified and the conflict with out of date policies of the LDF relating to housing delivery.

Recommendation

107. Delegated approval be granted subject to::

108. **Conditions**

- (i) **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.)Approved Plans.

- (ii) **The development hereby permitted shall be carried out in accordance with the following approved plans:**

- 15-7026-01 – Location Plan;
- 15-7026-02-D – Site Plan;
- 15-7026-14 – Street Scene;
- 16-7026-12-A – Proposed Drawings.

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

- (iii) **No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

- (iv) **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.)Boundary Treatments.

- (v) **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.

- (vi) **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].**

(a) 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.

(b) 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.

(c) 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.)

(vii) 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.)

(viii) Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

(ix) 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.) Falls and Levels and Drainage and Construction of Access Road

- (x) Development shall not begin until a detailed surface water drainage scheme for the site, based on the submitted Flood Risk Assessment (FRA) dated February 2016 (ref:33928 Rev B) has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in 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 to improve habitat and amenity, in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- (xi) Prior to the first occupation of the development, visibility splays of 2.4 metres by 43 metres shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No: 15-7026-02-D. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.**

(Reason – In the interests of highway safety).

- (xii) Two 2.0 x 2.0 metres pedestrian visibility splays shall be provided within the curtilage of the new flats. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.**

(Reason – In the interests of highway safety).

- (xiii) The proposed access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.**

(Reason – For the safe and effective operation of the highway).

- (xiv) The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.**

(Reason – In the interests of highway safety).

- (xv) The existing access to St Francis of Assisi Roman Catholic Church shall be permanently and effectively closed off and the footway / highway verge shall be reinstated in accordance with a scheme to be agreed in writing with the local planning authority, within 28 days of the bringing into use of the new access.**

(Reason - In the interests of highway safety)

- (xvi) No demolition or construction works shall commence until a traffic management plan has been agreed with the Local Planning Authority. The principal areas of concern that should be addressed are: -**

- (1) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).**
- (2) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street.**
- (3) Movements and control of all deliveries (all loading and unloading should be undertaken off the public highway).**
- (4) Control of dust, mud and debris).**

(Reason – In the interests of highway safety).

- (xvii) No demolition, construction work and or construction related dispatches from or deliveries to the site shall take place other than between the hours of 0800 – 1800 Monday to Friday, 0800 – 1300 Saturday and at no time on Sundays or Bank or Public Holidays unless otherwise approved in writing by the local planning authority.**

(Reason – In the interests of residential amenity).

- (xviii) 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 from noise 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 and DP/6 – Construction Methods).

- (xix) No development shall take place on the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work 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.)

- (xx) 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 new window openings shall be created at first floor level and above in the northern and southern elevations of the building hereby approved, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of residential in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

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

(a) Affordable housing

110. Informatives

The granting of a 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. A separate permission must be sought from the Highway Authority for such works.

Background Papers:

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

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014

Report Author:

Thorfinn Caithness
Telephone Number:

Principal Planning Officer
01954 713126

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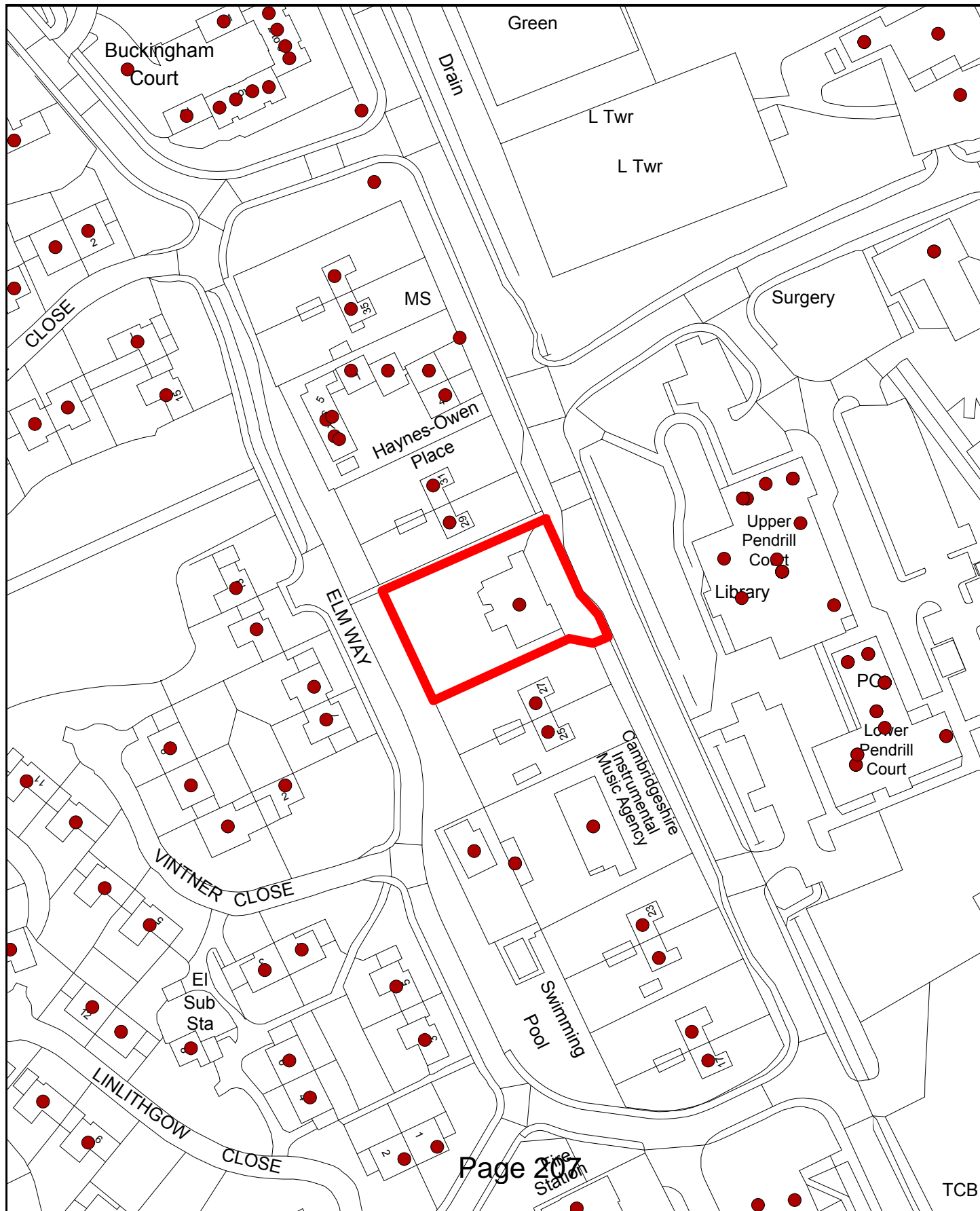
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Cambridgeshire
District Council

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Agenda Item 10



REPORT TO: Planning Committee
LEAD OFFICER: Head of Development Management

7 September 2016

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases, as at 19 August 2016
Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently 81 active cases (Target is maximum 150 open cases, Stretch target 100 open cases).
3. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1, and 2 to this report.

Updates to significant cases

5. (a) **Stapleford:**
Breach of Enforcement Notice on Land adjacent to Hill Trees, Babraham Road. Following continuing breaches of planning at this location an Injunction was approved by the High Court 17th November 2015, The compliance period to remove unauthorised vehicles and to cease unauthorised development represented by the commercial storage, car sales and non-consented operational works that have occurred there was by January 26th 2016. An inspection of the land on the 26th January 2016 revealed that the unauthorised motor vehicles, trailers, caravans etc. had along with the unauthorised track been removed from the land as required by the Injunction. The displaced vehicles have now been moved onto land at Little Abington owned by the occupier of Hill Trees and onto land adjacent to Hill Trees that belongs to Gonville and Caius College, Cambridge. Both parcels of land are the subject of extant enforcement notices. Currently advice has been sought through Counsel on the most effect route in dealing with this displacement and on balance it is felt that a High Court injunction, particularly given the recent successful outcome at Hill Trees and related planning history, including various unsuccessful challenges, is made to remedy the identified breaches. Case file currently in preparation.

File prepared and instruction given to apply for a High Court Injunction

(b) **Cottenham - Smithy Fen:**

Application received for the change of use of plot 11 Orchard Drive to provide a residential pitch involving the siting of 1 mobile home and one touring caravan, an amenity building for a temporary period until 2 May 2018. The application has in accordance with section 70C of the Town & Country Planning Act 1990 been declined. The applicants have applied for permission for a Judicial Review.

Permission granted by the Honourable Mrs Justice Patterson DBE, Grounds to resist being filed both by the Council and by the Secretary of State for Communities and Local Government as second defendant. The Judicial review which was set for 29th October 2015 has taken place at the High Court of Justice, Queens Bench division, Planning Courts before The Honourable Mr Justice Lewis. The judgement was handed down on the 22nd January 2016 in favour of the Council. The judicial review claim was accordingly ordered to be dismissed.

The Claimant had lodged an application for permission to appeal but this was refused 25th January 2016. Notwithstanding the refusal of permission to appeal by the Planning Court at first instance, the claimant has now applied to the Court of Appeal for permission to appeal the Judicial Review outcome from January.

The Court of Appeal, Civil Division has considered the application by the applicant and the application for permission to appeal is refused. A case review will shortly be carried out and next steps agreed

(c) **Sawston – Football Club**

Failure to comply with pre-commencement conditions relating to planning reference S/2239/13 – Current site clearance suspended whilst application to discharge conditions submitted by planning agent. Application to discharge pre-commencement conditions received and subsequently approved for conditions 3, 4 and Boundary Treatment – Conditions, 6,7,14,22,23,25,26,27,28,29,30,31,32 and 33 have now also been discharged. Following an application for a Judicial Review regarding the stadium, the Judicial review has taken place at the High Court of Justice, Queens Bench division, Planning Courts. The judgement was handed down and reported on the 15th January 2016 in favour of the Council. The judicial review claim was accordingly ordered to be dismissed. The Claimant in this JR has now applied to the Court of Appeal for permission to appeal the decision of Mr Justice Jay. Counsel has been made aware.

Permission to appeal allowed – Date to be advised by the Court.

(d)

Caxton

Land and property at Swansley Wood , St Neots Road, Caxton Unauthorised use of the area to the north of the land for the storage of containers contrary to the requirements of condition 1 of planning permission Reference No: S/2391/12/12/VC. Enforcement notice issued 31st March 2016. Appeal application submitted to the Planning Inspectorate but was found to be out of time. Compliance requested.

Enforcement Notice not complied with. Prosecution file submitted to Legal.

Summons served, defendant due to appear at Cambridgeshire Magistrates Court on the 1st September 2016

(e)

Abington – 45 North Road

Following the unauthorised development at the above premises and subsequent issue of a planning enforcement notice, an appeal was made that was later dismissed by the planning inspectorate. The compliance period was increased to 9 months to demolish the unauthorised structure. During the compliance period a further planning application was submitted under planning reference S/1103/15/FL on the 27th April 2015 – The application was refused on the 19th November 2015 and again was appealed. The planning inspector dismissed the appeal on the 14th April 2016

A report was to be submitted to the July Planning Committee to approve direct action by the council in relation to demolition of the unauthorised extension however a further three applications were received from the land owner prior to committee and therefore this item has been withdrawn from the agenda in order to allow officers the opportunity to review the information.

Two LDC's (Lawful Development Certificate) under planning references S/1739/16 and S/1655/16 that were submitted have since been refused The final application under planning reference S/1615/16 has not yet been determined.

(f)

Fulbourn - St Martin's Cottage, 36 Apthorpe Street,

Erection of a wooden building in rear paddock of No.36 Apthorpe Street, Fulbourn, intended for commercial use as a carpentry workshop. The building is, in the absence of a planning permission in breach of planning control and has a detrimental impact upon the Green Belt and open countryside.

A retrospective planning application has not been submitted in order to try and regularise the breach of planning control identified therefore an application to issue an enforcement notice for the removal of the building has been made

Investigation summary

- 6 Enforcement Investigations for July 2016 reflect a 23% increase when compared to the same period in 2015. The Year to date total for investigations shows an increase of 7.3% when compared to the same period in 2015

Effect on Strategic Aims

- 7.. South Cambridgeshire District Council delivers value for money by engaging

with residents, parishes and businesses. By providing an effective Enforcement service, the Council continues to provide its residents with an excellent quality of life.

Background Papers:

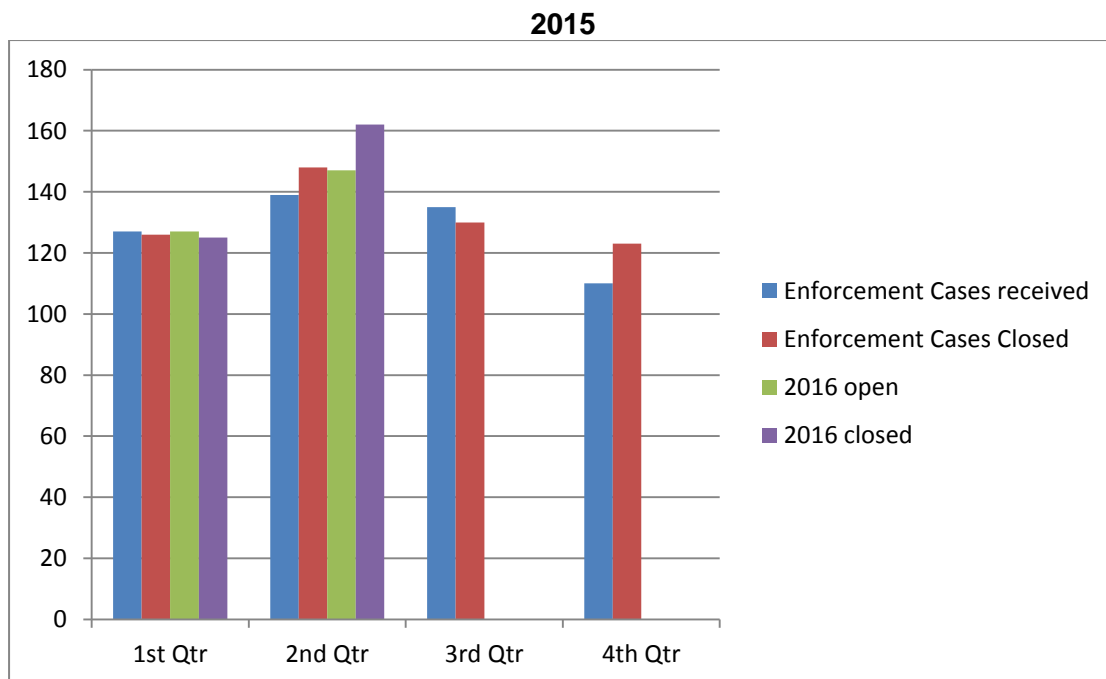
The following background papers were used in the preparation of this report:

- **Appendices 1 and 2**

Report Author: Charles Swain Principal Planning Enforcement Officer
Telephone: (01954) 713206

Enforcement Cases Received and Closed

Month – 2016	Received	Closed
1 st Qtr. 2016	127	125
2 nd Qtr. 2016	147	162
July 2016	48	37
2016 - YTD	322	324
1 st Qtr. 2015	127	126
2 nd Qtr. 2015	139	148
3 rd Qtr. 2015	135	130
4 th Qtr. 2015	110	123
2015 YTD	511	527
2014 YTD	504	476



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Notices Served and Issued

1. Notices Served

Type of Notice	Period	Calendar Year to date
	July 2016	2016
Enforcement	0	8
Stop Notice	0	0
Temporary Stop Notice	0	1
Breach of Condition	1	1
S215 – Amenity Notice	0	0
Planning Contravention Notice	0	1
Injunctions	0	0
High Hedge Remedial Notice	0	2

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
SCDC/ENF/142/16	Girton	156 Girton Road	Breach of Conditions Notice

3. Case Information

Twenty six of the forty eight cases opened during July were closed within the same period which represents a 54% closure rate.

A breakdown of the cases investigated during the July is as follows

Low priority (Development that may cause some harm but could be made acceptable by way of conditions (e.g. control on hours of use, parking etc)
Nine (9) cases were investigated.

Medium Priority (Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)
Thirty six (36) cases were investigated

High Priority (works which are irreversible or irreplaceable (e.g. damage to, or loss of, listed buildings and protected trees, where highways issues could endanger life)
Three (3) cases were investigated

Appendix 2

The enquiries received by enforcement during the July period are broken down by case category as follows.

Adverts	x 02
Amenity	x 03
Breach of Condition	x 14
Breach of Planning Control	x 11
Built in Accordance	x 04
Change of Use	x 05
Conservation	x 01
Listed Building	x 03
Other	x 05
Permitted Development	x 00
<u>Total Cases reported</u>	<u>48</u>

Agenda Item 11



REPORT TO: Planning Committee
LEAD OFFICER: Head of Development Management

7 September 2016

Appeals against Planning Decisions and Enforcement Action

Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 25th August 2016. Summaries of recent decisions of importance are also reported, for information.

Statistical data

2. Attached to this report are the following Appendices:
 - Appendix 1 - Decisions Notified by the Secretary of State
 - Appendix 2 – Appeals received
 - Appendix 3 - Local Inquiry and Informal Hearing dates scheduled

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	Telephone Number::	01954 713144
Report Author:	Ian Papworth	Technical Support Officer (Appeals)
	Telephone Number:	01954 713406

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Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date
S/3027/15/FL	119 Hay Street, Steeple Morden	Erection of single storey dwelling	Appeal Dismissed	07/07/2016
S/2803/15/FL	Adjacent to 13 Huntingdon Road, Sawston	Erection of a new two storey dwelling following demolition of existing single storey side extension	Appeal Dismissed	12/07/2016
S/2201/15/FL	Barnsbury House, Coss Drove, Fulbourn	Conversion of residential annexe to form new dwelling	Appeal Dismissed	14/07/2016
S/0090/16/FL	115 Hereward Close, Impington	Alterations and Extension to Existing Dwelling	Appeal Dismissed	25/07/2016
S/0279/16/FL	81 Coles Road, Milton	Dormer Window to Roof	Appeal Dismissed	21/07/2016
S/2166/15/FL	44 Hall Drive, Hardwick	Three Bedroom Bungalow	Appeal Dismissed	20/07/2016
S/2791/14/OL	Land to the east of New Road, Melbourn	199 Dwellings	Appeal Allowed	08/08/2016
S/1514/14/FL	The Oaks, Meadow Road, Willingham	Upgrading the existing equestrian development by the installation of a horse exerciser and riding arena, together with the siting of a residential mobile home as a dwelling to support the rural based enterprise.	Appeal Allowed	11/08/2016
S/1476/13/LD	The Oaks, Meadow Road, Willingham	Use of building as dwelling. Lawful Development Certificate	Appeal Allowed	11/08/2016
S/1451/14/FL	The Oaks, Meadow Road, Willingham	Change of use to Gypsy and Traveller residential, involving the siting of two caravans of which one would be a mobile home, together with associated	Appeal Allowed	11/08/2016

Appendix 1

		landscaping		
S/2080/15/FL	Clare Cottage, Main Street, Caldecote	Replacement Dwelling Following Demolition of Existing	Appeal Dismissed	16/08/2016
S/0892/15/LD	Enterprise Nurseries, Ely Road, Landbeach	Erection of a single dwelling house	Appeal Allowed	04/08/2016
S/0368/16/FL	8 Otter Gardens, Bar Hill	Two storey side extension	Appeal Allowed	15/08/2016
S/0635/16/FL	4A Water Lane, Histon	Erection of a wooden car port	Appeal Dismissed	04/08/2016
S/0269/16/FL	15 New Town, Cottenham	Two storey rear extension to dwellinghouse	Appeal Dismissed	15/08/2016
S/0138/16/FL	18 Tunwells Lane, Great Shelford	Single and two storey extensions to front and side of existing dwelling house	Appeal dismissed	15/08/2016
S/2630/15/VC	46 North Road, Great Abington	Removal of conditions 2 and 3 of planning application S/0699/15/FL	Appeal Dismissed	26/07/2016
S/2375/15/PJ	Units 3 and 4, North Hall Farm, Barley Road, Flint Cross, Great & Little Shelford	Change of Use of Office to Dwellings	Appeal Dismissed	25/07/2016
S/2889/15/FL	Leylands, Highfields Road, Highfields Caldecote	Proposed new dwelling	Appeal Allowed	28/07/2016
S/2416/15/FL	31 Park Street, Dry Drayton	Demolition of outbuildings and erection of new dwelling to rear and single detached garage including improvement to existing access	Appeal Dismissed	01/08/2016
S/1549/15/OL	18 Hall Drive, Hardwick	Erection of a single dwelling within the curtilage of 18 Hall Drive	Appeal Allowed with Conditions	29/07/2016
S/3250/15/FL	158 High Street, Harston	Erection of 2 no detached dwellings, together with hard and soft landscaping and	Appeal Dismissed	03/08/2016

Appendix 1

		associated infrastructure		
S/0564/15/FL	64 Barton Road, Comberton	Erection of a dwelling and ancillary access arrangements	Dismissed	19/08/2016
S/0308/14/FL	Barn Farm, East Hatley	Erection of dwelling	Dismissed	22/08/2016
S/0664/16/FL	83 High Street, Orwell	Application for drop kerb and new vehicular access	Allowed	23/08/2016

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Appeals Received

Reference	Address	Details	Date Appeal lodged
S/0447/16/FL	Ermine Farm, Bridge Street, Whaddon	Erection of dwelling in lieu of barn conversion approved under S/2017/14 and change of use of agricultural land to garden land.	13.07.2016
S/0962/15/OL	Land opposite 41 Main Road, Little Gransden	Outline application for the erection of two detached dwellings (considering Access) all other matters reserved	15.07.2016
S/0525/16/FL	Land at, Church Street, Little Gransden	Erection of a dwelling-house	27.07.2016
S/0915/16/FL	68 High Street, Balsham	Erection of a replacement garage and detached single storey dwelling	09.08.2016
S/1024/16/FL	18A High Street, Little Shelford	Demolition of existing shed and erection of a lifetime home	04.05.2016
S/1451/16/FL	20 Impetts Lane, Fulbourn	Two storey front and rear extensions, loft conversion and alterations	20.08.2016
S/1157/16/FL	43 Green End, Fen Ditton	Demolition of side extension. Refurbishment, recladding and upgrading of existing building fabric, new replacement roof terrace and external access, internal replanning	23.08.2016

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Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- Local Inquiries

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/2273/14/OL	Mr D Coulson	Land at Teversham Road Fulbourn	Planning Decision	13/09/16 – 16/09/16 & 20/09/16 – 21/09/16 6 days Confirmed
S/2870/15/OL	Bloor Homes (Eastern) & Cambridgeshire County Council	Land at Mill Road Over	Planning Decision	13/09/16- 16/09/16 & 20/09/16- 21/09/16 Confirmed
S/2510/15/OL	Gladman Developments Ltd	Land east of Highfields Road Caldecote	Non-Determination	08/11/16- 11/11/16 Confirmed
S/0537/16/LD	Endurance Estates Strategic Land Ltd	Land south of West Road Gamlingay	Planning Decision	Date TBC

- Informal Hearings

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/1320/14/FL	Mr T Barling	Dotterell Hall Farm Barns Balsham	Planning Decision	27/09/2016 – 28/09/2016

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