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29 August 2017

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

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, 6 SEPTEMBER 2017** at **10.00 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
Beverly Agass
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 October 2016) attached to the electronic version of the agenda on the Council's website.

PROCEDURAL ITEMS

1. **Apologies**
To receive apologies for absence from 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 Meetings

To Follow

To authorise the Chairman to sign the Minutes of the meetings held on 2 August 2017 and 9 August 2017. as correct records.

These minutes will be published as an agenda supplement in due course.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

To view plans, drawings and other documents submitted with the application, follow the link called 'Application file' and select the tab 'Plans and Docs'.

4. S/3145/16/FL - Willingham (Land at Belsar Farm)

1 - 36

Erection of 25 dwellings including 40% affordable along with access, car and cycle parking and associated landscaping

5. S/1901/16/OL - Meldreth (Land at Eternit UK, Whaddon Road)

37 - 104

Outline planning application for mixed use development (up to 150 dwellings, public open space, and new technology plant); new car park and access for Sports & Social Club; and associated infrastructure. All matters reserved with the exception of the means of access.

Appendices 2 and 3 are available online by visiting www.scambs.gov.uk > The Council > Councillors, Minutes and agendas, and browse.

6. S/2647/15/OL - Papworth Everard (Land To The East Of Old Pinewood Way & Ridgeway)

105 - 120

Outline planning permission with all matters reserved except for access and for strategic landscaping areas for the residential development of up to 215 dwellings, including affordable housing as well as land to be reserved for nursery use (Use Class D1), open space including strategic landscaping, play areas and sustainable drainage features and associated infrastructure including foul sewerage pumping stations

Appendices B (Committee report, 2 August 2017), B1 and B2 (attached to the report dated 2 August 2017) are available online by visiting www.scambs.gov.uk > The Council > Councillors, Minutes and agendas, and browse.

7. **S/1812/17/OL - Toft (immediately adjacent to the boundary with Comberton Parish) (Bennell Farm, West Street)** **121 - 172**

Outline planning application for up to 90 dwellings and associated infrastructure works

Appendix 2 is available online by visiting www.scambs.gov.uk > The Council > Councillors, Minutes and agendas, and browse.

MONITORING REPORTS

8. **Enforcement Report** **173 - 180**
9. **Appeals against Planning Decisions and Enforcement Action** **181 - 188**

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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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 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 06 September 2017
AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/3145/16/FL

Parish(es): Willingham

Proposal: Full planning permission for the erection of 25 dwellings (including 40% affordable) along with access, car and cycle parking and associated landscaping.

Site address: Land at Belsar Farm, Willingham

Applicant(s): Greater Cambridgeshire Housing Development Agency

Recommendation: Delegated approval (to complete section 106)

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

Committee Site Visit: 05 September 2017

Departure Application: Yes, advertised on 22 March 2017

Presenting Officer: David Thompson, Principal Planning Officer

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

Date by which decision due: 08 September 2017 (extension of time agreed)

Executive Summary

1. The application site is located outside of the Willingham village framework, the boundary of which skirts the southern boundary of the site. Residential development is located to the west (Daniels Close) and outline planning permission has been granted for 72 dwellings on land immediately to the south (on the junction of Rockmill End and Meadow Road.) The northern edge of the proposed development projects marginally further into the countryside than the existing development at Daniels Close. However,

there is an extant permission to extend that development further north. As such, it is considered that the proposal being assessed in this application would be seen alongside that adjacent development in both close and longer distance views of the contrast between the edge of the built settlement and the open Fen edge landscape. Whilst the Parish Council concern about development to the north of Meadow Road is acknowledged, the surrounding context of this application site is considered to be more developed than sites further to the east where isolated buildings are surrounded by open fields.

2. It is considered that the revised layout plan submitted with the application demonstrates that 25 units could be provided on the site, within adequately sized plots along with the required access routes, level of formal and informal open space and surface water attenuation measures. It is considered that the proposed layout would not have an adverse impact on the character of the village edge, given the proximity of the existing development on Daniels Close.
3. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. There are no objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency. The proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development. The presence of a bus service at commuting times in close proximity to the site and the provision of a good range of services and facilities present in Willingham are factors which are considered to render the scheme socially and environmentally sustainable.
4. Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the social benefits that would result from the development outweigh the harm resulting from the development of agricultural land and the limited landscape harm arising from the scheme. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Planning History

5. There is no relevant planning history on the application site.

The following applications relate to the housing development immediately to the west of the site on Daniels Close:

S/2341/14/FL – erection of 12 semi-detached affordable dwellings – approved (26 January 2016)

S/2125/07/F – erection of 19 Affordable dwellings – approved

The following applications affect land at the Oaks, to the east of the site, the history of which is referenced in the Parish Council response to this application:

S/0121/16/FL – retrospective application for change of use of building to residential – withdrawn

S/0307/12/FL - Continued use of land as long-stay caravan site for two gypsy families (1 mobile home 1 tourer each pitch) – refused and appeal dismissed partly due to

landscape impact.

S/1621/12/VC – removal of condition 1 of planning permission S/1692/11/F to allow the permanent siting of two gypsy mobile homes – one element of the appeal was dismissed on the basis of landscape impact.

S/2065/10 – use of the land for the stationing of residential caravans for 4 gypsy and traveller pitches – refused.

National Guidance

6. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance

Development Plan Policies

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

South Cambridgeshire LDF Core Strategy DPD, 2007

ST/2 Housing Provision

ST/5 Minor Rural Centres

South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Developments

DP/7 Development Frameworks

HG/1 Housing Density

HG/2 Housing Mix

HG/3 Affordable Housing

NE/1 Energy Efficiency

NE/3 Renewable Energy Technologies in New Development

NE/4 Landscape Character Areas

NE/6 Biodiversity

NE/8 Groundwater

NE/9 Water and Drainage Infrastructure

NE/11 Flood Risk

NE/12 Water Conservation

NE/14 Lighting Proposals

NE/15 Noise Pollution

NE/17 Protecting High Quality Agricultural Land

CH/2 Archaeological Sites

CH/4 Listed Buildings

CH/5 Conservation Areas

SC/9 Protection of existing Recreation Areas, Allotments and Community Orchards

SF/10 Outdoor Playspace, Informal Open Space, and New Developments

SF/11 Open Space Standards

TR/1 Planning For More Sustainable Travel

TR/2 Car and Cycle Parking Standards

TR/3 Mitigating Travel Impact

8. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009

Affordable Housing SPD - Adopted March 2010
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010
Health Impact Assessment SPD– Adopted March 2011

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

S/1 Vision
S/2 Objectives of the Local Plan
S//3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/9 Minor Rural Centres
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/14 Heritage Assets
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
SC/2 Health Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

10. **Willingham Parish Council** – the Parish Council recommended refusal of application for the following reasons:
- The development is outside of the village framework.
 - There has been a longstanding position that development should not occur north of Meadow Road as this marks the divide between the edge of the built environment and the open countryside.
 - The level of development in Willingham in terms of recently approved schemes and those under consideration will result in a detrimental cumulative impact on the capacity of services and infrastructure.
 - Existing permitted developments have addressed local need in terms of demand for market housing.
 - There is a greater need for affordable housing in the village.
 - The Council considers that the development would not be well served by public

transport. The site is 1.5 miles from the Guided Busway and the more local service is irregular.

- The site should only be developed for affordable housing.
 - The proposed pedestrian link to Sponge Drove would lead directly onto the highway.
 - The proposed entry to the site is outside of the 30 mph speed limit and the proximity of the access to the Sponge Drove/Rockmill End junction is considered to be a highway safety hazard due to the lack of visibility splays along Meadow Road.
 - The proposal would have an adverse impact on the character of the edge of the village on the approach from Earith.
 - Development has continually been opposed to the north of Meadow Road and this position has been supported by the Planning Inspectorate.
 - There are inconsistencies in the submissions and the Parish Council dispute the effectiveness of public consultation that has been undertaken.
11. **District Council Urban Design Officer** – The principle of development is considered to be acceptable due to the presence of existing residential development to the west and the fact that planning permission has recently been granted for development on land to the south of the site. Concerns raised in relation to the separation distances between plots and the proximity of the proposed pumping station to units within the scheme have been addressed through the submission of amended plans.
12. **Design Out Crime Officer (Cambridgeshire Constabulary)** - no objections to the application. The layout is considered to be acceptable in terms of designing out crime and the fear of crime.
13. **District Council Landscape Design Officer** – No objection to the proposals. The development of the site would form a north and eastwards extension to Willingham in a location that is visible within the wider landscape. However, the proposal would be viewed alongside the existing development to the west on the approach into the village from the north and alongside both that development and the emerging allocation site on the approach along Rockmill End from the south. Given these factors, it is considered that adverse landscape and visual impacts are likely to be limited and the provision of a robust landscaping scheme should provide adequate mitigation. These details should be secured by condition.
14. **Cambridgeshire County Council (Local Highway Authority)** – No objections to the application, subject to the widening of the adopted highway as shown on drawing no. 10 within the Transport Statement submitted with the planning application. Conditions recommended in relation to the provision of a traffic management plan and the levels and construction materials of the driveways and access road serving the development.
15. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – A site investigation has been undertaken by the applicant and there is evidence of remains of a 13-15th century medieval farm building on the site. As a result of the investigation works already submitted, no further survey work is considered necessary and it is considered that a scheme of mitigation is also not required.
16. **Cambridgeshire County Council Flood & Water Team** – no objection subject to the imposition of conditions requiring compliance with the amended Flood Risk Assessment (FRA) submitted with the planning application and details of a surface water drainage strategy (including details of Sustainable Urban Drainage Systems)

being approved.

17. **Environment Agency** - The site lies in Flood Zone 1. The Environment Agency has no objection to the scheme, highlighting the need for the LLFRA to be consulted on the contents of the drainage strategy submitted with the application. Precautionary condition relating to the actions required if sources of contamination are encountered during the construction process and conditions requiring the submission of the final surface and foul water drainage proposals are recommended.
18. **Anglian Water** - Anglian Water (AW) raised concerns relating to the original submission due to the proximity of the proposed foul and surface water pumping station (for which AW would be responsible) to dwellings within the development. The layout has been amended so that a 15 metre 'buffer' can be retained between the nearest properties (plots 1, 2 and 25) and the proposed substation. AW has confirmed that the site is within the catchment of Over Water Recycling Centre, which currently does not capacity to deal with the flows from the development. AW acknowledge that they are legally obliged to accept these flows and would be required to undertake any work required to meet these demands. A strategy addressing how foul water will be drained from the site will need to be agreed by AW. The details of this and the means of surface water drainage from the site can be secured by condition.
19. **Contaminated Land Officer** - low risk in relation to land contamination. It is considered that adherence with the recommended mitigation measures in the Phase II Geo Environmental Assessment produced by EPS would be sufficient to offset any detrimental impact in this regard. A Verification Report should be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.
20. **Air Quality Officer** – No objection. To ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
21. **Affordable Housing Officer** - The proposed site is located outside the development framework and should therefore be considered on the basis of an exception site for the provision of 100% affordable housing only to meet the local housing need. This would be in accordance with Policy H/10 of the emerging Local Plan.

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

The developer is proposing 25 dwellings, which consists of 15 market dwellings and 10 affordable dwellings which meets the 40% requirement.

There are approximately 1,700 applicants on the housing register and our greatest demand is for 1 and 2 bedroom dwellings. There are currently 67 people on the register with a local connection to Willingham.

The district wide tenure split is 70% rented and 30% shared ownership. The mix across the 10 affordable units would be:

Rented:

2 x 1 bed house
5 x 2 bed house

Shared Ownership:

1 x 2 bed house
2 x 3 bed house

We are happy with the mix proposed as it is reflective of the needs in the district, and the tenure split is in accordance with policy. Whilst these properties should be available to all applicants registered on homelink in South Cambridgeshire, we would have no objection to 50% of the properties being available to applicants with a local connection to Willingham.

Properties should be built in accordance with the guidance from the DCLG on Technical Housing Standards.

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

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

22. **Section 106 Officer** – details of the specific policy compliant contributions are discussed in detail in the main body of the report. A detailed matrix summarising all of the Section 106 contributions is attached to this report as Appendix 1

23. **Cambridgeshire County Council Growth Team** –

The proposed development would generate 6 pupils within the pre-school age bracket, 3 of which would be entitled to free provision. The County Council has conformed that there is currently capacity within the pre-school facility in Willingham to accommodate this number of pupils and as such no contribution is required.

The proposed development would result in a projected increase of 4 primary school aged children. There is insufficient capacity at the primary school to accommodate this and therefore appropriate mitigation should be sought.

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

No contribution is sought towards the upgrading/expansion of lifelong learning facilities, as Willingham library is considered to have sufficient resources to meet the requirements of the anticipated population of the development (53 is the County Council's estimate.)

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

A monitoring fee would also be applied (£150).

24. **District Council Sustainability Officer** – no objection to the proposals. The inclusion of the specified solar PV systems appear to ensure that the development is brought up to the appropriate Distributed Energy Resources (DER) standards and confirm that a minimum of an additional 10% carbon emissions reduction can be achieved across the development. The proposal therefore meets the LDF policy requirement although further specific details are required by condition.
25. **District Council Conservation Officer** – no objections raised
26. **Old West Internal Drainage Board (IDB)** – no objections to the revised Flood Risk Assessment. A financial contribution will be required to implement mitigation measures required as a result of additional surface water flows entering the watercourses under the control of the IDB.
27. **District Council Ecology Officer** – no objection following the receipt of additional information regarding the provision of barn owl nesting boxes, subject to the attachment of conditions to the planning permission.

Details of the proposed wildflower meadow should be conditioned to ensure biodiversity enhancements are secured as part of the development, in line with the requirements of the NPPF. Compliance with the mitigation measures listed in Section 7 of the protected species survey submitted with the application can also be secured by condition.

28. **District Council Tree Officer** – no objections to the proposals following revisions to the scheme to include the retention of the hedgerow along Sponge Drove. The section of hedgerow to be removed along Meadow Road is considered to be category C and therefore of low amenity value. Supplementary landscaping and the protection of existing trees to be retained shall be secured by condition.
29. **District Council Environmental Health Officer** – The Public Health Specialist has commented that the Health Impact Assessment has been assessed as meeting the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.

Further assessment of the potential noise generated by traffic and vehicle movements on Rockmill End and the implications of this is required in terms of any sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.

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

The applicant will be required to complete a Waste Design Toolkit in order to show

how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. This detail can be secured by condition. In addition, conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.

30. **Cambridgeshire Fire and Rescue** – No objection to the proposals subject to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.
31. **District Council Drainage Officer** – no objection to the proposals following the submission of a revised Flood Risk Assessment and Drainage Strategy.

Representations

32. A notice was displayed at the entrance to the site and adjacent properties on Daniels Close and Rockmill End. One letter of objection (no representations made via the Council's website) has been received which raise the following concerns:
 - The proposal would have an adverse impact on the residential amenity of the existing residential property at Belsar Farm, due to the close proximity of the proposed dwellings to that property.
 - The proposal would be detrimental to highway safety as Meadow Road is not of a suitable condition for an increased volume of traffic.

Site and Surroundings

33. The application site is located on the north eastern edge of Willingham. The land lies outside of the existing development framework which runs parallel with the southern boundary of the site. The site is currently agricultural land with a dwelling and farm buildings accessed via a gateway on the southern boundary, leading off Meadow Road. There are mature hedgerows on the western boundary of the site with Sponge Drove and along the southern boundary with Meadow Road. Residential development is located to the west (Daniels Close) and outline planning permission has been granted for up to 72 dwellings on land to the south of the site. Planning permission has been granted to extend the existing development at Daniels Close to the northern edge of the field which is located opposite the application site.

Proposal

34. The applicant seeks full planning permission for the erection of 25 dwellings, including 40% affordable housing, along with access, car and cycle parking and associated landscaping.

Planning Assessment

35. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether Willingham generally and this site specifically allow the proposal to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the village edge and surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

Five year housing land supply:

36. The National Planning Policy Framework (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.
37. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 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 March 2017). 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.
38. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
39. 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 and held that the term was not to be restricted 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies in the adopted Development Plan which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.
40. The decision of the Court of Appeal tended to confirm the approach taken by the inspector who determined the Waterbeach appeal. As such, as a result of the decision of the Court of Appeal, policies including policy ST/6 of the Core Strategy and policies DP/1 (a) and DP/7 of the Development Control Policies DPD fell to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF para 49 and therefore out of date.
41. However, the decision of the Court of Appeal has since been overturned by the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF. The term "relevant policies for the supply of housing" has been held by the

Supreme Court to be limited to “housing supply policies” rather than more being interpreted more broadly so as to include any policies which “affect” the supply of housing, as was held in substance by the Court of Appeal.

42. The effect of the Supreme Court’s judgement is that policies ST/5, DP/1(a) and DP/7 are no longer to be considered as “relevant policies for the supply of housing”. They are therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policies ST/5, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
43. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date “albeit housing supply policies” do not now include policies ST/5, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”
44. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/5, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/5, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
45. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/5, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
46. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
47. The site is located outside the Willingham village framework, in the open countryside,

where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 25 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.

48. Development in Minor Rural Centres (the current and emerging status of Willingham) is normally limited to schemes of up to 30 dwellings, within the village framework boundary. 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.
49. The principal consideration however is that the NPPF requires Local Planning Authorities to boost the supply of housing and to assess development against the definition of sustainable development within that context. Specifically in relation to the size of development in or on the edge of settlements, the Inspector in the recent Over appeal decision (18 January 2017) stated that '...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.'
50. In light of the above, it is not appropriate to attach the same weight to policy DP/7 and DP/1(a) in a 'blanket' way to all settlements. Minor Rural Centres such as Willingham are amongst the larger settlements within the District. Within the context of the lack of a five year housing land supply, Officers are of the view that sites on the edges of these locations generally and Willingham specifically, can accommodate at least the indicative maximum of 30 units and still achieve the definition of sustainable development due to the level of services and facilities provided in these villages. This approach has been endorsed by Members through the recent approvals at Haden Way (64 dwellings) and land to the south of this site, on Rockmill End (72 dwellings). Whilst the site is outside of the village framework, it is below the indicative maximum number of units considered to be suitable within the defined village boundary and given the close proximity of the framework boundary, it is considered that this factor is worthy of considerable weight in assessing the sustainability credentials of the proposals.
51. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.
52. 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.
53. 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, it could be argued that the need for housing overrides the need to retain

the agricultural land when conducting the planning balance.

Social sustainability:

54. 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.
55. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 25 residential dwellings, 40% of these units will be affordable (10 units). The affordable housing can be secured through a Section 106 Agreement. This provision would enhance the social sustainability of the scheme by meeting an identified need for affordable housing in Willingham, with 67 people with a local connection to the village currently on the Housing Register.
56. Policy HG/2 of the current LDF requires the mix of market dwellings within developments to be split 40% 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.
57. This proposal would allocate the following mix to the market housing within the scheme: 46% 2 bedrooms (7), 27% 3 bedrooms (4) and 27% 4 bedrooms (4). Clearly this equates to any under provision of larger properties when assessed against either the emerging policy on housing mix. However, Willingham has a significantly lower proportion of semi-detached properties than the South Cambridgeshire District average (38% compared to 51%) and that the proportion of detached houses is significantly higher in Willingham than the District average (56% to 42%). This data was taken from the 2011 census.
58. Whilst this data is not broken down to property sizes, 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.*'
59. 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 in Willingham, the settlement upon which this development will most greatly impact and be connected to. 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.*'
60. Whilst there is a partial conflict with the emerging Local Plan policy therefore, the

evidence provided by the 2011 Census data and the guidance contained within the NPPF are considered to ensure that the proposal would still achieve the social element of sustainable development by responding to the size of properties required in the locality.

61. Officers are of the view the provision of 25 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a significant need for affordable housing in Willingham.
62. The adopted Open Space SPD requires the provision of just over 630 square metres of informal and formal public on site open space for a development on the scale proposed. This proposal would provide in excess of 750 square metres of open space on site, which would include a Local Area of Play (LAP). Given that Willingham has an identified short fall in play space and informal open space, the fact the proposal would exceed the policy compliant amount of public open space is considered to be a significant social benefit of the proposals. This factor enhances the social sustainability of the scheme.
63. The proposed plans indicate that alongside the required amount of public open space the development would allow for plots that meet the minimum standards for garden sizes in this location, which the design guide suggest should be a minimum of 50 square metres for 2 bed properties and 80 square metres for larger dwellings (the 'rural' size guidance has been applied in this instance given the edge of village location of the site.)
64. 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 proposed plans are considered to demonstrate that 25 dwellings can be erected on the site in a manner which would respect the transition between the built environment and the open countryside through relatively low density of development and the overall scale and massing of the dwellings is considered to be acceptable.
65. Given that this proposal is required to meet all three elements of the definition of sustainability as set out in the NPPF, there is a need to consider the range facilities in Willingham available to the occupants of the proposed scheme and the impact of the scheme on the capacity of public services that serve the village.
66. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
 - necessary to make the scheme acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development proposed.
67. There are bus stops on Wilford Furlong, approx. 220 metres to the south west of the site and approximately 400 metres to the south of the site, on Rockmill End. These bus stops would be accessible via public footpaths from the site, following the installation of the footway along Meadow Road, which is to be secured as part of this development. There are 2 morning buses and 1 evening service to Cambridge at commuting times on weekdays with 4 buses throughout the day on those days, with return services available on a similar frequency. A similar level of service operates on a Saturday, no services are available on Sundays. Given the close proximity of the site to the bus service and the frequency of the service at commuting times as well as

during the day, it is considered that the site is well served by public transport, which enhances the environmental sustainability of the scheme by reducing reliance on car travel.

68. The County Council is the relevant Authority for providing education services. The proposed development would generate 6 pupils within the pre-school age bracket, 3 of which would be entitled to free provision. The County Council has conformed that there is currently capacity within the pre-school facility in Willingham to accommodate this number of pupils and as such no contribution is required.
69. The proposed development would result in a projected increase of 4 primary school aged children. The County Council consider that there is currently insufficient capacity at the primary school to accommodate these pupils. However, financial contributions have been sought from 3 outline applications in Willingham that have recently been approved which have fully funded a single classroom extension to the school. These schemes are all in outline form and therefore the 'general multiplier' formula has been applied to calculate the respective contributions, due to the housing mix not being confirmed until the reserved matters stage. The general multiplier that the County Council use estimates an average of 30 children per 100 dwellings. On the basis of the multiplier, approximately 8 pupils would result from this scheme. Given the substantial percentage difference between the number of children generated by the multiplier approach and the actual number anticipated as a result of this development (even accounting for the overprovision of 2 bed dwellings in the market element), it is considered that there is insufficient evidence to demonstrate that a contribution is necessary from this scheme. This assessment is based on the evidence pointing towards the number of pupils being generated by the 3 approved schemes would be 31 on the basis of the multiplier but would be comfortably below 30 on the basis of a policy compliance mix scheme being advanced at the reserved matter stage (which would be required unless a suitable justification is advanced.) As a result, it is considered that the extension already funded would provide sufficient space to mitigate the impact of this development and those schemes and as such, no further contribution is required to mitigate the impact of this or the other committed developments.
70. No contribution is sought in relation to secondary school provision as Cottenham Village College, the catchment area for which the site is within, has capacity to accommodate the additional 3 pupils within this age group projected to result from the proposed development.
71. No contribution is sought towards the upgrading/expansion of lifelong learning facilities, as Willingham library is considered to have sufficient resources to meet the requirements of the anticipated population of the development (53 is the County Council's estimate.)
72. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment acknowledges that there may need to be an upgrade in public service facilities to accommodate the needs of the occupants of the development to ensure that the high standards of public health in locality are maintained.
73. Whilst NHS England have not provided a response to the planning application, (as it their protocol in relation to proposals for less than 50 dwellings) Officers have contacted the GP surgery in Willingham to ascertain whether the anticipated population of the development (approximately 53 using the Open Space SPD estimates) could be accommodated at the surgery given that the Royal College of

General Practitioners has a guideline of 1,800 patients per GP. The Practice Manager has confirmed that the extension currently underway to allow accommodation of the population of Northstowe would be sufficient to accommodate the population of this development. As such, it is considered that no additional infrastructure capacity would be required in this regard to mitigate the impacts of the development.

74. Willingham has a library, a post office, a supermarket and a good range of shops selling day to day goods including food items and a pharmacy. There is a day nursery, a hardware store and a good range of retail and professional services. There is a garage, restaurant and 3 public houses. Cumulatively, it is considered that Willingham offers a range of services beyond meeting day to day needs and this is reflected in the status of the village as a Minor Rural Centre i.e. second in the list of sustainable groups of villages in the district.
75. The village also has 3 community halls: the Ploughman Hall (171 square metres main hall with additional space and facilities), the Salvation Army Hall and the Willingham Public Hall (811 square metres main hall with additional space and facilities). The village also has a recreation ground which includes multiple sports pitches (football, hockey and cricket), bowls club, cricket nets and a basketball net.
76. Given the above assessment and the supporting evidence submitted with the planning application, it is considered that the adverse impacts of the development in terms of social sustainability could be mitigated through the contributions towards improved community facilities, to be secured via a Section 106 agreement.

Economic sustainability:

77. The provision of 25 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.
78. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Density of development

79. The proposed density of the development would be 22 dwellings per hectare. Policies HG/1 of the current LDF and H/7 of the emerging Local Plan require new residential development to achieve a minimum of 30 dwellings per hectare within Minor Rural Centres and other villages within the settlement hierarchy. Policy HG/1 states that higher densities should be achieved in more sustainable locations.
80. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and that development to the west (also beyond framework boundary) is of low density, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Character of the village edge and surrounding landscape

Landscape Impact

81. The site is considered to display the characteristics of a typical Fen Edge landscape in that it is generally flat and views from the site looking north and eastwards are of expansive countryside which only the hedgerows and trees on the field boundaries providing a consistent break in these views. It is acknowledged that this characteristic is dominant in longer distance views of the edge of Willingham when approaching the settlement from the north. However, closer views from this approach would view the proposed development within the context of the residential development on Daniels Close to the west of the site, where there is an extant planning permission to extend that development the full length (north-south) of the field.
82. The extant scheme at Daniel's Close would therefore be the first clear perception of moving from a rural village edge into the built up part of the settlement, with the dense development on Wilford Furlong south of this. Even if that extant permission was not built out, the northern edge of the development proposed in this application would project marginally further north than the existing development on Daniel's Close, but not to a significant degree. As such, the two developments would not be viewed alongside each other as the point of transition between the countryside and the built environment of the village. The fact that outline planning permission has been granted on land immediately south of the application site for residential development (which is also an emerging allocation site) is also relevant as, once built out, that development will provide the immediate context further into the settlement. This ensures that the proposed development would be seen within the context of a built up environment in these close distance views, with residential development immediately to the south and west.
83. Concern has been expressed by the Parish Council that this proposal will result in landscape harm through developing land north of Meadow Road. The Parish Council considers that this roadway marks the point beyond which development should be resisted as the prevailing character is an undeveloped rural landscape. They have cited appeal decisions where the District Council has successfully defended this position.
84. Officers consider that there are key distinctions between those appeal sites and conditions that affect the character of the site that is the subject of this planning application. The Daniel's Close development, which has extant permission to extend further north, is immediately west of this site and the land immediately south also has extant permission to be developed for housing. The Oaks, further east along Meadow Road, is surrounded by fields on all sides and is set well back from Meadow Road, which gives the site an undeveloped setting, which is clearly not the case with the site that is the subject of this application.
85. In addition the landscape setting differences, another key point is that the determined applications from 2011 and 2012 were decided prior to the identified shortfall in the supply of housing land, with the inability to identify a 5 year supply in the District confirmed in 2014. The test that has to be applied to landscape harm has become more stringent as a result, with this harm having to 'significantly and demonstrably' outweigh the benefits of the provision of housing, as set out in the NPPF. Given the change in the environment immediately surrounding the site since that point, it is considered that the degree of harm required by national policy could not be substantiated at appeal.
86. Within the context of a lack of five year housing land supply, the Inspector for the New Road, Melbourn appeal (199 dwellings and a care home) provided guidance in a case where landscape harm is identified and balancing this against the need to address the lack of housing land supply. In that case the Inspector concluded that case in relation

to landscape harm that 'while the development of this site would cause very limited harm to the wider landscape, there would be a greater localised harm to the character of the village and its countryside setting, in conflict with development control policies. This carries fairly significant weight (in the planning balance).' In weighing this harm against the benefit of housing provision in that location, the Inspector concluded that '...while there would be some notable adverse impacts, they would not be sufficient to outweigh the very significant benefits of the proposal (i.e. the provision of additional housing in the District).'

87. On the basis of the above, officers consider that the circumstances on this site differ from those where the harm to the Fen Edge character was considered to outweigh the benefits of those proposals to a significant degree and that there has been a material change in the weight to be attributed to any landscape harm that does arise from the development.
88. The Landscape Design Officer has raised no objections to the proposals, following revisions to the layout of the scheme, subject to the details of the landscaping scheme to be implemented, which can be secured by condition.

Design:

89. The Urban Design Officer initially expressed concerns in relation to the separation distances between some of the plots within the scheme and the relationship between plots 7 and 8 and the farm house on the land which is to be retained. To address the concerns relating to the impact on the amenity of the farm house, plots 7 and 8 have been reduced to 1 bedroom properties and the only rear windows above ground floor levels would be rooflights serving bathrooms. As these windows do not serve habitable rooms, they can reasonably be obscurely glazed and positioned on the respective roof planes to avoid unreasonable overlooking into the neighbouring property. Given this situation, the separation distances between the rear elevation of those dwellings and the farm house (approximately 18 metres at the shortest point) is considered to be acceptable in accordance with the adopted Design Guide, where 25 metres separation is only required where windows of habitable rooms directly face each other. The common boundary between the development and the retained farm house has been relocated northwards to give the farm house more amenity space.
90. The scheme has also been revised to pull the properties at plots 19 and 20 further in from the northern boundary of the site. Whilst it is acknowledged that these properties do not have 15 metre rear gardens, as considered 'preferable' in the Design Guide, each of the gardens exceed the minimum size of garden in the Design Guide and therefore the revisions are considered to be acceptable. This assessment is made within the context of the layout of the scheme on Daniel's Close and the extant scheme to extend that development, which positions properties close to the northern boundary of that site. The distance between the properties to the pumping station has been increased to 15 metres. The location and amount of public open space are considered to be positive elements of the scheme, as is the retention of the hedgerow along Sponge Drive.

Trees

91. The applicant has provided a Tree Survey in support of the planning application. The proposals have been revised to retain the vast majority of the hedgerow along the western edge of the site, which demarcates the boundary with Sponge Drive. The sections of hedgerow to be removed would be limited to specimens classified as category C i.e. not of sufficient amenity value or condition to be worthy of retention.

These would be the section of hedgerow on Meadow Road, which would be removed to facilitate the creation of the vehicular access and to pedestrian link on Sponge Drove. The District Council Tree Officer has raised no objection to the revised proposals.

92. It is considered that a condition can be added to the permission requiring tree protection measures to be agreed. Details of the species mix, number and location of new landscaping to be implemented can also be secured by condition.

Ecology

93. The application is supported by an ecological assessment and the site is generally considered to be of low biodiversity value. No suitable habitat was recorded to support reptile species and no activity/evidence of badgers was observed. None of the trees present on site were considered as potential roosts but bats would be likely to use hedgerows for feeding.
94. The survey indicated that there is evidence of previous nesting birds within the buildings and potential evidence of nesting activity in the hedgerows on the boundaries of the site. To mitigate the impact of this, no demolition or vegetation clearance works should take place during the bird breeding season. No nesting activity by barn owls was encountered on the site and the installation of bird boxes within the development is considered to be adequate mitigation.
95. Similar mitigation is considered necessary for bats as the report concluded that no evidence of bats nesting within the site were encountered during the survey period. Mitigation measures are recommended to ensure that any potential impact on badgers is mitigated during the construction of the development. In relation to Great Crested Newts, there are two ponds 140 metres to the north of the site which are considered to have some potential to support this protected species. A survey was undertaken during the breeding season and the no newts were recorded during the four visits to the two ponds. The suitability of the habitat was also considered poor in terms of the ability to support Great Crested Newts. No specific mitigation measures were recommended in the report.
96. The District Council Ecology Officer has no objection to the proposals following the receipt of additional information relating to the mitigation measures to be implemented. The proposed inclusion of wildflower planting and the installation of bat and bird boxes would be biodiversity enhancements which are considered to be a positive element of the scheme, according with paragraph 118 of the NPPF. Details of the specifications and management of these features can be secured by condition.

Highway safety and parking

97. The County Council as Local Highway Authority have raised no objections to the proposals. The scheme involves the widening of the existing adopted public highway along Meadow Road to create suitable vehicular access to the development. The northern edge of Meadow Road will be widened to ensure a sufficient width for a two lane roadway. This would ensure safe access to and from the development.
98. With regard to the access from Meadow Road into the development, a minimum carriageway width of 5.5 metres is to be provided for a minimum of the first 10 metres from the junction of the access road with Meadow Road. A 2 metre wide footway would be provided on the northern edge of Meadow Road. There is an existing footpath on the western edge of Rockmill End which connects to Wilford Furlong,

where the bus service is located and allows pedestrian access to the services and facilities in Willingham.

99. The proposal makes provision for 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking. Given that 2 bedroomed properties have also been allocated 2 parking spaces, it is considered that the overall scheme would not result in a reliance for on street parking either within the development or on the wider highway network.

Residential amenity

100. The relationship between plots 7 and 8 of the proposed development and the farm house to be retained in the south western corner of the site is considered acceptable following the reduction of those units to 1 bedroom dwellings with rooflights serving bathrooms on the rear elevations. The separation distance between the rear elevation of plot 4 and the corresponding elevation of the farm house would be 24.3 metres. Given that there are no first floor windows in the gable of the farmhouse which faces the development, it is considered that this separation distance is sufficient to avoid any unreasonable overlooking (subject to suitable boundary treatment being secured by condition) or overshadowing to that property. No other neighbouring properties would be adversely affected by the proposals, given that Sponge Drove would separate the proposed scheme from the dwellings that form the Daniels Close development.
101. In terms of the amenity of the future occupiers of the development, the amended layout ensures that the 25 metre guideline separation between elevations containing habitable room windows and 12 metres between blank elevations and those with habitable room windows would be adhered to. The amount of private amenity space associated with each property is considered to meet the minimum requirements of the Design Guide.
102. Standard conditions relating to the construction phase of the development have been recommended by the EHO in relation to managing the impact on the environment and amenity of neighbouring properties during construction process and the management of waste during construction and on occupation of the development. These can be attached to the decision notice. These can all be added to the decision notice

Surface water and foul water drainage

Surface water drainage

103. The site lies in Flood Zone 1. The Lead Local Flood Authority has not raised an objection following the submission of revised surface water drainage strategy and is of the view that surface water drainage would achieve the requirement of not exceeding the existing run off rate on the site, subject to suitable conditions being included in any consent. The Environment Agency has not objected to the proposals and has not recommended any specific conditions. Old West IDB has no objection to the revised drainage proposals, subject to the completion of a legal agreement (under legislation separate from the planning system) securing a financial contribution from the development to mitigate the impact of additional surface water flowing into the network controlled by the IDB.

Foul water drainage

104. Anglian Water has commented that the site is within the catchment of the Over Water Recycling Centre, which does not currently have capacity to treat the flows from the proposed development. However, they acknowledge in their response that they are legally obliged to accommodate the demands of any development and would therefore ensure that there is sufficient capacity to deal with the flows, should planning permission be granted.
105. Officers have held a meeting with Anglian Water, in recognition of the concerns regarding the capacity of the treatment works. Anglian Water have explained that it is only at the point that there is certainty a scheme will be built i.e. planning permission has been granted, that a specific project will be identified. The required works would be identified and carried out in the time between the granting of planning permission and the occupation of the development. Anglian Water operate on the basis that this would allow sufficient time for any upgrade works to be completed and as such, the current deficit in capacity would not be a reasonable ground on which to refuse planning permission.
106. In terms of foul water, Anglian Water has confirmed that there will be a need to mitigate the impact of additional foul water entering the drainage network and that a suitable drainage strategy will be required. This can be secured by condition.

Section 106 contributions

107. The Section 106 Officer has confirmed that there is sufficient space on site to erect the number of dwellings proposed, achieve the required private garden space standards of the Design Guide and also provide the level of on site public open space required by the Open Space SPD (including the provision of a Local Area of Play.) A contribution of approximately £30,000 (made up of a tariff based contribution based on housing mix) is considered necessary to provide a contribution to the upgrading and extending of the sports pavilion at the recreation ground. A contribution of approximately £30,000 is also sought to expand the Queen Elizabeth II playfields, a project identified by Willingham Parish Council. As there have been less than five pooled contributions made towards these infrastructure projects previously, both contributions are considered to be compliant with the CIL regulations.
108. It is considered that a contribution of approximately £12,000 towards the extension of the Ploughman Hall would allow the scheme to comply with current and emerging local policies which require the impact of development on the capacity of community indoor facilities to be mitigated. This extension would facilitate the creation of an additional meeting room for community use. As there has been less than five pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations.
109. Household Waste Receptacles charged at £72.50 per dwelling and a monitoring fee of £1,500 (flat fee.) This excludes the County Council's requirements as Highway Authority which will be secured through the recommended planning conditions.

Other matters

Archaeology and Heritage

110. 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 building or its setting or any features of special architectural or historic interest which it possesses."

111. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
112. 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.
113. 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”.
114. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
115. An investigation into the archaeological potential of the site has been undertaken by the applicant and there is evidence of remains of a 13-15th century medieval farm building on the site. As a result of the investigation works already submitted, the County Council Archaeologist is satisfied that no further investigation works are necessary and no conditions are required should planning permission be granted.
116. Given the substantial separation distance between the site and Willingham conservation area (in excess of 300 metres to the south of the site) and the fact that a substantial modern residential development lies directly north of the designated area, it is considered that the proposed development would not have an adverse impact on the character or appearance of the conservation area. There are no listed buildings within close proximity of the site and therefore the development of the site would not have an adverse affect on the setting of any heritage assets in this regard.
117. The District Council Conservation Officer has not raised any objections to the proposals.

Environmental Health

118. The Public Health Specialist has commented that the Health Impact Assessment submitted in support of the planning application meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
119. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council’s low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle

charging infrastructure strategy.

120. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on Rockmill End is required and the implications of this in terms of sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.
121. The site is considered to be a low risk in relation to land contamination and as such it is considered that a scheme of investigation into any potential harm and suitable remediation can be secured by condition, to ensure that this work is undertaken and the remediation strategy implemented prior to the commencement of development.
122. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
123. The applicant will be required to complete a Waste Water Design Toolkit in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. This detail can be secured by condition. In addition, conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.
124. The applicant has indicated that a minimum of 10% of the energy needs generated by the development can be secured through on site renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated.

Cumulative Impact

125. Officers are aware that there have been a number of large scale proposals approved/ currently with a resolution to approve relatively recently within Willingham. Those that have required Section 106 contributions towards infrastructure capacity are land to the south of 1b Over Road (26 dwellings), land off Haden Way (64 dwellings) and land off Rockmill End (72 units). These developments alongside the proposal being considered in this application would have a cumulative impact on the level and capacity of services and facilities in Willingham.
126. In relation to this application, it is considered to be clear what the mitigation measures are, along with the associated costs of offsetting the impacts of this development on the capacity of the services and facilities in Willingham. For the reasons explained previously in this report, it is considered that the single classroom extension that has already been secured to mitigate the impact of other developments in Willingham is sufficient to ensure that the primary school can accommodate the 4 secondary age children that will result from this scheme. The local GP surgery has confirmed that the expansion that is currently planned for ensures that there will be capacity to mitigate the impact of this development, alongside the other approved schemes in Willingham.

127. As such, officers are content that the sustainability credentials of this proposal have been demonstrated satisfactorily and that approval of this application would not result in a cumulative growth in the population of the village that could not be adequately mitigated, when added to the 3 developments quoted above.

Conclusion

128. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
129. Given that the Council cannot demonstrate a five year supply of housing land, its policies remain out of date "albeit housing supply policies" do not now include policies ST/5, DP/1(a) and DP/7. The critical issue however is not whether certain policies are considered to be out of date or not, it is how much weight can be afforded to those policies within the context of a shortfall in the delivery of housing in the District. Where only limited harm is identified through non-compliance with the relevant policies, the benefits of the provision of additional housing should be afforded significant weight, as has been concluded by inspectors in recent decisions in Swavesey and Highfields Caldecote.
130. Willingham is classified as a Minor Rural Centre and is considered to have a good range of services and facilities as outlined in the main body of this report. The site is located close to existing bus services and the developer has agreed to a package of enhancements including the upgrading of the highway and provision of a public footpath to serve the development. The fact that bus services exist close to the site which would allow commuting to and from Cambridge is both a social and an environmental benefit of the scheme.
131. In addition to the ability to mitigate the harm in relation to the capacity of services and facilities, it is considered that the scheme includes positive elements which enhance social sustainability. These include the provision of 40% affordable housing within the development and the provision of public open space in a village with an identified shortfall in this regard. The package of contributions to be secured through the Section 106 towards the enhancement of offsite community facilities would be a wider benefit of the proposals, further enhancing the social sustainability of the scheme.
132. Whilst the concerns of the Parish relating to impact on the character of the landscape are noted, it is considered that the proposal would be viewed within the context of the Daniels Close development, which has an extant permission to extend further north than this scheme. That development is immediately to the west of the application site (albeit separated by Sponge Drove), ensuring that the proposal would not be viewed against a backdrop of surrounding undeveloped land – which is the case with the Oaks and other land to the east of the site. Within this context, it is considered that the harm arising from the development in terms of encroachment into the countryside would not be of an extent that could be considered to significantly and demonstrably outweigh the provision of additional housing, including a policy compliant level of affordable housing.
133. It is considered that the issues raised in relation to environmental health, trees and ecology can be dealt with by condition. It is considered that the amended proposals would preserve the residential amenity of neighbouring properties and future occupants of the development.

134. It is considered that the scheme includes positive elements which enhance social sustainability. These include:
- the positive contribution of up to 25 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector
 - the provision of 10 affordable dwellings on site, making a significant contribution to the identified need in Willingham (currently 67 people within the village currently on the Housing Register) and the wider District
 - significant public open space, including a Local Area of Play on the site, in a village which currently has an under provision in this regard.
 - potential for access to public transport, services, facilities and employment
 - employment during construction to benefit the local economy.
 - potential to result in an increase in the use of local services and facilities
135. As such, although a conflict with policies DP/1(a) and DP/7 arises, given the particular circumstances of the development and the opportunity to encourage and improve the use of local services and public transport, the weight to be given to this conflict is limited. In terms of the balance required by para 14 of the NPPF, the absence of a five year housing land supply means the conflict with these policies is not considered to significantly and demonstrably outweigh the benefits of the proposal particularly in terms of the contribution which it would make to housing supply. It is therefore considered that there is no basis to seek the withholding of planning permission for the proposed development, subject to the imposition of necessary planning conditions and the securing of a planning obligation, as set out below.

Recommendation

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

Section 106 Agreement

To secure provision of onsite affordable housing, the provision of public open space, the management of the public open space, the community benefits, education and health contributions listed in Appendix 1, attached to this report.

Draft conditions

- (a) Time limit for implementation
- (b) Approved plans
- (c) Landscaping details
- (d) Contaminated land assessment
- (e) Dust, noise, vibration mitigation strategy
- (f) Noise assessment relating to impact of road traffic on Rockmill End – including necessary mitigation measures
- (g) Details of renewable energy generation within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (h) Scheme to detail upgrading of highway and installation of public footpath along northern edge of Meadow Road and widening of the highway
- (i) Foul water drainage scheme
- (j) Surface water drainage scheme
- (k) Sustainable drainage strategy
- (l) Tree Protection measures

- (m) Compliance with flood risk assessment
- (n) Traffic Management Plan
- (o) Time restriction on the removal of trees
- (p) Detailed plans of the construction of the access
- (q) Pedestrian visibility splays
- (r) Ecological enhancements including bird and bat boxes
- (s) Site waste management plan
- (t) Restriction on the hours of power operated machinery during construction
- (u) Phasing of construction
- (v) Approved ecological surveys
- (w) Compliance with ecological survey submitted
- (x) External lighting to be agreed
- (y) Cycle storage
- (z) Screened storage
- (aa) Boundary treatments
- (bb) Waste water management plan
- (cc) Construction environment management plan
- (dd) Details of piled foundations
- (ee) Fire hydrant locations
- (ff) Cycle storage
- (gg) Further badger survey work
- (hh) Obscure glazing of specific windows to protect residential amenity

Informatives

- (a) Environmental health informatives
- (b) Legal agreement required to secure mitigation requested by IDB

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/3145/16/FL

Report Author:

David Thompson
Telephone Number:

Principal Planning Officer
01954 713250

Heads of terms for the completion of a Section 106 agreement

Willingham – Belsar Farm (S/3145/16/FL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	The first 8 properties should be allocated to those with a local connection to Willingham and the remaining should be allocated on a 50/50 split basis between applicants with a District wide connection

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Sports	SCDC	£30,000
Indoor community space	SCDC	£30,000
Household waste bins	SCDC	£12,500
Monitoring	SCDC	£500
TOTAL		
TOTAL PER DWELLING		

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Area of Play	SCDC	
	CCC	

Planning condition infrastructure summary:

Item	Beneficiary	Summary
	CCC	
	CCC	

CAMBRIDGESHIRE COUNTY COUNCIL	
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Ref	CCC1
Type	Early years
Policy	DP/4
Required	YES
Detail	<p>According to the County Council guidance the development is expected to generate 6 early years children, 3 of which are entitled to free school provision.</p> <p>The proposed development is within the Willingham pre-school catchment area. County education officers have confirmed that the school currently has sufficient capacity to mitigate the children arising from this development.</p> <p>Therefore no contribution towards early years provision is sought.</p>

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	NO
Detail	<p>The proposed development would result in a projected increase of 4 primary school aged children. The County Council consider that there is currently insufficient capacity at the primary school to accommodate these pupils. However, financial contributions have been sought from 3 outline applications in Willingham that have recently been approved which have fully funded a single classroom extension to the school. These schemes are all in outline form and therefore the 'general multiplier' formula has been applied to calculate the respective contributions, due to the housing mix not being confirmed until the reserved matters stage. The general multiplier that the County Council use estimates an average of 30 children per 100 dwellings. On the basis of the multiplier, approximately 8 pupils would result from this scheme. Given the substantial percentage difference between the number of children generated by the multiplier approach and the actual number anticipated as a result of this development (even accounting for the overprovision of 2 bed dwellings in the market element), it is considered that there is insufficient evidence to demonstrate that a contribution is necessary from this scheme. This assessment is based on the evidence pointing towards the number of pupils being generated by the 3 approved schemes would be 31 on the basis of the multiplier but would be comfortably below 30 on the basis of a policy compliance mix scheme being advanced at the reserved matter stage (which would be required unless a suitable justification is advanced.) As a result, it is considered that the extension already funded would provide sufficient space to mitigate the impact of this development and those schemes and as such, no further contribution is required to mitigate the impact of this or the other committed developments.</p>

Ref	CCC3
Type	Secondary school
Policy	DP/4

Required	NO
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 3 secondary school places</p> <p>The proposed development is within the Cottenham Village College catchment area. County education officers have confirmed that the school currently has sufficient capacity to mitigate the secondary aged children arising from this development.</p> <p>Therefore no contribution towards secondary school provision is sought.</p>

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	NO
Detail	<p>The proposed increase in population from the development will be approximately 53 new residents (25 dwellings x 2.09 average household = 52.25 = 53).</p> <p>Willingham is served by a small community library. There is sufficient capacity within the existing resources to mitigate the impact from this development.</p> <p>Therefore no contribution towards LLL is sought</p>

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	<p>The District Council does not support County Council monitoring requests on the basis that (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) the District Council will undertake this function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. 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.</p>

Ref	CCC7
Type	Transport
Policy	TR/3
Required	NO
Detail	

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
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Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<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> <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 <ul style="list-style-type: none"> • 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 a number of recent applications 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 published in the open space in new developments SPD as follows:</p> <p>1 bed: £625.73 2 bed: £817.17, 3 bed: £1,130.04 4+ bed: £1,550.31</p>
Quantum	£30,000 (circa)
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings (in each phase if more than one reserved matters application submitted)
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	3 to date

Ref	SCDC2
Type	Children's play space
Policy	SF/10

Required	YES
Detail	<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>
Quantum	£30,000 (circa)
Fixed / Tariff	Tariff
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	3 to date

Ref	SCDC3
Type	Informal open space
Policy	SF/10
Required	YES
Detail	The applicant will be required to provide a LAP as indicated on the proposed plans.
Quantum	
Fixed / Tariff	N/A
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<p>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.</p> <p>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.</p> <p>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</p>

	<p>since.</p> <p>The community facility audit of 2009 identified that despite community space being provided across Willingham Plough Hall and Willingham Public Hall, the 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>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>
Quantum	£12,500 (circa)
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings in each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	SCDC5
Type	Household waste receptacles
Policy	RECAP WMDG
Required	YES
Detail	£73.50 per house and £150 per flat
Quantum	See above
Fixed / Tariff	Tariff
Trigger	Paid in full prior to commencement of each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To monitor the timely delivery of onsite infrastructure (and with regards public open space and the LAP its maintenance thereafter)
Quantum	£500
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC7
Type	Onsite open space and play area maintenance
Policy	

Required	YES
Detail	<p>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. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space be offered to Willingham Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

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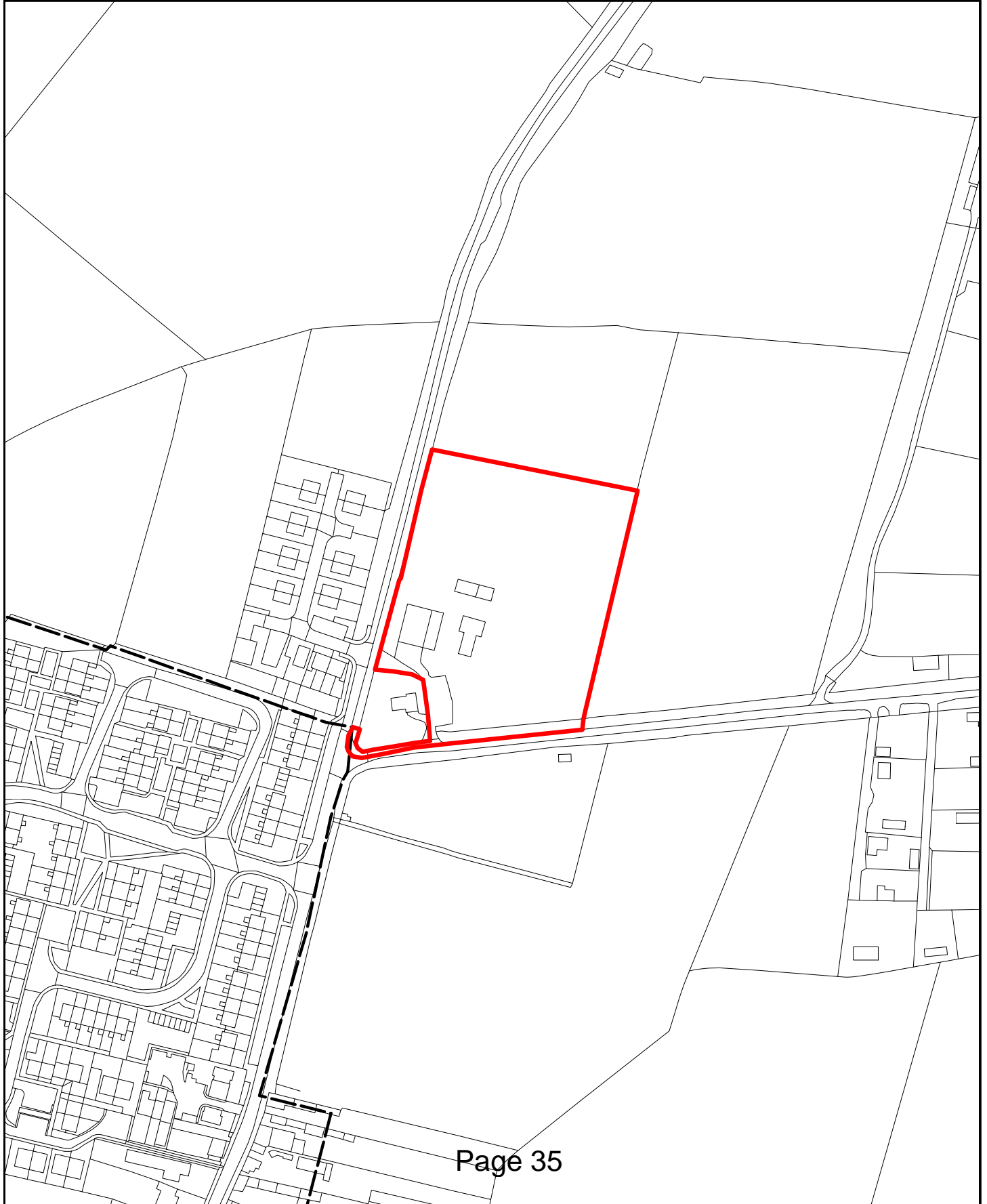
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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 September 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/1901/16/OL
Parish(es):	Meldreth
Proposal:	Outline planning permission for a mixed use development (up to 150 dwellings, public open space and new technology plant), new car park and access for Sports and Social Club and associated infrastructure. All matters reserved with the exception of the means of access
Site address:	Land at Eternit UK, Whaddon Road, Meldreth SG8 5RL
Applicant(s):	Mr James Munnery, Footprint Land and Property
Recommendation:	Delegated approval (to complete section 106 agreement)
Key material considerations:	Five year supply of housing land Principle of development (including redevelopment of a brownfield site) Density of development Affordable housing (including viability considerations) Character of the village edge and surrounding landscape Highway safety Residential amenity of neighbouring properties Surface water and foul water drainage Remediation of contaminated land Trees Ecology Provision of formal and informal open space Section 106 Contributions
Committee Site Visit:	Undertaken on 04 July 2017
Departure Application:	Yes (advertised 16 August 2016)
Presenting Officer:	David Thompson, Principal Planning Officer
Application brought to Committee because:	Approval of the planning application would represent a departure from the Local Plan and would be contrary to the recommendations of Meldreth and Whaddon Parish Councils.
Date by which decision due:	06 September 2017 (Extension of time agreed)

Executive Summary

1. The application was deferred at the July meeting of planning committee for the following work to be undertaken:
 - An independent review of the highway safety information, including an assessment of the impact of the additional traffic on the Whaddon Gap and Whaddon Road/Fenny Lane junctions
 - Additional information in relation to contaminated land
 - Further explanation of the impact of the noise associated with the commercial use to be retained on the site
2. In relation to the highway safety impact, an independent assessment has been carried out by WS Atkins. The report they produced is attached to this report as appendix 2. The findings of the assessment are discussed in detail in paragraphs 132 - 135 of this report. In relation to contaminated land, the independent assessment of the applicant's estimated remediation costs by MLM Engineering is attached to this report as Appendix 3, with additional advice to Members on how this issue relates to the assessment of the planning application provided at paragraphs 166 and 167 of this report. The Contaminated Land Officer will be present at the committee meeting to answer specific questions. The Environmental Health Officer will also be in attendance at the meeting to answer questions in relation to the noise impact concerns.
3. The proposal represents a significant scale of development on a contaminated brownfield site outside the Meldreth village framework. The proposal would also involve the loss of a large part of the site, which is proposed to be designated as an Established Employment Area under policy E/15 of the emerging Local Plan, through redevelopment for residential. However, the planning application does include the provision of a 2,500 square metre building to be used for industrial purposes, on the part of the site to be retained for commercial use. Evidence has been provided which indicates that the number of people employed at the site would substantially increase as a result of the proposal. The new industrial building would compensate for the loss of the existing buildings, which have become largely redundant following advances in manufacturing techniques.
4. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. There are no objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency. The indicative proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development. The proposal includes the provision of 25% affordable housing on site. Based on the evidence provided, this is considered to be the level at which the scheme remains financially viable, given the extent of the contamination on the site and associated remediation costs.
5. In terms of its locational sustainability, it is acknowledged that the site is further than would be considered reasonable walking distance from Meldreth railway station. However, mitigation measures include a financial contribution to extend the community transport facility secured as part of the New Road scheme in Melbourn, improvements to the cycle way as well as footway links between the site and the train station would enhance more sustainable modes of travel to the rail station. In addition, it should be noted that even if residents of the development drive from the site to Meldreth train station, the majority of the journey to Cambridge or Royston

would be via public transport, reducing the environmental harm arising from the scheme

Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the economic benefit of the additional employment that would result from the development outweigh the harm resulting from the environmental disbenefits (additional trip generation), the limited landscape harm arising from the scheme and the conflict with adopted policies DP/1(a) and DP/7 given the development is proposed on land outside the development framework for Meldreth. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Relevant Planning History

6. The below is not an exhaustive list of the planning history of the site but is considered to include the most relevant applications, explaining the development of the site and affecting this application:

S/2228/16/E1- Environmental Impact Assessment (EIA) Screening Opinion for development of mixed use development of up to 150 dwellings and associated infrastructure, and a new technology plant, along with new access and car park associated with the Sports and Social Club – not considered to be EIA development.

S/0392/07/CM (application determined by Cambridgeshire County Council as the Local Planning Authority for minerals and waste development) – final restoration of landscaping of a former closed gate landfill by the importation of inert waste materials (land to the north of the application site) - approved.

S/506/94/F – erection of Sports Club building – approved.

S/1302/91/F – extension to offices -approved

S/1113/89/F – vehicular access extension to yard area and gatehouse – approved.

SC/0052/62 - erection of building for the manufacture of asbestos cement products – approved.

National Guidance

7. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance

Development Plan Policies

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

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

ST/2 Housing Provision

ST/3 Re-using previously developed land and buildings

ST/6 Group Villages

ST/8 Employment Provision

9. **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
 ET/6 Loss of Rural Employment to Non-Employment Uses
 HG/1 Housing Density
 HG/2 Housing Mix
 HG/3 Affordable Housing
 HG/4 Affordable Housing Subsidy
 NE/1 Energy Efficiency
 NE/3 Renewable Energy Technologies in New Development
 NE/4 Landscape Character Areas
 NE/6 Biodiversity
 NE/8 Groundwater
 NE/9 Water and Drainage Infrastructure
 NE/11 Flood Risk
 NE/12 Water Conservation
 NE/14 Lighting Proposals
 NE/15 Noise Pollution
 NE/17 Protecting High Quality Agricultural Land
 CH/2 Archaeological Sites
 SF/10 Outdoor Playspace, Informal Open Space, and New Developments
 SF/11 Open Space Standards
 TR/1 Planning For More Sustainable Travel
 TR/2 Car and Cycle Parking Standards
 TR/3 Mitigating Travel Impact

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

Open Space in New Developments SPD - Adopted January 2009
 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
 Development Affecting Conservation Areas SPD – Adopted January 2009

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

S/1 Vision
 S/2 Objectives of the Local Plan
 S/3 Presumption in Favour of Sustainable Development
 S/5 Provision of New Jobs and Homes
 S/6 The Development Strategy to 2031
 S/7 Development Frameworks
 S/10 Group Villages
 HQ/1 Design Principles
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 NH/2 Protecting and Enhancing Landscape Character
 NH/3 Protecting Agricultural Land
 NH/4 Biodiversity
 NH/14 Heritage Assets
 E/14 Loss of Employment Land to Non Employment Uses
 E/15 Established Employment Areas
 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
SC/2 Heath Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

12. **Meldreth Parish Council** – strongly objects to the proposed development, giving the following reasons (summarised).

- There are 55 residents in Whaddon who are on the Affordable Housing Register. The under provision of affordable housing on the site is a key weakness of the scheme.
- The size of the development and the resulting increase in the housing stock in the village (equivalent to a 19% increase on the existing village) is considered to be of a scale that would have a detrimental impact on the character and appearance of Meldreth and would place an unsustainable burden on the capacity of services and facilities within the locality.
- The site is located further away from the services and facilities in the village than would normally be considered a reasonable walking distance. This ensures that occupants of the development would be reliant on the private car to make journeys to access these facilities, which would make existing problems associated with traffic congestion in Meldreth, particularly on the High Street, worse.
- There are existing congestion problems at Whaddon Gap on the A1198 and overflow parking from the railway station causes significant highway safety problems in the centre of the village. These situations would be made worse should the development be approved.
- The lack of capacity at the railway station car park is a problem that will be further exacerbated by the impact of the development of 199 houses at New Road in Melbourn. If this proposal is also approved, the problems will be further worsened.
- The decontamination of the site will involve a number of environmental risks which the application fails to fully address. Hazardous materials are likely to be encountered which could result in unacceptable health risks to nearby residents.
- The Parish Council conducted a survey of residents of Meldreth in August/September 2016. Forms were delivered to every residence in the

village and an online questionnaire was produced. There were 900 surveys delivered and 562 people responded. Of those, 80% did not support the proposals, 17% did support the proposals and 3% did not express a definitive view either way.

- The survey of residents also asked whether the facilities in the village could cope with the additional population of the proposed development. In response, 88% of residents did not think that the facilities could cope, 9% felt that they could and 3% did not express a definitive view either way. Therefore, the overwhelming view of residents is that the services and facilities within Meldreth would not be able to accommodate the additional demands placed upon them by the population of the proposed development. The main areas of concern with regard capacity were in relation to health and education provision and the capacity of the road network. The impact on the environment and transport services were also major concerns, as was the under provision of affordable housing within the development.

13. In relation to the re-consultation exercise conducted on the receipt of additional information in relation to pedestrian and cycle connectivity from the site to Meldreth train station, Meldreth parish Council re-iterated their strong objection to the development. Concerns remain in relation to the safety of the proposed access arrangements and the safety of the proposed cycle and footway routes, which are to be lit via 'runway lighting.'

14. **Whaddon Parish Council** – objects to the proposed development on the following grounds (summarised):

- The proposal would result in residential development in an unsustainable location, beyond walking distance from services and facilities.
- The proposal would be of a scale that would be harmful to the rural character of the surrounding landscape and would overwhelm the limited facilities available in Whaddon.
- There are environmental risks associated with the contamination on the site that ensure that the land is not suitable for residential development and disturbance of the ground could have an adverse impact on the health of nearby residents.
- The site is poorly served by public transport and is beyond reasonable walking distance to Meldreth railway station. The car parking facilities at Meldreth and Royston station do not have the capacity to accommodate additional development as they are already congested.
- There are existing congestion problems at Whaddon Gap on the A1198 and problems associated with speeding traffic through Whaddon village. These problems would be exacerbated by the proposed development.
- Concerns raised in relation to the safety of the proposed access arrangements. The access to the development would be on a blind bend and would present a danger to vehicles approaching the site from Meldreth and entering the development via a right turn.
- Services such as the doctors surgery in Melbourn, the primary school in Meldreth and the Village College in Melbourn would not be able to accommodate the additional demands placed upon them by the population of the proposed development.
- The scheme does not make sufficient provision for affordable housing, for which there is an identified need in this part of the District.

15. **Carter Jonas (consultants appointed to assess the applicant's viability**

- appraisal) -** having reviewed the initial viability report submitted with the planning application, and the assessment of anticipated costs associated with the remediation of the contamination on the site, conclude that the Council should seek a minimum of 25% affordable housing on the site, subject to a review clause. The review clause should be a fair mechanism for both parties to ensure that the maximum viable amount of affordable housing is achieved on site.
16. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment has been assessed as meeting the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
 17. A noise impact assessment has been included with the planning application. An assessment of the potential noise generated by traffic on Whaddon Road and the impact that this may have on the residential amenity of the occupants of the properties in the southern part of the development is included within the survey and mitigation measures are proposed. The mitigation measures suggested in the report are considered to be acceptable in principle but further details in terms of specification of the acoustic fencing etc. are required. In addition, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.
 18. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
 19. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.
 20. **District Council Contaminated Land Officer** – No objection. The Phase 1 and 2 surveys submitted in support of the application indicate that there are widespread sources of contamination across the site. A number of recommendations are made in relation to further works required. These include: investigation of resin stores and coating stores to explore the full extent of contamination in these areas, further assessment of petroleum hydrocarbons and potential contaminants in the water below ground level, a strategy detailing remediation methods and the management of materials being removed being produced and further investigation of the former industrial processing areas of the site being agreed. These details will be required prior to the preparation of detailed plans for the redevelopment of the site. These details can be secured by condition at the outline stage.
 21. **Air Quality Officer** – No objection. To ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust

Management Plan, and an electronic vehicle charging infrastructure strategy.

22. **District Council Urban Design Officer** – no objection to the principle of development. The development of 150 houses on approx. 7.6 hectares of land equates to a density of approximately 20 dwellings per hectare. This would be an appropriately low density of development given the rural location of the site. The proposal indicates development backing on to Whaddon Road at the southern edge of the development. This would not respect the prevailing character of development along Whaddon Road, where development fronts outwards, presenting an active frontage to the highway.
23. It is acknowledged, however, that this is detail issue which could be resolved at the reserved matters stage, as the indicative internal road layout could be altered to facilitate this change in the orientation of those plots. The existing award watercourse should be enhanced as part of the development and the hedgerow which runs between the two north-south aligned hedgerows should also be retained. There is a need to develop design briefs for each of the character areas as some of the areas of space between plots and the relationships between buildings shown on the indicative layout are not acceptable. These details should be resolved at the reserved matter stage. A condition is recommended to limit the heights of buildings to two storeys, to reflect the rural character of the site.
24. **District Council Landscape Design Officer** – expresses some concerns regarding the development of the eastern section of the development (projecting north/south) which results in an extension eastwards into the open countryside. As noted in the urban design comments, the award watercourse should not be culverted and should be a positive feature of the proposed development and the adjacent hedgerow retained. The scheme has been amended to ensure that the hedgerow frontage along Whaddon Road would be retained, with the proposed pedestrian/cycle link to Fenny End now sited behind this. There is a need to carefully consider the location of structural landscaping and open space within the site at the reserved matter stage.
25. **Cambridgeshire County Council Local Highway Authority** – following the submission of additional information, the Major Developments team have no objections to the proposals, subject to the required mitigation measures being secured. The combined trip generation of the commercial and residential development would result in 157 two way trips in the morning peak period and 154 two way trips in the evening peak period. The mitigation measures will include improvements to the bus stops on Kneesworth Road, near West Way, in addition to a contribution towards a community transport facility. The additional survey information provided assesses the impact of the additional traffic on key junctions, including the Station Road/High Street junction in Meldreth. An additional 54 trips would travel through the Whitecroft Road/ High Street junction in the morning peak time, with the same number during the evening peak period. An additional 28 vehicles would use the A10 junction during the morning peak period, 26 in the evening peak period. The survey information is considered sufficient to demonstrate that the development would not result in a significant impact on the capacity of the highway network.
26. In relation to the proposed access arrangements to the development, the Local Highway Authority has removed its initial objection, following the removal of the separate access to the Sports and Social Club and the submission of a Safety Audit in relation to the proposed access to the residential development. A number of conditions are requested covering the following issues: the level and surface material of the access should prevent displacement onto the highway, the detail of the construction of the access, the closure of existing accesses that are to become

redundant, the timing of the completion of the pedestrian/cycle way link and the approval of a construction management plan prior to the commencement of development.

27. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – No objection raised. The site is considered to be in a part of the District which is of high archaeological potential. There is artefact evidence of pre-historic occupation and there is evidence of Iron Age occupation, cropmark evidence of trackways and rectangular enclosures, as well as Roman remains to the south of the site. Hoback Farm Moat and enclosure and other features listed on the Historic Environment Record (HER) are located to the west of the site. There is further evidence of moats and post-mediaeval occupation of land to the south east of the site. It is considered that a condition can be imposed at the outline stage requiring further investigative work to be undertaken to ensure that any features of archaeological significance are not harmed by the redevelopment of the site.
28. **Cambridgeshire County Council Flood & Water Team** – no objection to the revised proposals. The revised Flood Risk Assessment (FRA) indicates that surface water attenuation measures allowing for 1890 metres cubed surface water to be managed on site and discharged to adjacent watercourses at a rate of 19 litres per second would be incorporated within the development. A condition requiring full details of the attenuation measures to be adopted can be attached to the outline planning permission and details of the management and maintenance of the drainage systems can be included in the Section 106 Agreement.
29. **NHS England** - state that Melbourn surgery does not currently have capacity to accommodate the projected additional demand that will result from this development. On the basis of their calculation, NHS England have requested a sum of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase (nb. Different projection to the County Council figure in this regard).
30. **Environment Agency** – No objection to the proposed development on the basis that a condition is attached to the planning permission requiring a remediation strategy dealing with the sources of contamination on the site is submitted to and approved in writing by the Local Planning Authority. Conditions also requested in relation to the prevention of access to the adjacent landfill site, details of surface water drainage measures and measures to be undertaken if piled foundations are to be used.
31. **Anglian Water**
Wastewater treatment – The foul drainage from this development is in the catchment of Melbourn Water Recycling Centre, which currently does not have capacity to treat the flows from your development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.

Foul Sewage Network – The applicant will be required to develop a foul water drainage strategy that is acceptable to Anglian Water in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.

Surface Water Disposal – The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last resort. Anglian Water and the Lead Local Flood Authority will need to be consulted

on the detailed surface water drainage strategy for the development, which can be secured by condition at this outline stage.

There is a sewage pumping station within 15 metres of the site. Details of how the necessary 15 metre separation distance between this facility and the closest dwellings is to be achieved will need to be addressed at the reserved matter stage, otherwise there will be a need to relocate this substation.

32. **Affordable Housing Officer** – The site is located outside of the development framework of Meldreth and should therefore be considered as an exception site for the provision of 100% affordable housing to meet the local housing need in line with Policy H/10 of the proposed Local Plan. Within the context of a lack of five year housing land supply however, the position would be to require 40% of the units to be affordable dwellings, provided on site, unless viability considerations demonstrate otherwise. In this case, the proposal is for the provision of 25% (38 units) of affordable housing on site, justified on the basis of the costs of remediation resulting in 40% affordable provision being unviable. Part of the viability case, which has been verified by Carter Jonas, is that the tenure split would be 50% affordable rent and 50% shared ownership.

- There are currently 48 people on the Housing Register who live in or have a local connection to Meldreth.

- The mix and tenure split for the 38 affordable dwellings should be as follows:

- Affordable Rent (19 units):

6 x 1 bed
9 x 2 bed
2 x 3 bed
2 x 4 bed

Shared ownership (19 units):

19 x 2 bed

- 8 properties should be allocated to those with a local connection to Meldreth and the remaining 30 should be allocated on a 50/50 split basis between applicants with a local connection to Meldreth and those with a District wide connection.

- Properties should be built to DCLG technical housing standards.

33. **Section 106 Officer** – details of the specific policy compliant contributions are discussed in detail in the main body of the report. A detailed matrix summarising all of the Section 106 contributions is attached to this report as Appendix 1
34. **Cambridgeshire County Council Growth Team** – This proposal would result in an anticipated 45 children in the early years age bracket, 23 of which would qualify for free provision. There is currently insufficient capacity at Meldreth primary school (where the pre-school facility is located) to accommodate the additional pupils generated by the development. The identified project is a 26 pupil capacity early years classroom with ancillary facilities. This would form part of the project to expand the primary school capacity on the site to accommodate the additional population of the development. The overall project would result in 2 new classrooms on the school site.

35. In relation to primary aged children, the proposed development would result in an anticipated 53 additional pupils within the catchment of Meldreth Primary School. Whilst there is some capacity at the school, 30 of the pupils could not be accommodated within the confines of the existing building. The identified project to mitigate the impact of the development is an additional classroom, in addition to the classroom identified to meet the additional capacity requirement in pre-school provision.
36. A Milestone 1 Report has been produced detailing the costs of the combined project. The total cost of the project is £1,777,144 and that sum should be secured from this development via the Section 106 Agreement.
37. The County Council consider that there is currently capacity at Melbourn Village College to accommodate the 38 secondary school age children that would be anticipated to be generated by this development.
38. In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 375 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £10,845.00 (depending upon final housing mix.)
39. **Historic England** – There are a number of designated heritage assets within a 1.5km radius of the site. To the east of the site is the grade I listed Church of Holy Trinity in Meldreth and the Meldreth conservation area. To the north east of the site is Malton Farmhouse, which is grade II* listed, Rectory Farmhouse to the west is also grade II* listed. The church of St. Mary in Whaddon is grade II* listed. To the south east of the site is The Grange at Whaddon which is grade II* listed. The proposed development would not directly affect the setting or significance of any of these heritage assets. However, there is a need to respond to local character. It seems unlikely that the development would adversely affect the setting of Meldreth conservation area.
40. **District Council Ecology Officer** – No objections to the proposals. The bat survey submitted with the application demonstrates that the buildings to be demolished have limited potential for roosting. The location of the Pipistrelle roost found during the survey period has been clarified and is not within the application site. The retention of boundary habitats and the indicative location of the areas of public open space are supported. The recommendation that a badger survey be undertaken prior to the commencement of development is supported and should be secured by condition. The compensatory measures (creation of swallow nesting habitat and bat roosting habitat) are supported but should be supplemented with additional measures. Areas of wet flush and semi-improved grassland and ditches would be lost and therefore suitable replacement habitats need to be secured. Measures to protect nesting birds also need to be enhanced. However, all of these issues can be dealt with at the reserved matters stage when the layout is to be fixed. Updated mitigation strategies addressing the protection of nesting birds and badgers and ecological enhancements can be secured by condition.
41. **District Council Tree Officer** – no objections to the principle of development. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application. Details of tree protection measures should be secured by condition at this outline stage.
42. **Cambridgeshire Fire and Rescue Service** – No objection to the proposals subject

to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.

43. **County Council Definitive Map Officer** – no objections to the proposals. The right of way which runs along the eastern boundary of the the application site would be retained in the indicative layout. There is a need to ensure that the footpath remains in position and free from obstruction during or as a result of the construction process. This will need to be secured at the reserved matters stage and conditions attached as appropriate.

Representations

44. 20 letters (including representations received via the website) have been submitted in relation to the application (18 objections and 2 letters of support).
45. The responses in objection to the proposals raise the following issues (summarised):
- The proposed development is too large in the proposed location, outside of the development framework of Meldreth.
 - The site is too isolated to be considered sustainable and is not served by good transport links.
 - The development would not accord with the policies of the adopted Core Strategy as it is not in close proximity to services and facilities which would meet the day to day needs of the residents and would therefore depend on the use of the private car.
 - The services and facilities in Meldreth are 1 mile away from the site. Whilst a footpath/cycle link is proposed, the likelihood is that the majority of residents will use the car to access these facilities and the railway station in the village.
 - The local schools and health facilities do not have capacity to accommodate the additional population that would result from the proposed development.
 - The proposed development would significantly increase the volume of traffic on the road network, which is already severely impacted upon by the heavy goods vehicles accessing the Marley Eternit site.
 - The cumulative impact of this development and the development of 199 units and a care home in Melbourn would have an unacceptable impact on the capacity of the road network, the doctors surgery and the Village College in Melbourn.
 - The station car park is often full and will not be able to accommodate the additional traffic from the development.
 - It is considered that the future of the site as an employment use should not depend on the ability to develop a large part of it for residential development.
 - The proposal for no affordable homes (as originally submitted) is unacceptable.
 - The proposal to create only 25 new jobs would not be of significant benefit to the village.
 - The clean up of the contamination on the site is likely to result in air pollution that would be detrimental to the health of nearby residents.
 - The level of trips generated by the scheme and the speed at which cars currently travel along Whaddon Road ensure that the proposed development represents a highway safety hazard.
 - The cost of remediating the land is a legal obligation that would be placed on the landowner as the controller of contaminated land. The costs of remediation should not be factored in to the viability case relating to affordable housing provision and Section 106 contributions.
 - The traffic from the proposed development would add to the already significant problem of congestion on the A10 at peak travel times.
 - The proposed development would have a population the same size as the entire

village of Whaddon and must therefore be considered a disproportionately large scale of development in this isolated location.

- The proposed junction improvements to Fenny Lane do not go far enough to mitigate the impact of the development in highway safety terms.
- Support for some residential development may have been expressed during public consultation but that does not mean that development on the scale proposed would be supported.
- The applicant has overstated the practicality of using the bus service to commute to Cambridge – with only one bus to and one back on weekdays.
- The proposed development would have an adverse impact on the residential amenity of adjacent properties, particularly through the noise generated by additional traffic movements.
- The proposed development would have an adverse impact on the rural character of the surrounding landscape.
- The proposed development would have an adverse impact on the biodiversity value of the site.
- There is a screen wall associated with the brick buildings towards the front of the site which contains sculptures which reference the historic use of the site. This wall and the buildings in this part of the site should be considered non-designated heritage assets. The significance of these assets should be fully explored. There is no certainty that the sculpted features would be retained as a feature of the development as the proposal is in outline form only.

46. The letters of support make the following comments (summarised):

- The additional population would improve the vitality and viability of the village.
- The proposed development would preserve the employment use of the site
- The residents of the proposed development would benefit from the use of the facilities in the adjacent Sports and Social Club.
- The proposed pedestrian link would be a sustainability benefit of the scheme.

47. In addition to these letters and the responses to the survey undertaken by Meldreth Parish Council (referred to in paragraph 11 above), the applicant undertook 3 surveys, 1 each month in February, May and August 2016. There were 305 (17% of the village population) responses to the first survey, 77 (4% of the village population) to the second and 191 to the third (11% of the village population). Taken as a whole, 29% of respondents support the brownfield development of the site, 62% supported the development of the brownfield site and land to the east (adjacent to Fenny Lane), with 35% of respondents supporting either or both of these options. The applicant's surveys did corroborate the results of the survey undertaken by the Parish Council in that the vast majority (94%) of the respondents to the 3 surveys considered that the services and facilities in Meldreth would not be able to cope with the demands placed on them by the additional population resulting from the proposed development.

Site and Surroundings

48. The application site is part of the site operated by Marley Eternit, located approximately 1 kilometre north west of Meldreth. The application site covers the south eastern corner of the site which is occupied by redundant buildings and land to the east of that which includes a hardstanding car parking area and a section of enclosed grassland extending northwards. The site is accessed via connection to Whaddon Road in the south western corner.

Proposal

49. The applicant seeks outline planning permission for the erection of a mixed use development of up to 150 dwellings, public open space and new technology plant (2500 square metres floor area), new car park and access for the Sports and Social Club and associated infrastructure. All matters are reserved except for access.

Planning Assessment

50. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether the proposal is considered to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

Five-year housing land supply and sustainability of the proposed development:

51. The National Planning Policy Framework (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.
52. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 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 March 2017). 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.
53. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
54. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely and held that the term was not to be restricted 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies in the

adopted Development Plan which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.

55. The decision of the Court of Appeal tended to confirm the approach taken by the inspector who determined the Waterbeach appeal. As such, as a result of the decision of the Court of Appeal, policies including policy ST/6 of the Core Strategy and policies DP/1 (a) and DP/7 of the Development Control Policies DPD fell to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF para 49 and therefore out of date.
56. However, the decision of the Court of Appeal has since been overturned by the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF. The term “relevant policies for the supply of housing” has been held by the Supreme Court to be limited to “housing supply policies” rather than more being interpreted more broadly so as to include any policies which “affect” the supply of housing, as was held in substance by the Court of Appeal.
57. The effect of the Supreme Court’s judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as “relevant policies for the supply of housing”. They are therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policies ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
58. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date “albeit housing supply policies” do not now include policies ST/6, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”
59. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
60. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes

(including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused.

61. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
62. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
63. The site is located outside the Meldreth village framework, in the open countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 150 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy. The proposal is not currently an Established Employment Area, although it is proposed to be identified as such under policy E/15 of the emerging Local Plan. Nevertheless, section 3 of the NPPF (entitled supporting a prosperous rural economy) gives support in principle for the development of existing employment sites to increase employment opportunities.
64. Development in Group Villages (the current and emerging status of Meldreth) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings, or in exceptional cases 15, where development would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. 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.
65. By proposing 150 dwellings, the scheme would significantly exceed the indicative maximum of 15 on a brownfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in the recent Over appeal decision (18 January 2017) stated that ‘...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.’
66. In light of the above, it is not appropriate, in the case of all Group Villages, to attach the same weight to policy DP/7 and DP/1(a) in the ‘blanket’ way. It is necessary to consider the circumstances of each Group Village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development. Similarly, each planning application must be assessed on its own merits and the increased employment opportunities on the site would enhance the sustainability credentials of the scheme and this must be weighed in the balance with the impact of the residential element of the proposals.

67. The environmental issues, including impact on the open countryside, are assessed in the following sections of the report. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grades 1, 2 or 3a. This site is classified as grade 2 agricultural land although it is clear that it has not been used for agricultural purposes for some time and certainly the area covered by hardstanding and buildings cannot be considered as fit for purpose agricultural land.
68. The site is not allocated for development in the existing or the emerging Local Plan. However, given the brownfield status of the majority of the site, the mixed use nature of the proposed development and the fact that the Council cannot demonstrate a five year supply of housing land, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with criteria b, where sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land, of NE/17 should be afforded more weight than the conflict with criterion a where the land has not specifically allocated for development.

Previously developed land:

69. The NPPF defines previously developed land as ‘land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.’ It is clear that the areas covered by hardstanding and existing buildings are previously developed land. The strip of land which extends northwards on the eastern edge of the site is undeveloped. The applicant has indicated that this area was used operationally during the process of remediating the landfill site to the north of the application site.
70. The land has an undeveloped character but it is enclosed by metal fencing on its northern and eastern boundaries and so appears physically to be separated from the surrounding open agricultural land. Officers are of the view that the undeveloped character of the land itself excludes this part of the site from the definition of previously developed land although the landscape quality of the area is severely compromised by the fact that it runs along the eastern edge of the industrial site and is enclosed by metal fencing. Overall therefore, officers are of the view that significant weight should be given to the fact the majority of the development (approx. 120 of the dwellings, the commercial building and associated works) would be on land that does meet the definition of previously developed land. The environmental harm arising from the overall scheme (discussed in detail later in this report) would not be sufficient to significantly and demonstrably outweigh the benefits of the proposals.
71. Paragraph 17 of the NPPF sets out the core principles of the planning system. One of these principles is to ‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’ and another is to ‘promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas...’ Paragraph 111, in relation to conserving the natural environment, restates the principle in support of the development of suitable brownfield sites. Officers are of the view that significant weight should be given to the mixed use nature of this development and the key environmental benefits that remediating a contaminated brownfield site would achieve.
72. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

Social Sustainability:

73. 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.
74. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 150 residential dwellings, 25% of which would be affordable (38 units), a level which has been independently verified as the viable level of on site provision given the costs of remediating the land (covered in detail later in this report). Ensuring that the housing mix in the market element of the scheme would accord with emerging policy H/8 is a matter to be dealt with at the reserved matters stage.
75. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 150 additional houses, including the affordable dwellings, is a social benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a demonstrable need for affordable housing in Meldreth. Alongside this is the economic benefit of increasing the number of people employed on the site through the development of the 2500 square metre commercial unit.
76. The adopted Open Space SPD requires the provision of approximately 4500 square metres of public open space for a development on the scale proposed, depending on the final mix, which is to be determined at the reserved matters stage (this figure represents an approximate amount based on a policy compliant mix). The scheme exceeds this amount by a significant margin (approximately 5000 square metres is shown on the indicative masterplan) and would include sufficient space for the inclusion of an equipped play area with land surrounding it, as required by the SPD. Given that Meldreth has an identified short fall in play space and informal open space, the fact that this amount of space can be provided at the density of development indicated is considered to be a significant social benefit of the proposals. Details of the management of the public open space can be secured in the Section 106 Agreement at this outline stage.
77. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The indicative layout plan demonstrates that the site can be developed for the number of dwellings proposed, although there are aspects which require further consideration at the reserved matters stage. The nearest property in the proposed development is some 300 metres from the nearest dwelling in the main village. Any sense of isolation in terms of creating a stand alone community is offset through the creation of a footpath and cycleway link to the junction with Whitecroft Road and the reasonable access to facilities and services discussed below.

Impact on services and facilities:

78. The proposal would significantly exceed the level of development supported by policy ST/6 and would not be within the existing framework boundary as required by policy DP/7. The site is located closer to Meldreth than Whaddon and Meldreth has a greater range of services and facilities which are more likely to be used by the occupants of the proposed development. Therefore an assessment needs to be made in relation to the impact of the development on facilities in Meldreth and whether this impact is considered to meet the definition of sustainable development.

79. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
- necessary to make the scheme acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development proposed.
80. Whilst there are bus stops within approximately 600 metres of the site on Kneesworth Road, the service to and from both Royston and Cambridge is infrequent and would not allow commuting to either of those settlements. However, Meldreth train station is located 1 mile to the south east of the site. The proposal includes the creation of a footpath and cycleway link to the junction with Whitecroft Road, from where there is a footpath which connects to the station. The train service to both Cambridge and Royston operates every 30 minutes at commuting times and hourly during the day on weekdays and hourly on Saturdays and Sundays. The journey time to Cambridge is 20 minutes (some services 15 minutes) and the journey time to Royston is 4 minutes.
81. It is acknowledged that the train station is further than 800 metres from the proposed development. However, the scheme will make provision for cycling the 1 mile journey and would provide 10 additional cycle stands at the station. This would provide an incentive to use the proposed cycleway link from the development to the eastern edge of the site, which connects to the existing footway network to the centre of Meldreth. Rail cards would also be provided as part of the Travel Plan as an incentive for residents to travel by train. In addition, the development would contribute to an expansion of the community transport scheme approved as part of the New Road development in Melbourn. This would provide a sustainable alternative means of transport to the private car, on a more regular basis within close proximity of the site, allowing access to services and facilities in larger settlements.
82. In assessing the issue of addressing a housing shortage and accounting for the rural character of the majority of the District, the Inspector deciding the Over appeal concluded that 'the level of approvals (of new dwellings across the district) are not at such a scale or rate that they are making significant in-roads into the shortfall.' In relating that situation to the merits of the Over scheme, the Inspector stated 'a concern that the location of this development would lead to journeys for shopping trips is therefore something that is potentially to be repeated in other such locations and therefore does not make this site significantly less sustainable than any other site....'
83. Over as a village has a GP surgery which Meldreth does not but otherwise the level of services and facilities in the two villages are comparable. However, Over does not have significant sources of employment or services that would go beyond meeting basic day to day needs and access to these would therefore generate trips out of the village. The bus service from Over to Cambridge is far less frequent than the train service to Royston or Cambridge from Meldreth and the journey time is longer. The train service in Meldreth is closer to this site than the Guided bus is to the Over scheme and operates on a similar frequency. The Over scheme was smaller in scale but proposed the development of a greenfield site for residential development only and did not include a contribution to a community transport scheme.
84. Whilst each application must be determined on its own merits, the distance from a development to a regular public transport service is an important element in assessing environmental sustainability. This development also incorporates an element of employment which would be accessible on foot from the residential units, which

substantially enhances the economic and environmental sustainability of this proposal.

85. Cambridgeshire County Council is the Education Authority. This proposal would result in an anticipated 45 children in the early years age bracket, 23 of which would qualify for free provision. There is currently insufficient capacity at Meldreth primary school (where the pre-school facility is located) to accommodate the additional pupils generated by the development. The identified project is a 26 pupil capacity early years classroom with ancillary facilities. This would form part of the project to expand the primary school capacity on the site to accommodate the additional population of the development. The overall project would result in 2 new classrooms on the school site
86. The County Council consider that there is insufficient capacity at the primary school to accommodate the 53 children within this age bracket anticipated to result from the population of the proposed development. Whilst there is some capacity at the school, 30 of the pupils could not be accommodated within the confines of the existing building. The identified project to mitigate the impact of the development is an additional classroom, in addition to the classroom identified to meet the additional capacity requirement in pre-school provision.
87. A Milestone 1 Report has been produced detailing the costs of the combined project. The total cost of the project is £1,777,144 and that sum should be secured from this development via the Section 106 Agreement.
88. It is considered that there is capacity at Melbourn Village College to accommodate the 38 children of secondary school age anticipated to result from the population of the proposed development.
89. In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 283 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £10,845.00 (depending upon final housing mix.)
90. The applicant has submitted a health Impact Assessment to address this concern. This Assessment confirms that the nearest doctor's surgery is located in Melbourn. Officers have contacted the GP surgery and corroborated the evidence that the surgery is still taking on patients. However, based on the number of patients per GP, the surgery is operating beyond capacity (on the basis of 1 GP to 1750 patients as per the Royal College of GP guidelines). As such, mitigation would be required to increase the capacity in healthcare provision.
91. Officers acknowledge the physically constrained nature of the Melbourn surgery site. However, as highlighted by the appeal decision in relation to the scheme for 199 units and a care home at New Road in Melbourn, there are a number of potential changes to how surgeries will be managed in the period between the granting of outline planning permission and the occupation of development. The Inspector considered it appropriate in that case to ensure that NHS England provided a specific mitigation plan prior to drawing down any money sought from the developer. This was considered to provide as much certainty as was possible at the point of determination that the contribution would be CIL compliant and spent on mitigating the impact of the development.
92. In this case, NHS England have provided a consultation response and have requested a sum of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase (nb. Different projection to the County Council figure in this regard). It is considered that the

contribution can be secured on the basis of the provision of a robust mitigation strategy being agreed prior to the money being released to ensure that a specific and deliverable project is identified. This would follow the precedent set in this regard by the appeal quoted above.

93. The fact that the developer has agreed to the principle of paying the contribution to fund the additional infrastructure required to offset the impact of the development in this regard ensures that the impact of the scheme on the capacity of these facilities could be adequately mitigated, weighing in favour of the social sustainability of the scheme.
94. In addition to the primary school and mobile library service, Meldreth has a post office and village store, a public house, community rooms, the social club adjacent to the application site, recreation ground. There is also a bowling green and a village hall in Meldreth.
95. Facilities at the recreation ground include a neighbourhood equipped area of play space, football pitches, basketball and tennis courts. Alongside the regular train service, this represents a better range of services and facilities than is evident in a number of the smaller Group Villages in the District.
96. All of these facilities are within 2km of the site. Only the sports and social club is within 800 metres. However, given that the proposal includes the provision of a pedestrian and cycleway link from the site, a contribution to the community transport scheme, the connectivity to the services and facilities in the centre of Meldreth would be improved. Nevertheless, there would be some harm arising from the distance between the site and facilities required to meet day to day needs. This environmental harm needs to be weighed against the close proximity of an employer which would be expanding as part of the overall scheme and the significant environmental benefits resulting from the reuse of a brownfield site which is heavily contaminated.

Economic sustainability:

97. Given the likely scale of the contamination and the fact that the large scale industrial manufacturing process that previously occupied the site is no longer a viable form of employment, it is considered that the proposed development of a technology plant (use class B2) as part of the mixed use development is a significant economic benefit of the proposals. This is considered to limit the harm arising from the proposal to develop part of the site for non-employment purposes and would safeguard the existing employees on the site (approximately 75) and add a further 25 jobs.
98. Given that the site is within the open countryside as opposed to within a village framework, the provisions of policy ET/6 (loss of rural employment to non-employment uses) do not strictly apply. Even if this policy did apply, the proposal is for a mixed use scheme which involves employment uses as opposed to resulting in the complete change of use of the site. The policy states that the redevelopment of employment sites to non-employment uses should be resisted unless at least one of three criteria apply. Criterion b. states that if 'the overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises,' the loss of an employment site may be justified. Emerging policy E/14 does include sites on the edge of villages in subjecting employment sites to the same requirements as under ET/6, although is considered only to be worthy of limited weight in the decision making process due to the nature of the representations received during the Local Plan consultation process, in line with the guidance within the NPPF.
99. Given that the proposal would result in an expansion of employee numbers on the site,

it is considered that the harm arising from the loss of physical space on the site would not be sufficient to outweigh the community benefits of affordable housing in a Parish and wider District where there is an identified need and the wider social benefit of boosting significantly the supply of housing, as required by national planning policy. As such, officers consider that the proposals do not conflict with existing or emerging policy in this regard.

100. The provision of up to 150 new dwellings as part of the scheme 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.

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

Density of development housing mix and affordable housing

Density:

101. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (30 dwellings per hectare) when taking the site as whole (approx. 7.1 hectares in area). The density equates to approximately 22 dwellings per hectare. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given the rural location of the site and the fact that there will need to be a grading of the density and height of development out from the core towards the edges of the development, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
102. Whilst this layout is not fixed, the illustrative masterplan is considered to demonstrate that 150 units could be accommodated on the site without resulting in a density of development that would be out of character with the edge of village location. Matters of design and landscape impact are discussed in detail in the following section of the report.

Housing mix:

103. Under the provisions of policy HG/2, the market housing element of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties. The detail of the housing mix proposed within the market element of the scheme (112 units) has not been specified.
104. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories (1 and 2 bed, 3 bed and 4 or more bed properties), with the 10% margin to be applied flexibly across the scheme. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF.
105. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme is policy compliant and would deliver a high proportion of smaller units, in a District where there is a need to increase the stock of this type of

housing.

Affordable Housing:

106. As has been highlighted by a number of the representations received to the planning application, the scheme originally proposed no affordable housing. The reasons for this original submission were based on viability grounds in relation to the cost of remediating the contaminated site and on the basis of a discount to be applied under the Vacant Building Credit (VBC). VBC was introduced through PPG as a national incentive to secure the re-use of brownfield sites and allows a developer to discount the total floor area of vacant buildings from the policy complaint level of affordable housing. The total floor area of the buildings to be demolished is 10,985 square metres. Taking guidance in H/11 of the emerging Local Plan for average plot size (85 square metres for a 3 bed house with 5 occupants), the amount of floorspace to be demolished would be the equivalent to more than the 60 units required to reach 40% affordable housing as required by adopted policy.
107. During negotiations with the developer, Officers were able to point to cases where the District Council has successfully defended appeals in relation to the wider PPG guidance relating to schemes for 10 or fewer dwellings on the basis of the evidenced need for affordable housing (1700 names on the District Housing Register) and where there is an identified need in the Parish where the application site is located. As confirmed by the Housing Officer, there is a need for 44 affordable homes in Meldreth Parish. Those appeal decisions confirmed that both the Written Ministerial Statement which announced the guidance contained within the PPG and the Local Plan are material considerations and must be given weight in the determination of planning applications.
108. Both existing LDF policy HG/4 and emerging Local Plan policy H/9 state that, where viability information justifies a lower percentage of provision, a level of on site affordable housing below the assumed position of a minimum of 40% affordable housing can be accepted. The applicant has provided viability information relating to the costs of remediating the contamination on the site. The cost of remediation has been calculated at a total of £7,025,389. Following a review of the applicant's costs by MLM, independently appointed by the District Council, this figure was reduced by £1,207,000 as it became apparent that piled foundations would not be suitable and raft foundations could be used in the construction of the development, resulting in a reduction in the overall remediation costs.
109. Paragraph 173 of the NPPF states that 'To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and a willing developer to enable the development to be deliverable.'
110. Carter Jonas has independently reviewed the overall viability of the scheme. Their report concludes that a residual land value could be achieved that would allow the developer to contribute 25% of the units on site to be affordable dwellings for the scheme to remain commercially viable, following the reduction of the remediation costs. The Housing Officer has completed a viability appraisal using the Homes and Communities Agency's approved model and has reached the conclusion that there would be a small surplus at this level, but that this would not be sufficient to increase the percentage of units over the 25% mark.
111. On that basis, the applicant has agreed to the provision of 25% affordable units on site

and for there to be a review mechanism included within the Section 106 Agreement to ensure that if the developer return is greater than anticipated in the viability assessment, a percentage of that gain is recouped by the District Council to provide additional affordable housing within the District. Following this amendment to the scheme, officers are satisfied that the level of affordable housing proposed does comply with the provisions of local and national planning policy. This has been verified as a level of provision which still allows the scheme to be financially viable following the remediation of the contaminated site.

Character of the village edge and surrounding landscape

Landscape Impact

112. The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with the application. The report assesses the anticipated impact of the proposed development on a number of view points within the site and along the southern and eastern boundaries. The appraisal highlights that there are a number of relatively tall structures, including the cement silos, the machine tower and modern buildings at the front of the site. The report highlights that the taller elements of the infrastructure within the site, although partially screened by the mature planting on the boundary of the Marley Eternit site, clearly contrast with the character of the relatively flat and expansive nature of the surrounding farmland. For these reasons, the value of the site in terms of contributing to the value of the wider landscape and the sensitivity of the impact of the proposed development are considered to be low.
113. In relation to the impact of the development on the setting of the closest villages – Meldreth and Whaddon - the report considers that modern infill development has increased the density of development in Chiswick End, Meldreth and that new houses have replaced pasture land and hedgerows on the south western edge of Meldreth. The overall sensitivity of the impact of development on the site on the character of the two neighbouring settlements is considered to be low.
114. In relation to field boundary vegetation, the report acknowledges that the open fields which characterise the wider landscape have planted hedgerow boundaries and these form important biodiversity value. These boundaries are generally locally distinctive in terms of species and therefore overall contribute positively to the amenity of the landscape. The value of the hedgerow features on the site are therefore considered to be medium in value, with the impact of the scheme (revised to retain the vast majority of the hedgerow to the front of the site) considered to be low.
115. While the Landscape Design Officer (LDO) has raised some concerns, there is no objection per se to the proposals and he considers the density of development to be acceptable in this location. The LDO has raised the issue of including the green field in the north eastern portion of the site within the development. As stated previously, officers are of the view that this part of the site does not meet the definition of brownfield land. However, it is enclosed by metal fencing and dense hedgerow planting on the northern and eastern boundaries, which clearly provide a sense of containment and indicate a visual associated with the Marley Eternit site as opposed to the wider open agricultural fields beyond the site.
116. At the density proposed, the indicate masterplan indicates addition tree planting along the eastern and western boundaries and a 'buffer' area of open space could be located in the northern part of this land to create a softer edge to the development. Each of these elements of mitigation could be secured at the reserved matters stage.

117. An Award Watercourse runs along the northern and eastern boundaries of the site and skirts the edges of the existing carpark associated with the Social Club. The LDO has stated that this should be retained as a feature within the development and this is acknowledged. The indicative masterplan suggests that a footpath would be constructed along the eastern edge of the site, which results in the need to culvert the watercourse. This footpath could easily be relocated to the western edge of the additional planting proposed along that boundary, until the point where it meets the Public Right of Way at the density proposed and is therefore a layout matter to be resolved at the reserved matters stage.
118. The Urban Design Officer (UDO) has also raised no objection to the principle of development. Comment has been made that the row of properties fronting on to Whaddon Road should present an active frontage to the road and this is acknowledged. At the density proposed, it would be possible to develop internal access roads to the rear of the hedge row which would provide access to the dwellings on the southern edge of the site. As such, this is a matter to be resolved at the reserved matters stage. There is no objection in landscape or design terms to the location of the new commercial technology building, which is indicatively sited to the north west of the existing factory units on the site.
119. The principle of having a variety of character areas across the site is supported, there is a need to consider the relationship between the buildings and how they respond to the open space within the scheme and the sensitive edges of the development. The UDO has suggested that development should be restricted to 2 storey in height and 8.5 metres across the development. Given the height of some of the existing buildings in the western part of the site, it is considered that some parts of the site could accommodate taller development than others. The applicant has agreed to a condition limiting development to two storeys in height and a maximum ridge height of 9.5 metres. The buildings on the edge of the development would need to be smaller in height and the applicant is willing to accept a condition requiring a minimum of 5% of the properties within the scheme to be bungalows. Such a condition is considered to meet the statutory tests as it would help to meet an identified need in terms of accommodation type and also soften the landscape impact of the development. Comments made by the UDO in relation to the layout of plots and car parking arrangements are details to be dealt with at the reserved matters stage.
120. As such, officers conclude that there will be no unacceptable adverse impact on landscape character or the countryside and the proposals are therefore capable of complying with policies DP/3 and NE/4 of the LDF
121. Within the context of a lack of five year housing land supply, the Inspector for the New Road, Melbourn appeal (199 dwellings and a care home) provided guidance in a case where landscape harm is identified and balancing this against the need to address the lack of housing land supply. In that case the Inspector concluded in relation to landscape harm that 'while the development of this site would cause very limited harm to the wider landscape, there would be a greater localised harm to the character of the village and its countryside setting, in conflict with development control policies. This carries fairly significant weight (in the planning balance).' In weighing this harm against the benefit of housing provision in that location, the Inspector concluded that '...while there would be some notable adverse impacts, they would not be sufficient to outweigh the very significant benefits of the proposal (i.e. the provision of additional housing in the District).'
122. Officers acknowledge that each site must be assessed on its own merits and that the number of houses proposed at Melbourn was greater than the 150 proposed in this

scheme. However, the Inspector acknowledged that there would be 'screening' of open views from the edge of the village and a detrimental impact upon the rural character of the landscape in that case. This harm applies in a similar way to this scheme and has been commented upon by local residents and reflects the concern in terms of the scale of the development.

123. In light of all of the above, it is considered that, on balance, the limited harm to the landscape arising from this proposal would not itself outweigh the benefits of providing additional housing (including 25% affordable, justified on the basis of viability), the economic benefit of the creation of additional employment on the site and the environmental benefits of the remediation and redevelopment of a site that is predominantly brownfield land and all of which is visually associated with the Marley Eternit site as opposed to the surrounding landscape.

Trees

124. The District Council Tree Officer has raised no objections to the proposals. The proposals to enhance the landscape planting on a number of the boundaries of the site and the amendments to retain more of the hedgerow along the frontage of the site are welcomed. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application. Conditions requiring a more detailed tree protection scheme and details of new landscape planting can also be secured at this outline stage.

Ecology

125. The Ecology Officer has raised no objections to the application. The bat survey submitted with the application demonstrates that the buildings to be demolished have limited potential for roosting. The location of the Pipistrelle roost found during the survey period has been clarified and is not within the application site. The retention of boundary habitats and the indicative location of the areas of public open space is supported.
126. The recommendation that a badger survey be undertaken prior to the commencement of development is supported and should be secured by condition. The compensatory measures (creation of swallow nesting habitat and bat roosting habitat) are supported but should be supplemented with additional measures. Areas of wet flush and semi-improved grassland and ditches would be lost and therefore suitable replacement habitats need to be secured.
127. Measures to protect nesting birds also need to be enhanced. However, all of these issues can be dealt with at the reserved matters stage when the layout is to be fixed. Updated mitigation strategies addressing the protection of nesting birds and badgers and ecological enhancements can be secured by condition.

Highway safety and parking

128. Following the submission of additional information, the Major Developments team have no objections to the proposals, subject to the required mitigation measures being secured. The combined trip generation of the commercial and residential development would result in 157 two way trips in the morning peak period and 154 two way trips in the evening peak period.
129. The mitigation measures will include improvements to the bus stops on Kneesworth Road, near West Way, in addition to a contribution towards a community transport

facility. The additional survey information provided assesses the impact of the additional traffic on key junctions, including the Station Road/High Street junction in Meldreth. Other measures include the provision of a cycle/pedestrian link from the edge of the development to Whitecroft Road, the provision of a subsidised railcard in the Travel Plan for occupants of the development and the provision of 10 cycle stands at Meldreth railway station. The provision of the cycleway/footway within the site to connect to the highway would improve the connectivity of the scheme to the village and help to mitigate the acknowledged distance between the site and the facilities within Meldreth. Each of these measures would enhance the environmental sustainability of the scheme and can be secured by condition or the Section 106 Agreement. A financial contribution towards community transport scheme would also be secured through the Section 106 Agreement.

130. An additional 54 trips would travel through the Whitecroft Road/ High Street junction in the morning peak time, with the same number during the evening peak period. An additional 28 vehicles would use the A10 junction during the morning peak period, 26 in the evening peak period. The survey information is considered sufficient to demonstrate that the development would not result in a significant impact on the capacity of the highway network.
131. In relation to the proposed access arrangements to the development, the Local Highway Authority has removed its initial objection, following the removal of the separate access to the Sports and Social Club and the submission of a Safety Audit in relation to the proposed access to the residential development. A number of conditions are requested covering the following issues: the level and surface material of the access should prevent displacement onto the highway, the detail of the construction of the access, the closure of existing accesses that are to become redundant, the timing of the completion of the pedestrian/cycle way link and the approval of a construction management plan prior to the commencement of development. The conditions are considered to be reasonable and necessary and can be attached to the decision notice at this outline stage.
132. Following concerns expressed by Members at the July Committee meeting about the extent of the applicant's Transport Assessment, WS Atkins consultants were appointed to independently review the information submitted by the applicant and also to consider the potential impact of the development on the capacity of the Whaddon Gap junction to the west of the site and the Whitecroft Road/Kneesworth Road crossroads to the east. Their report is attached at appendix 2. The report considers that the approach of proposing a new access for the residential element of the scheme is acceptable and that the anticipated trip generation arising from the development, based on TRICs modelling is appropriate. In terms of the type of transport used to access the site, Atkins consider that further survey work could be undertaken to establish modal splits amongst existing employees and reference to Census data. Given that Atkins consider that the overall number of anticipated trips to be robust, it is considered that there is sufficient information to conclude that the level of additional traffic would not result in a harmful impact on highway safety. Given that the proposal includes a community transport contribution as part of the mitigation measures, it is considered reasonable to conclude that there would be more opportunity to increase modal shift away from reliance on the private car to some degree, which would impact positively on the number of private car trips.
133. In relation to the additional traffic flow at peak times, the proposal would generate an additional 36 vehicles in the morning peak and 16 in the evening peak period travelling along Whitecroft Road towards Meldreth. The report concludes that the additional traffic on Whitecroft Road forecasted by 2023 added to the impact of this development still

only leads to the road operating at 35% of total capacity, indicating that there is no highway safety concern arising from the additional trips generated by the proposal in that direction. In relation to the Whaddon Gap junction to the west and the Kneesworth Roads crossroads to the east, the Atkins report makes clear that survey work should be repeated in a neutral month to verify the figures but they have used recent traffic counts from neutral months, added to the survey work that they have undertaken on the Council's instruction, to form baseline assumptions. The modelling undertaken indicates that there are some delays at the Whaddon Gap junction and that this would be increase in the AM peak in relation to traffic travelling south on the A1198. However, the increase could be accommodated within available capacity at the junction. This conclusion indicates that there could be at least 50% more traffic generated and this junction would still be within capacity limits during both AM and PM peak periods. This information would corroborate the fact that the Local Highway Authority has not considered surveying of this junction was required in order to reach the conclusion that the proposals would not result in a level of trip generation that would have an adverse impact on highway safety.

134. The same timing constraint applies to the assessment made in relation to the Kneesworth Road/Whitcroft Road/Fenny Lane/ Whaddon Road crossroads to the east of the site. Again however, the figures used to form baseline assumptions are based on recent traffic counts from neutral months, added to the survey work that Atkins have undertaken on the Council's instruction. With the development factored in, during the AM peak, additional traffic would enter the junction from Fenny Lane to Whaddon Road, Fenny Lane to Whitcroft Road and from Kneesworth Road. At the PM peak, there would be an increase in the volume of traffic from Kneesworth Road into the junction as a result of the development. This conclusion indicates that there could be significantly greater than 50% more traffic generated and this junction would still be within capacity limits during both AM and PM peak periods. This information would again corroborate the fact that the Local Highway Authority has not considered surveying of this junction was required in order to reach the conclusion that the proposals would not result in a level of trip generation that would have an adverse impact on highway safety.
135. Overall, whilst the Atkins report does recommend the need for further survey work to verify some of the assumptions made, they conclude that the assessment work undertaken by the applicant is robust. In terms of junction capacity, whilst the results may need to be verified, once data from recent months is applied, the junctions would still operate at well below capacity. Atkins have confirmed that the additional survey work would be unlikely to change these overall conclusions. On that basis, no material harm that would significantly and demonstrably outweigh the overall benefits of the scheme has been identified in highway safety terms and therefore refusal of the application on those grounds would be contrary to the advice contained within paragraph 14 of the NPPF. Officers consider that the independent assessment is sufficient to corroborate the Highway Authority's view that there would be no adverse harm to highway safety resulting from the proposals.
136. Given the relatively low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.
137. The proposals are therefore considered to comply with the requirements of policy DP/3 in terms of highway safety and the traffic generated and policy TR/1 in respect of promoting sustainable modes of travel.

Residential amenity

138. The application seeks outline planning permission and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties. The closest neighbouring properties to the south, east and west, would be a sufficient distance from the site to ensure that unreasonable overlooking and overshadowing would be avoided. Whilst the level of trips generated by the development would be significant, the proposal would also reduce the size of the commercial floor space on the site, ensuring that the volume of heavy goods vehicles visiting the site would be lower than the existing lawful situation may result in. On that basis, it is considered that the proposed development would not have an adverse impact on the residential amenity of neighbouring properties, subject to the detail of the layout and height of the development, which are to be determined at the reserved matters stage.
139. At approximately 22 dwellings per hectare within the developed area, the average plot size would be approximately 400 square metres in size (although space for the internal roads and public open space would need to be deducted from this). Having accounted for these deductions, this is considered sufficient space to achieve a dwelling size greater than the minimum residential space standards proposed in policy H/11 of the emerging Local Plan (85 square metres for a 3 bed house with 5 occupants) and allow sufficient space for 80 square metres of garden space (the upper limit of the standards within the adopted Design Guide) along with the required space for driveways etc to the front of the plots.
140. It is considered that the indicative layout demonstrates that 150 units could be located on the site, with sufficient separation distances retained between properties to preserve the residential amenity of the occupants of the development, with the minimum separation distances quoted in the Design Guide (25 metres between elevations with habitable rooms facing each other and 12 metres between blank elevations and those with habitable room windows) capable of being achieved.
141. A noise impact assessment has been included with the planning application. An assessment of the potential noise generated by traffic on Whaddon Road and the impact that this may have on the residential amenity of the occupants of the properties in the southern part of the development is included within the survey and mitigation measures are proposed. The mitigation measures suggested in the report are considered to be acceptable in principle but further details in terms of specification of the acoustic fencing etc. are required. In addition, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.
142. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of the occupants of each of the plots within the development in accordance with policy DP/3 which seeks to prevent an unacceptable impact on residential amenity.

Surface water and foul water drainage

Surface water drainage

143. The site is located within flood zone 1 (lowest risk of flooding). The Lead Local Flood Authority (LLFRA) has not raised an objection to the revised proposal.
144. The revised Flood Risk Assessment (FRA) indicates that surface water attenuation measures allowing for 1890 metres cubed surface water to be managed on site and discharged to adjacent watercourses at a rate of 19 litres per second could be achieved. A condition requiring full details of the attenuation measures to be adopted can be attached to the outline planning permission and details of the management and maintenance of the drainage systems can be included in the Section 106 agreement.
145. The details of the surface water drainage strategy can be secured by condition at the outline stage and the means of management and maintenance can be included as clauses in the Section 106 Agreement.
146. The Environment Agency and Anglian Water have also raised no objection in relation to surface water drainage on the basis that this condition is attached to the decision notice.

Waste and Foul water drainage

147. Anglian Water (AW) has raised no objections to the proposals. In relation to Wastewater treatment, AW confirm that the foul drainage from this development is in the catchment of Melbourn Water Recycling Centre, which currently does not have capacity to treat the flows from the development site. AW confirm that they are obligated to accept the foul flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission. This is a legal requirement of AW as statutory undertaker under legislation beyond the remit of the Town and Country Planning Act and therefore does not represent grounds to refuse a planning application.
148. In relation to the foul drainage network, the applicant will be required to develop a foul water drainage strategy that is acceptable to AW in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.
149. There is a sewage pumping station within 15 metres of the site. Details of how the necessary 15 metre separation distance between this facility and the closest dwellings is to be achieved will need to be addressed at the reserved matter stage, otherwise there will be a need to relocate this substation.

Section 106 contributions

150. In addition to the County Council in terms of pre-school capacity and the NHS already identified in this report, the Section 106 Officer has confirmed that the site has the capacity to achieve the 150 residential units proposed and also meet the required provision for formal and informal space on site. As none of the details are to be fixed at this stage, a legal agreement should make provision for an eventuality where equipped open space would need to be provided off site should the proposal at the reserved matters stage involved a scheme which would not meet the Open Space SPD requirement in full through on site provision.
151. A contribution of approximately £40,000 would be provided towards the expansion of the car park at the village hall, which is located opposite the primary school. This would

help to manage congestion on the High Street at peak times outside the primary school and would assist in mitigating the additional trips that would be generated by the proposed development. A contribution of approximately £42,000 towards the provision of a Multi Use Games Area at the recreation ground in addition to the onsite provision is to be secured through the Section 106 Agreement. A sum of £15,000 would be secured towards the provision of outdoor gym equipment, also at the recreation ground. These schemes would enhance the quality of recreation space within the village, in compliance with policy SF/11 of the LDF and are considered to be CIL compliant given the additional demand on the recreation ground facilities as a result of the increased population of the village. As there have been less than 5 pooled contributions made towards these projects previously, these contributions are considered to be compliant with the CIL regulations.

152. The provision of contributions towards the installation and maintenance of real time passenger information systems to enhance the environmental sustainability of the scheme, forming part of the highways mitigation package, would also be secured via the Section 106 Agreement. This contribution is considered to be CIL compliant as necessary to improve the quality of alternatives to the use of the private car, by providing a greater incentive to use public transport. Footway and bus stop improvements can be secured by condition, alongside the Travel Plan and additional cycle stands at Meldreth station. In addition, the Parish Council have identified a project relating to the renovation of the village hall, to enhance indoor community meeting space. The cost of this project is approximately £8,500 and this sum shall be secured through the Section 106 Agreement.
153. The provision of free membership to the Sports and Social Club for a period of 2 years for residents of the development would also be an environmental benefit of the proposal, providing access to a recreation facility within walking distance of the residential development. The provision of a contribution of £30,000 towards the community transport facility secured via the New Road Melbourn scheme would further enhance the environmental and social sustainability of the scheme and would be proportionate in relation to the £45,000 secured as part of the allowed appeal on that site, with details of additional routes connecting to Meldreth to be secured as part of the Section 106 Agreement.

Other matters

Archaeology and Heritage:

154. 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 building or its setting or any features of special architectural or historic interest which it possesses.”
155. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
156. 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.

157. 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”.
158. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
159. The site is considered to be in a part of the District which is of high archaeological potential. There is artefact evidence of pre-historic occupation and there is evidence of Iron Age occupation, cropmark evidence of trackways and rectangular enclosures, as well as Roman remains to the south of the site. Hoback Farm Moat and enclosure and other features listed on the Historic Environment Record (HER) are located to the west of the site. There is further evidence of moats and post-mediaeval occupation of land to the south east of the site.
160. The County Council Archaeologist has considered the report submitted by the applicant and assessed the findings. It is considered that further investigation is considered to be necessary and any necessary mitigation implemented before development commences. This requirement can be secured by condition.
161. There are no listed buildings within close proximity of the site, the closest being in excess of 600 metres to the west. There are however a number of designated heritage assets within a 1.5km radius of the site. To the east of the site is the grade I listed Church of Holy Trinity in Meldreth and the Meldreth conservation area. To the north east of the site is Malton Farmhouse, which is grade II* listed, Rectory Farmhouse to the west is also grade II* listed. The church of St. Mary in Whaddon is grade II* listed. To the south east of the site is The Grange at Whaddon which is grade II* listed.
162. Historic England consider that the proposed development would not directly affect the setting or significance of any of these heritage assets. However, there is a need to respond to local character. Historic England conclude that the development would not adversely affect the setting of Meldreth conservation area and this can be ensured through the securing of a suitable layout, design and scale of development at the reserved matters stage. The conditions to limit the height of the development to 2 storeys and a maximum ridge height of 9.5 metres and to include a minimum of 5% bungalows would also help to reduce the impact of the scale and massing of the development on these designated heritage assets. In conclusion, given the separation distances to be retained and acknowledging the comments from Historic England, it is considered that the proposals would not result in harm to the significance or the setting of any designated heritage assets.
163. In relation to the comments received from a neighbouring resident, it is acknowledged that the brick buildings and associated screen wall which contains sculptures which reference the historic use of the site are of some architectural merit and importance. However, given the environmental benefits associated with the remediation of contamination on the site and the fact that Historic England does not consider the replacement of these buildings a constraint on the development of the site, it is considered that the benefits of the development would outweigh any harm to the non-designated assets in this case. A condition can be attached to the outline planning permission requiring the inclusion of the sculptures referencing the historic use of the

site in the boundary treatment at the entrance to the development, as part of a public art strategy.

Environmental Health:

164. The Public Health Specialist has reviewed the Health Impact Assessment and considers that it meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
165. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
166. As indicated previously, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.
167. The Phase 1 and 2 surveys submitted in support of the application indicate that there are widespread sources of contamination across the site. These investigations have confirmed that contamination is both known to be present and can be expected generally across the site. This contamination is in both the soils and the groundwater, and as such remediation will be required across the site. A number of recommendations are made in relation to further works required. These include: investigation of resin stores and coating stores to explore the full extent of contamination in these areas, further assessment of petroleum hydrocarbons and potential contaminants in the water below ground level, a strategy detailing remediation methods and the management of materials being removed being produced and further investigation of the former industrial processing areas of the site being agreed. Additionally consideration needs to be given to the neighbouring Landfill facility which is licensed by the Environment Agency.
168. The contaminated land officer has commented that it is common for the majority of these works to be dealt with by condition on an outline planning permission, because a detailed layout is not to be fixed until the reserved matters stage. As such, a sufficiently detailed remediation strategy cannot be finalised until that detail is known. The key issue at the outline stage is whether the initial investigation works are sufficient to identify whether the site is contaminated and if so, what the next steps are that need to be taken to ensure that the site can be safely remediated for a sensitive end use. In this, case, the contaminated land officer is satisfied that, subject to the further investigation works being secured by condition, this position can be reached on this site.
169. The condition requiring further investigation work is staged in order to ensure each relevant aspect is dealt with in the correct order. Submitting a preliminary investigation such as this one helps to inform the Council of what to expect, and it is always preferable to have as much information 'up front' as possible. However the contaminated land officer would still always expect to attach a contaminated land condition to sites like these to ensure works are carried out appropriately. Such a condition is recommended in this case.

170. The application site is classified as potentially contaminated land and the information submitted with the application clearly demonstrates that there is contamination on the site. However there is no evidence before the District Council at present that the contamination is presently a risk to human health in its current form, as it is contained below ground level. As a result, the applicant is not under any legal obligation to decontaminate the site. If a development is proposed that risks exposing the contamination, then a remediation strategy is required to ensure that the risk to human health of exposing sources of contamination is fully mitigated. The applicant has recognised that requirement in this case, producing an outline assessment of the potential sources of contamination of the site and suggesting remediation measures that are likely to be necessary. The report makes it clear that further assessment is required and therefore the full extent of the remediation strategy is not yet known. This is a reasonable position given the outline nature of the application where the specific number of dwellings coming forward is not known (the maximum is 150 but the number proposed at reserved matters may be less/ may be required to be lower at the reserved matters stage) and the location of the dwellings is not being fixed in this application. As a result, a condition requiring further assessment and a detailed remediation strategy can be conditioned, as per the advice of the Contaminated Land Officer.
171. As a result of the above assessment, the cost of remediating the contamination on the site is attributable to the cost of redevelopment, as it is at that point that the risk may be exposed. However, redevelopment of the site is the only viable way of securing the environmental benefit of decontaminating the site, given the likely costs to be incurred. This is therefore an abnormal cost which would affect the viability of the scheme detrimentally if the full extent of the planning obligations normally required were imposed on the development. The guidance in paragraph 173 of the NPPF is that contributions should not be sought on a development to the extent that would prevent a competitive return to allow the development to proceed. It is considered that this would be the case in this scheme due to the extent of contamination on the site, if 40% affordable housing was insisted upon.
172. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
173. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement. The developer should ensure that the highway design allows for the use of waste collection vehicles and this is a detailed matter relating to the layout of the scheme at the reserved matters stage.
174. The applicant has committed to 10% of the energy requirements generated by the development being produced by renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated. It is considered that each of these issues could be dealt with through the imposition of conditions at this outline stage.

Conclusion

175. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
176. The proposed development would provide a significant number of dwellings. 25% of which would be affordable and officers are satisfied that while this percentage is below the normally accepted minimum provision, this level of provision has been satisfactorily justified on viability grounds. This is a benefit which should be given significant weight and importance in the determination of the planning application in accordance with the advice in the NPPF. The creation of additional employment on the site through the development of a new technology facility is a significant economic benefit of the proposals. In addition, there would be significant environmental benefits achieved through the remediation of a heavily contaminated site and the re-use of a predominantly brownfield site to significantly boost the supply of housing in the District.
177. There would be some limited harm on the character of the landscape. The proposal would retain a significant proportion of the hedgerow along the frontage of the site and would supplement the landscaping on the boundaries of the site with the open countryside. Suitable conditions can be imposed to help mitigate the identified impact
178. The density of the development is considered to be acceptable, allowing for the level of public open space within the development to exceed the policy required level. It is considered that the number of units proposed could be achieved in a manner that would preserve the residential amenity of neighbouring properties and the height restriction of 9.5 metre, 2 storey buildings would prevent an overbearing impact on either the amenity of neighbouring properties or the character of the surrounding landscape.
179. It is acknowledged that this proposal would significantly exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages by the policies of the LDF. It would be outside the village framework of Meldreth within both the adopted and emerging development plan and would be in excess of 800 metres from the facilities in Meldreth. As such, there is a conflict with policies ST/6, DP/1(a) and DP/7.
180. However, in the absence of a five year housing land supply, this conflict needs to be balanced against the benefit of the proposal in terms of its contribution to the supply of housing (and affordable housing) and employment in accordance with para 14 of the NPPF. It is only where the conflict with those policies of the development is so great as to "significantly and demonstrably" outweigh the benefits of the proposal, particularly in terms of housing delivery, that planning permission should be refused.
181. An important issue is that within 1 mile of the site there is a regular public transport connection to Cambridge and Royston, both of which contain a wide range of services and facilities, as well as employment opportunities to supplement the enhanced employment on the Marley Eternit site itself.
182. In addition, the proposal would provide a contribution towards the community transport vehicle secured via the New Road Melbourn scheme, which would provide an alternative to the use of the private car for occupants of the development, reducing the environmental harm caused by the distance between the site and local facilities. This would be a significant environmental benefit of the scheme, alongside the other

mitigation measures detailed in the report, including the provision of a cycle way/pedestrian link and additional cycle stands at Meldreth rail station.

183. As such, although located outside the development framework of a group village, accessibility to services and to public transport is considered adequate and can be improved. The weight that can therefore be attached to the conflict with policies DP/1(a) and DP/7 which are intended to ensure that development is directed to the most sustainable locations in the district is limited.
184. It is considered that the scheme includes positive elements which enhance social, economic and environmental sustainability. These include:
- the positive contribution of up to 150 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector
 - the creation of additional employment on the land to be retained as part of a commercial operation, creating a mixed use development and job opportunities within close proximity of the residential units
 - providing 25% affordable housing on site which has been independently assessed as the viable level of provision given the viability constraints provided by the abnormal costs of remediating the contaminated site
 - significant public open space, including a Local Equipped Area of Play on the site and a commuted sum towards the provision of additional equipped play space elsewhere in Meldreth, a village which currently has a significant under provision in this regard.
 - The remediation of a brownfield site and redevelopment of this in a manner which retains an employment use on the site.
 - The provision of a contribution towards the operation of the community vehicle secured as part of the New Road Melbourn scheme, providing an alternative to single occupancy car journeys.
 - The provision of a cycle and pedestrian link from the site to Whitecroft Road, the provision of 10 cycle stands at Meldreth train station, subsidised train travel for residents of the development and upgrades to existing bus stops. These improvements would all enhance the environmental sustainability of the scheme.
 - potential to result in an increase in the use of local services and facilities
185. As such, although a conflict with policies DP/1(a) and DP/7 arises, given the particular circumstances of the development and the opportunity to encourage and improve the use of local services and public transport, the weight to be given to this conflict is limited. In terms of the balance required by para 14 of the NPPF, the absence of a five year housing land supply means the conflict with these policies is not considered to significantly and demonstrably outweigh the benefits of the proposal particularly in terms of the contribution which it would make to housing supply. It is therefore considered that there is no basis to seek the withholding of planning permission for the proposed development, subject to the imposition of necessary planning conditions and the securing of a planning obligation, as set out below.

Recommendation

186. Officers recommend that the Committee grants planning permission, subject to the following:

Section 106 agreement

To secure provision of onsite affordable housing (with a review mechanism in case remediation costs are lower than currently estimated), the provision of public open space, the management of the public open space and surface water drainage within the development and the community benefits and education contributions listed in the matrix is attached to this report as Appendix 1.

Draft conditions

- (a) Outline planning permission
- (b) Time limit for submission of reserved matters
- (c) Time limit for implementation (within 2 years of approval of reserved matters)
- (d) Approved plans
- (e) Landscaping details
- (f) Contaminated land assessment
- (g) Approval of measures to prevent access to adjacent landfill site
- (h) Dust, noise, vibration mitigation strategy
- (i) Details of renewable energy generation (including water efficiency/conservation measures) within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (j) Scheme to detail upgrading of bus stops on Kneesworth Road, near West Way,
- (k) Scheme for provision of additional cycle stands at Meldreth train station
- (l) Details of footway and cycle way link to Whitecroft Road
- (m) Assessment relating to impact of noise associated with commercial vehicles on the amenity of the occupants of the residential units
- (n) Foul water drainage scheme
- (o) Surface water drainage scheme (management and maintenance to be secured through Section 106)
- (p) Sustainable drainage strategy
- (q) Tree Protection measures
- (r) Retention of existing planting on site boundaries
- (s) Compliance with flood risk assessment
- (t) Detailed plans of the construction of the accesses
- (u) Pedestrian visibility splays
- (v) Ecological enhancement and habitat management plan
- (w) Site waste management plan
- (x) Restriction on the hours of power operated machinery and deliveries during construction
- (y) Phasing of construction – including timing of cycle way/pedestrian link
- (z) Compliance with ecological survey submitted
- (aa) Travel Plan (to include subsidised railcard)
- (bb) Sports Club Membership scheme for qualifying residents
- (cc) Submission of strategies to mitigate any potential impact on badgers and nesting birds
- (dd) Scheme of archaeological investigation
- (ee) Closure of existing accesses which are to become redundant
- (ff) External lighting to be agreed
- (gg) Cycle storage
- (hh) Housing mix within market element to be policy compliant
- (ii) Boundary treatments
- (jj) Waste water management plan
- (kk) Construction environment management plan
- (ll) Details of piled foundations
- (mm) Fire hydrant locations

- (nn) Screened storage for refuse
- (oo) Minimum of 5% bungalows
- (pp) Maximum height of residential development limited to 2 storey and 9.5 metres
- (qq) Vehicle Charging Infrastructure Strategy
- (rr) Details of public art – retention of sculptures within brick screen wall as part of public realm/boundary treatments within development

Informatives

- (a) Environmental health informatives
- (b) Exclusion of indicative plans from approval – indicative layout plan not to be approved at this outline stage
- (c) Regulations affecting Public Right of Way

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1901/16/OL

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Heads of terms for the completion of a Section 106 agreement

Village – Marley Eternit Meldreth (S/1901/16/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	25% Overage required
Affordable housing tenure	50% affordable rent and 50% Intermediate
Local connection criteria	First 8 to be allocated to those with a local connection to Meldreth, with the remaining allocated 50/50 between local connection and the District wide Housing Register

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	See 'Primary School'
Primary School	CCC	£1,777,144
Libraries and lifelong learning	CCC	£10,845
Transport	CCC	£57,000
Sports	SCDC	£15,000
Indoor community space	SCDC	£49,000
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£2,000
Healthcare	SCDC	£49,380
TOTAL		£1,958,369
TOTAL PER DWELLING		£13,055.79

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Equipped Area for Play	SCDC	

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Marley Eternit sports and social club membership	SCDC	2 year membership for each qualifying resident
Travel Plan	CCC	Including subsidised rail travel
Pedestrian/cycle link	CCC	From development to Whitecroft Road
Bus stop upgrade	CCC	Bus stop serving Kneesworth Road
Cycle stand	CCC	10 cycle stands at Medreth station

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Early years
Policy	DP/4
Required	YES
Detail	See 'Primary School'

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	YES
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 53 primary education aged children. This development lies within the catchment area of Meldreth Primary School.</p> <p>County Education Officers have confirmed that there is insufficient capacity in the school in the next 5 years to accommodate all the places generated by this development. Therefore a contribution will be required towards primary education provision.</p> <p>The identified project is an additional 30 place classroom and ancillary work at Meldreth Primary School to accommodate the additional primary-aged children arising from this development.</p> <p>The cost of this work is included within the project to expand Meldreth Primary School by 2 classrooms, which also includes the classroom required for early year's mitigation (see Early Years section above). The project costs therefore include both the early years and the primary education mitigation.</p> <p>A Milestone 1 Report has been produced which includes project costs. Once those elements are removed which are not related to the pressures arising from the new development the total project cost is £1,777,144.</p> <p>The number of primary-aged pupils arising from this development is taking up all the spaces being provided by the additional classroom.</p> <p>The sum of money sought by CCC will fully fund the expansion works to the Primary School and it is likely that such works will take place in advance of occupation of the development. The s106 agreement will need wording such that, in the event the Primary School works cost less than the figure quoted in the agreement, then any difference should be payable by way of an affordable housing commuted sum and not be returned to the Owner as is usually the case. As such CCC will need to covenant to provide SCDC with full details as to primary school expansion build costs.</p>
Quantum	£1,777,144 (maximum)
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development
	50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	NO
Detail	Melbourn Village College has sufficient capacity

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	<p>The proposed increase in population from the development will be approximately 375 new residents (150 x 2.5 average household = 375). Meldreth is currently served by one mobile stop and this development will have a significant impact on library provision in the village. A contribution of £28.92 per head will be required for provision of an additional route stop and to purchase additional books, resources and equipment required to meet the library and lifelong learning needs of this new population.</p> <p>Therefore a contribution of £10,845 (375 x £28.92 = £10,845) towards LLL is sought.</p>
Quantum	£10,845
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development
	50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Thriplow HRC has maximised its pooling for s106 contributions

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	<p>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) the District Council will undertake this function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. 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.</p>

Ref	CCC7
Type	Transport
Policy	TR/3
Required	YES
Detail	<p>RTPI to be installed at Kneesworth Road at a cost of £27,000</p> <p>Community transport at a cost of £30,000</p>

Quantum	£57,000
Fixed / Tariff	Fixed
Trigger	RTPI contributions payable prior to occupation of first dwelling Community transport payable in 3 equal instalments at (1) prior to first occupation (2) prior to occupation of 20 th dwelling and (3) prior to occupation of 40 th dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>Meldreth has an identified deficit of 1.17 ha of sports space.</p> <p>Meldreth Parish Council has requested the sum of £15,000 towards the installation of outdoor gym equipment to be located on the recreation ground.</p> <p>This equipment would be suitable for all age ranges, particularly teenagers to adults of all ages. There is a lack of such facilities in the village and this will be exacerbated by a significant increase in village population. A low impact opportunity to improve health with a variety of exercise opportunities. This equipment will be an incentive to make the recreation ground a whole community meeting place thus integrating residents from all over the village.</p>
Quantum	£15,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 25 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC2															
Type	Children's play space															
Policy	SF/10															
Required	YES															
Detail	<p>Meldreth has an identified deficit of 1.33 ha of children's play space.</p> <p>The developer will be required to provide an onsite LEAP satisfying need of 2-8 year olds with an offsite contribution of £42,500 as requested by Meldreth Parish Council towards installing an all weather play surface comprising two Five-a-side goals and two basketball nets measuring 15 meters by 24 meters with line markings.</p> <table border="1" data-bbox="576 1435 1275 1653"> <thead> <tr> <th></th> <th>Formal play space</th> <th>Informal play space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>Nil</td> <td>Nil</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> <td>13.3m2</td> </tr> </tbody> </table>		Formal play space	Informal play space	1 bed	Nil	Nil	2 bed	7m2	7m2	3 bed	9.7m2	9.7m2	4+ bed	13.3m2	13.3m2
	Formal play space	Informal play space														
1 bed	Nil	Nil														
2 bed	7m2	7m2														
3 bed	9.7m2	9.7m2														
4+ bed	13.3m2	13.3m2														
Quantum	£42,500															
Fixed / Tariff	Fixed															
Trigger	<p>LEAP to be laid out and available for use prior to occupation of 40 dwellings</p> <p>Payment of offsite play contribution made prior to occupation of 60 dwellings</p>															
Officer agreed	YES															
Applicant agreed	YES															
Number Pooled	None															

obligations	
--------------------	--

Ref	SCDC3										
Type	Informal open space										
Policy	SF/10										
Required	YES										
Detail	<p>The applicant will be required to provide a minimum level of informal open space in accordance with the table below</p> <table border="1" data-bbox="624 504 1230 689"> <thead> <tr> <th></th> <th>Informal open space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>5.4 m2</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> </tr> </tbody> </table>		Informal open space	1 bed	5.4 m2	2 bed	7m2	3 bed	9.7m2	4+ bed	13.3m2
	Informal open space										
1 bed	5.4 m2										
2 bed	7m2										
3 bed	9.7m2										
4+ bed	13.3m2										
Quantum											
Fixed / Tariff											
Trigger											
Officer agreed	YES										
Applicant agreed	YES										
Number Pooled obligations	None										

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<p>Meldreth Parish Council has requested a contribution of £8,500 to replace ageing boiler and carry out refurbishment and modernisation of work surfaces, cookers and flooring.</p> <p>A further request has been made for £40,500 in order to provide more parking at the village hall. For those who cannot walk or cycle to the village school additional car parking capacity at the village hall will ensure a safer environmental for dropping off and collecting children. Extra capacity will help to avoid unacceptable street parking congestion. The Village hall is a major centre for the community and additional parking capacity there will encourage an enhanced level of community cohesion for an increased population. Greater use of the adjacent recreation ground is expected to be a further consequence of the proposed scheme.</p>
Quantum	£49,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 40 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC5
Type	Household waste receptacles
Policy	RECAP WMDG
Required	YES
Detail	£73.50 per house and £150 per flat
Quantum	See above
Fixed / Tariff	Tariff

Trigger	Paid in full prior to commencement of each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio Holder approved policy
Required	YES
Detail	To ensure the timely delivery of onsite infrastructure
Quantum	£2,000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC7
Type	Onsite open space and play area maintenance
Policy	
Required	YES
Detail	<p>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. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space be offered to Meldreth Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

OTHER OBLIGATIONS

Ref	OTHER 1
Type	Health
Policy	DP/4
Required	YES
Detail	NHS England has requested a contribution of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase.
Quantum	£49,380
Fixed / Tariff	Fixed
Trigger	100% prior to occupation of 50% of the dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

One Chapel Place
London
W1G 0BG

T: 020 7518 3200
F: 020 7408 9238

Your ref: CJ/SE/Meldreth
Our ref: 3951167v1

David Thompson
Planning
South Cambs District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

13 April 2017

Dear David

MARLEY ETERNIT SITE, WHADDON ROAD, MELDRETH – DESKTOP VIABILITY REVIEW

Further to your request for a letter commenting on the viability of the proposed scheme at this site, we have pleasure in setting out below our view.

This letter is not an RICS (Royal Institution of Chartered Surveyors) “Red Book” compliant valuation report and the figures referred to within this report are not formal valuations. However, we have provided justification for the indicative values and/or component valuation inputs we have used herein where possible.

This advice is provided on a confidential basis to the Council. We therefore request that the contents of this letter should not be disclosed to any third parties (other than the consultants instructed by the Council to review this report) under the Freedom of Information Act 2000 (Sections 41 and 43(2)) or under the Environmental Information Regulations.

We have regard to the NPPF 2012, The Housing White Paper 2017, RICS guidance GN94/12 Viability in Planning and S Cambs Planning Policy in considering the proposed scheme.

Background and Introduction

We have had sight of the initial viability report undertaken by Grasscroft Development Solutions on behalf of the Applicant, Footprint Land and Development Ltd.

We have also had sight of the contamination report review, together with correspondence between the parties.

The application site is located on Whaddon Road, to the north west of Meldreth and is owned and occupied by the Marley Eternit Group (MEG). The entire site area extends to 62 acres of which approximately 36 acres comprise a variety of industrial buildings of varying age and specification. The existing buildings are understood to have been vacant since 2008 and total 144,439sqft. The existing use is predominantly manufacturing based with storage and office use scattered throughout the site. A Site Plan is attached as **Appendix 1**.

We understand that the proposed mixed use development seeks to retain the existing manufacturing facility on the site and, in addition, proposes a residential development of 150 dwellings and a new 25,000sqft industrial unit (required by MEG to ensure their continued operation on the site). The new factory building is to be built from a combination of the proceeds of the land sale for residential purposes and private investment from MEG. However, we understand this is not an agreed position with the Council and that for now this element has been removed from the viability appraisal.

The key issue is that the site is contaminated and will incur significant remediation costs in order to enable the site to be redeveloped.

In their initial report the Applicant supplied the following schedule of accommodation for the proposed housing:

Proposed Market Housing

Name	Type	No of Beds	No of Units	Unit Size (sqft)	Total Sales area sqft
House Type 1.0	2.5 storey	3	46	1,075	49,450
House Type 2.0	2 storey	3	36	885	31,860
House Type 2.1	2 storey	3	48	1,075	51,600
House Type 3.0	2 storey	4	5	1,230	6,150
House Type 4.0	2 storey	4	15	1,458	21,870
Total			150		160,930

We note subsequently that the Council did not accept the 3 and 4 bed housing mix and modelled their own mixes as follows:

70/30 split

Affordable Rented

- 16 x 1 beds
- 20 x 2 beds
- 5 x 3 beds
- 1 x 4 beds

Intermediate/Shared Ownership

- 9 x 2 beds
- 9 x 3 beds

50/50 split

Affordable Rented

- 10 x 1 beds
- 15 x 2 beds
- 4 x 3 beds
- 1 x 4 bed

Intermediate/Shared Ownership

- 15 x 2 beds
- 15 x 3beds

We are in receipt of a financial viability appraisal which details a revised mix of units, which we accept for the purposes of this letter but emphasise that the inputs are not Carter Jonas' and we have relied on those put forward by the Applicant as being correct further to their discussions with the Council.

The revenue generated by the Applicant's mix of units (private and affordable) is detailed below:

Proposed Revenue from Market and Affordable Housing

Name	Beds	No of units	GDV £
Apartment Type 1.0		16	£3,280,000
House Type 1.1		39	£9,750,000
House Type 1.0		13	£4,095,000
House Type 2.0		7	£2,100,000
House Type 2.1		16	£5,600,000
House Type 3.0		15	£6,000,000
House Type 4.0		22	£10,230,000
House Type 1.0 AF Rent		5	£551,250
House Type 2.0 AF Rent		5	£525,000
House Type 3.0 AF Rent		5	£700,000
House Type 2.1 Intermediate		4	£980,000
House Type 4.0 Intermediate		3	£976,500
TOTAL		150	£44,787,750

We understand that the Applicant has looked at 30% for each of 1, 2, 3 and 4 bed with 10% flex across the scheme.

We have briefly considered the housing values in the local market and attach our comparable evidence at **Appendix 2**. We consider the values to be in line with those in the Applicant's appraisal.

We have modelled the residential sales in Argus and consider that a conservative 25% would be sold off plan in the current market given the nature of the site.

We note the applicant has not allowed for ground rents on the apartments and we have included some at £250 each per annum per unit capitalised at 5%.

COSTS

Construction Costs

We note the Applicant has used a build cost of £102.17psqf for the construction cost (derived from BCIS build cost data). We have evaluated this against RICS BCIS and consider this to be reasonable. We have attached the BCIS output as **Appendix 3**.

We note the Applicant has used the following assumptions regarding other standard inputs into their financial viability appraisal and we comment accordingly:

Input	Rate	CJ Comment	CJ recommend
Stamp Duty Land Tax	4.90%	Agree - industry standard	
Site Legal Fees	1%	Agree - industry standard	
Site Agency Fees	0.75%	Agree - industry standard	
Contingency	5%	Acceptable - standard level of input	
Professional Fees	7.50%	Acceptable - range normally between 8 - 12%	
Marketing	0%	The applicant has not included a marketing figure.	1.5%
Direct Sale Agents Fee	3.75%	This is high. The range is usually 1 – 1.5%.	1%
Direct Sale Legal Fee	0.30%	Acceptable	
Interest on Debt	6.40%	Acceptable – falls within accepted range of 6 – 7%	
Profit on GDV/Cost	20% / 25%	Acceptable – this is a high risk scheme with many unknowns	

We table other costs which appear in the appraisal, which are not standard, as follows:

Abnormal Costs and Additional Costs

Input	Rate
Chemical resistant water supply pipes	£84,900
Surface Water Attenuation	£262,500
Clean Cover to Gardens	£123,500
Chemical resistant membrane to dwellings	£231,500
S278/Off Site Works	£578,500
Utility Costs	£200,000
Acoustic Fencing/Bunding	£75,000
Public Open Space (leap)	£100,000
New Car Park for Social Club	£125,000
TOTAL	£1,780,900

We are aware that MLM Group have interrogated the Contamination Costs attributed to this scheme which are for Demolition, Remediation and Plateau which total £7,025,389 and that a report has been issued on this. This cost is not in the viability appraisal. There is also a cost for piled foundations at £1,207,000 which we understand may not be required. The total including the tabled figures above is £10,013,286.

We have had sight of the Statement of Common Ground made by Wardell Armstrong regarding the differences between MLM's figures and Grasscroft which concludes that the difference between the two once certain items are added back in to the MLM schedule is very close.

We note that piled foundations may not be considered necessary, which would negate £1,207,000 of cost and that a raft type of foundation could likely be used.

The other opportunity would be if Marley contribute £1.405m towards contamination.

SITE VALUE BENCHMARK

We note that the Applicant has adopted a minimum land value of £2,188,500 based on a gross site area of 14.59 acres. This has been derived from various CIL viability studies and we will accept this for the purposes of this report. The sum equates to £150,000 per acre. The Applicant also cites a minimum land value of £1,157,483.

S106 - EDUCATION

We note there is a sum included for Education of £1,036,636. However it would be for the Council to confirm whether this figure is correct. We note that in previous correspondence it has been suggested this figure be taken out. For the purposes of this letter we have retained it in our appraisal.

APPRAISAL OUTPUT

We have attached the applicant's appraisal at **Appendix 4**. The Residual Land Value (RLV) of this 15% scheme is £11.1m.

We have modelled our own appraisal in Argus Developer, which is an industry standard financial modelling programme. We arrive at an RLV of £11.42m. This is very close to the Applicants appraisal output.

If we remove the £10.013m of remediation costs from the £11.42m RLV this leaves an RLV of £1.4m which would be slightly above the Applicants minimum land value on page 15 of their report, stated as £1,157,483. Therefore 15% affordable housing would be able to be viably provided and with the slight improvement in RLV in our appraisal, this would provide 16% affordable housing.

Additional Affordable Housing

It is suggested by the Applicant that if Marley contribute £1.405m towards remediation the affordable housing offer could be 25%.

Also, if the cost of piled foundations was removed this would also enable the scheme to deliver additional affordable housing.

We understand it is likely that one or a combination of the above will happen.

CONCLUSION AND RECOMMENDATION

We have examined the documentation supplied to us and have modelled the Applicants assumptions in Argus Developer. We are very close to the output RLV of the Applicant and exceed it slightly at £11.4m as opposed to the Applicant's £11.1m. Based on information supplied to us, we conclude that the scheme could viably afford to provide 15% affordable housing and with our slightly revised figures could provide 16% affordable housing.

We consider there is a strong possibility that either the piled foundations will not be required or that Marley will contribute £1.405m towards the clean-up of the site, or that both could happen.

Should only one of these possibilities happen then the site could provide 25% affordable housing. If both happen, the scope is greater.

We therefore consider the Council should seek a minimum 25% affordable housing on site subject to a review. We are aware there are many unknowns and we consider that a review would be a fair mechanism for both parties in order to obtain the maximum viable amount of affordable housing on site.

We trust you will find this report in order, however, should you require further testing or commentary, please do not hesitate to contact me.

Yours sincerely



Stephanie Eaton MRICS

Associate Partner

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Attached: Appendix 1 – Site Plan

Appendix 2 – Comparable Evidence

Appendix 3 – BCIS data

Appendix 4 – Applicant's Appraisal

Appendix 5 – Carter Jonas Appraisal

APPENDIX 1:

Key

- existing trees
- proposed new trees
- new pedestrian / cycle access
- pedestrian routes
- proposed vehicle access to sports and social club
- proposed housing



Title: 107 Residential Development
 Date: 20/08/2024
 Scale: 1:1000
 Project No: 2024/001
 Client: ABC Development Ltd
 Designer: XYZ Planning & Design
 Drawing No: 01 - Site Plan
 Status: Final

This drawing is the property of XYZ Planning & Design and is not to be used, copied, or reproduced in any form without the written consent of XYZ Planning & Design. All rights reserved.

APPENDIX 2:

APPENDIX 2

Comparable Evidence

Victoria Heights, Meldreth:

A new build development by Granary Development; around 2.19 miles from the proposed Site and situated in the village of Melbourn. The recent sales have mainly comprised 5 bedroom houses, though there is a 4 bedroom house which will provide useful evidence when assessing the values proposed by the applicant.

Type	Plot No.	No. beds	Sq ft	Sale Price	Date of Sale	£PSF
House	7	5	2,950	£850,000	Dec-16	£288
House	3	5	2,950	£785,000	Nov-16	£266
House	64	4	1533	£525,000	Dec-16	£342

The 4 bedroom house provides a useful benchmark for the values provided by **Grasscroft Development Solutions (GDS)** for the proposed site:

No.beds	No. units	Sq Ft	Net Value per unit	£PSF
4	5	1230	£400,000	£325
4	15	1458	£465,000	£319

The rates for the proposed units appear credible, and are slightly discounted from the Victoria Heights scheme – sensible given the location/composition of the Site. Melbourn is also in a closer proximity to Royston which will marginally inflate values of properties in this location.

Other Comparables:

- **Orchard Cottage, Mill Lane, Barrington** – A two double bedroom new build property on the market for £400,000. The property measures approximately 825 sq ft, and is approximately 2.57 miles from the Site. Assuming a sale of the asking price, the property equates to £484 per sq ft. Barrington as a location is considered comparable to Meredith, and the higher rate per sq ft is attributable to both the size of the property and village location – we would expect to see a lower rate per sq ft for the three/four bedroom houses proposed for the Site.
- **5 Marys Way, Meldreth, Royston, SG8** – A four bedroom detached house built in circa 2010, in close proximity (800m) to the proposed Site. The sale of the property was agreed in December 2016 at £577,500; the accommodation measures approximately 1646 sq ft which equates to £350 per sq ft. This is a very useful comparable for the site given it is has recently been agreed, in very close proximity to the Site and is a newish build. The £PSF rate is slightly higher than those proposed at the Site, which we would expect given the cul de sac location and no commercial buildings on the same plot of land.

- **3 Marys Way, Meldreth, Royston, SG8** – A four bedroom detached house built in circa 2010, in close proximity (800m) to the proposed Site. The sale of the property has been agreed in March 2017 at £595,000. The accommodation measures to approximately 1646 sq ft, which equates to £361 per sq ft. Again, this is a useful comparable given it is recently sold, a newish build and in very close proximity to the Site. The £PSF rate is slightly higher than those proposed at the Site, which we would expect given the cul de sac location and no commercial buildings on the same plot of land.
- **56 The Moor, Melbourn, Royston, SG8** – An extended three/four bedroom detached house built in circa 1970, approximately 1.2 miles from the Site. The sale of this property completed in December 2016 at £415,000. The accommodation measures 1313 sq ft, which equates to £316 per sq ft. This property appears to be in a good, though dated condition. We would expect the £PSF rate of the new builds to be similar to this £PSF rate – there is a premium with any new build property but given the Site’s composition this will inevitably be diluted.
- **22 Flambards Close, Meldreth, Royston, SG8** – A three bedroom detached house built in circa 1970, approximately 0.9 miles from the Site. The sale of this property was agreed in March 2017 at £382,000. The property measures 1149 sq ft, equating to £332 per sq ft. The property appears to be in a good internal condition, and could benefit from some updating and modernising in places. The rate £PSF is line with the estimates for the Site, which appears logical given that the new houses are new builds attracting a premium, but are disadvantaged in terms of location.

Conclusion

Having assessed the recent sales of new build and second hand properties in close proximity to the Site, the values and £psf rates included in the report appear in line with the transactions and provide an accurate forecast for sales of the units. There is a reasonable demand for new build properties in the area, especially for four bedroom house, highlighted by the two recently been sold on St Marys Way 800m from the Site.

APPENDIX 3:

£/m2 study

Description: Rate per m2 gross internal floor area for the building Cost including prelims.

Last updated: 01-Apr-2017 12:19

› Rebased to 2Q 2017 (291; forecast) and South Cambridgeshire (100; sample 19)

Maximum age of results: Default period

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
New build							
810. Housing, mixed developments (15)	1,125	544	973	1,094	1,245	2,555	1157
810.1 Estate housing							
Generally (15)	1,099	540	940	1,069	1,212	3,547	1869
Single storey (15)	1,224	631	1,055	1,188	1,389	2,070	314
2-storey (15)	1,071	540	928	1,048	1,180	2,129	1417
3-storey (15)	1,084	699	886	1,023	1,206	2,243	135
4-storey or above (20)	2,270	1,180	-	2,082	-	3,547	3
810.11 Estate housing detached (15)	1,257	837	1,008	1,261	1,409	2,082	18
810.12 Estate housing semi detached							
Generally (15)	1,103	553	948	1,080	1,225	2,070	440
Single storey (15)	1,276	773	1,092	1,267	1,425	2,070	78
2-storey (15)	1,069	553	939	1,048	1,182	1,893	343
3-storey (15)	1,019	751	846	1,001	1,100	1,607	19
810.13 Estate housing terraced							
Generally (15)	1,114	543	934	1,071	1,246	3,547	404
Single storey (15)	1,200	834	1,002	1,117	1,416	1,812	53
2-storey (15)	1,096	543	932	1,070	1,209	2,129	291
3-storey (15)	1,085	707	886	1,012	1,158	2,243	59
4-storey or above (5)	3,547	-	-	-	-	-	1
816. Flats (apartments)							
Generally (15)	1,310	634	1,093	1,249	1,481	4,450	937
1-2 storey (15)	1,244	728	1,078	1,198	1,367	2,378	227
3-5 storey (15)	1,287	634	1,083	1,237	1,467	2,549	629
6+ storey (15)	1,683	960	1,373	1,621	1,778	4,450	77

APPENDIX 4:

REVENUE

File: 15% Aff Hse No S106

Apartment Type 1.0	16 units at 205,000.00 ea.	3,280,000
House Type 1.1	39 units at 250,000.00 ea.	9,750,000
House Type 1.0	13 units at 315,000.00 ea.	4,095,000
House Type 2.0	7 units at 300,000.00 ea.	2,100,000
House Type 2.1	16 units at 350,000.00 ea.	5,600,000
House Type 3.0	15 units at 400,000.00 ea.	6,000,000
House Type 4.0	22 units at 465,000.00 ea.	10,230,000
House Type 1.0 - Affordable Rent	5 units at 110,250.00 ea. -E	551,250
House Type 2.0 - Affordable Rent	5 units at 105,000.00 ea. -E	525,000
House Type 3.0 - Affordable Rent	5 units at 140,000.00 ea. -E	700,000
House Type 2.1 - Intermediate	4 units at 245,000.00 ea. -E	980,000
House Type 4.0 - Intermediate	3 units at 325,500.00 ea. -E	976,500
		REVENUE
		44,787,750

(Revenue Totals labelled -E do not attract Fees)

COSTS

Site Value		11,104,000
Site Stamp Duty	at 4.90%	544,096
Site Legal Fees	at 1.00%	111,040
Site Agency Fees	at 0.75%	83,280
		Site Costs
		11,842,416
S106 - Education		1,036,636
		Initial Payments
		1,036,636
Residential	151,278.00 sq-ft at 102.17 psf	15,456,073
Chemical Resistant Water Supply Pipes		84,900
Surface Water Attenuation		262,500
Clean Cover To Gardens		123,500
Chemical Resistant Membrane To Dwellings		231,500
S278/ Off Site Works		578,500

Utility Costs		200,000	
Acoustic Fencing/ Bunding		75,000	
Public Open Space (leap)		100,000	
New Car Park For Social Club		125,000	
Contingency	at 5.00%	861,849	
Professional Fees	at 7.50%	1,292,773	
		Build Costs	19,391,595
Direct Sale Agents Fee	at 3.75%	1,539,563	
Direct Sale Legal Fees	at 0.30%	123,165	
		Disposal Fees	1,662,728
INTEREST	(See CASHFLOW)		1,895,362
6.40% pa	on Debt charged Quarterly and compounded Quarterly		
Site Costs	Month 1 (Jul 16)		
Initial Payments	Month 1 (Jul 16)		
Residential (bld.)	Month 4 to 39 (Oct 16 - Sep 19)		
Chemical Resistant Water Supply Pipes	Month 3 to 30 (Sep 16 - Dec 18)		
Surface Water Attenuation	Month 1 to 3 (Jul 16 - Sep 16)		
Clean Cover To Gardens	Month 3 to 30 (Sep 16 - Dec 18)		
Chemical Resistant Membrane To Dwellings	Month 3 to 30 (Sep 16 - Dec 18)		
S278/ Off Site Works	Month 1 to 3 (Jul 16 - Sep 16)		
Utility Costs	Month 1 (Jul 16)		
Acoustic Fencing/ Bunding	Month 3 to 8 (Sep 16 - Feb 17)		
Public Open Space (leap)	Month 12 to 14 (Jun 17 - Aug 17)		
New Car Park For Social Club	Month 1 to 2 (Jul 16 - Aug 16)		
Apartment Type 1.0 (sale)	Month 11 to 44 (May 17 - Feb 20)		
House Type 1.1 (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 1.0 (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 2.0 (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 2.1 (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 3.0 (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 4.0 (sale)	Month 9 to 44 (Mar 17 - Feb 20)		

House Type 1.0 - Affordable Rent (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 2.0 - Affordable Rent (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 3.0 - Affordable Rent (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 2.1 - Intermediate (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
House Type 4.0 - Intermediate (sale)	Month 9 to 44 (Mar 17 - Feb 20)		
PROFIT	8,959,014	COSTS	35,828,736
PROFIT/SALE	20.00%	PROFIT/COST	25.01%

APPENDIX 5:

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	Unit Price	Gross Sales
Revenue	1	41,055,000	41,055,000
Affordable	1	3,732,750	<u>3,732,750</u>
Totals	2		44,787,750

Rental Area Summary

	Units	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Ground Rent	16	250	4,000	4,000

Investment Valuation

Ground Rent					
Current Rent	4,000	YP @	5.0000%	20.0000	80,000

GROSS DEVELOPMENT VALUE 44,867,750

Purchaser's Costs	(5,440)	(5,440)
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NET DEVELOPMENT VALUE 44,862,310

Income from Tenants	3,667
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NET REALISATION 44,865,977

OUTLAY

ACQUISITION COSTS

Residualised Price		11,424,117	11,424,117
Stamp Duty	4.90%	559,782	
Agent Fee	1.00%	114,241	
Legal Fee	0.75%	85,681	
			759,704

CONSTRUCTION COSTS

Construction	Units	Unit Amount	Cost	
Revenue	1 un	15,456,073	15,456,073	15,456,073
Contingency		5.00%	772,804	
S278			578,500	
S106 Education			1,036,636	
				2,387,940

Other Construction

Chemical resist Water supply pipes	84,900
Surface water atten	262,500
Clean Cover to Gardens	123,500
Chemical resistant membrane to dwell	231,500
Utility Costs	200,000
Acoustic fencing/bunding	75,000
Public Open Space	100,000
New Car Park for Social Club	125,000
	1,202,400

PROFESSIONAL FEES

Architect	7.50%	1,165,573	1,165,573
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MARKETING & LETTING

Marketing	1.50%	615,825	615,825
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DISPOSAL FEES

Sales Agent Fee	1.00%	448,623	
Sales Legal Fee	0.30%	134,587	
			583,210

Additional Costs

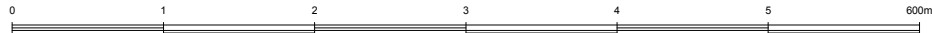
Finance 6.4%	2,297,939	2,297,939
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TOTAL COSTS 35,892,781

PROFIT 8,973,196

Performance Measures

Profit on Cost%	25.00%
Profit on GDV%	20.00%
Profit on NDV%	20.00%
Development Yield% (on Rent)	0.01%
Equivalent Yield% (Nominal)	5.00%
Equivalent Yield% (True)	5.16%
IRR	9.47%
Rent Cover	N/A
Profit Erosion (finance rate 0.000%)	N/A



FOR INTERNAL USE ONLY

Scale - 1:5000

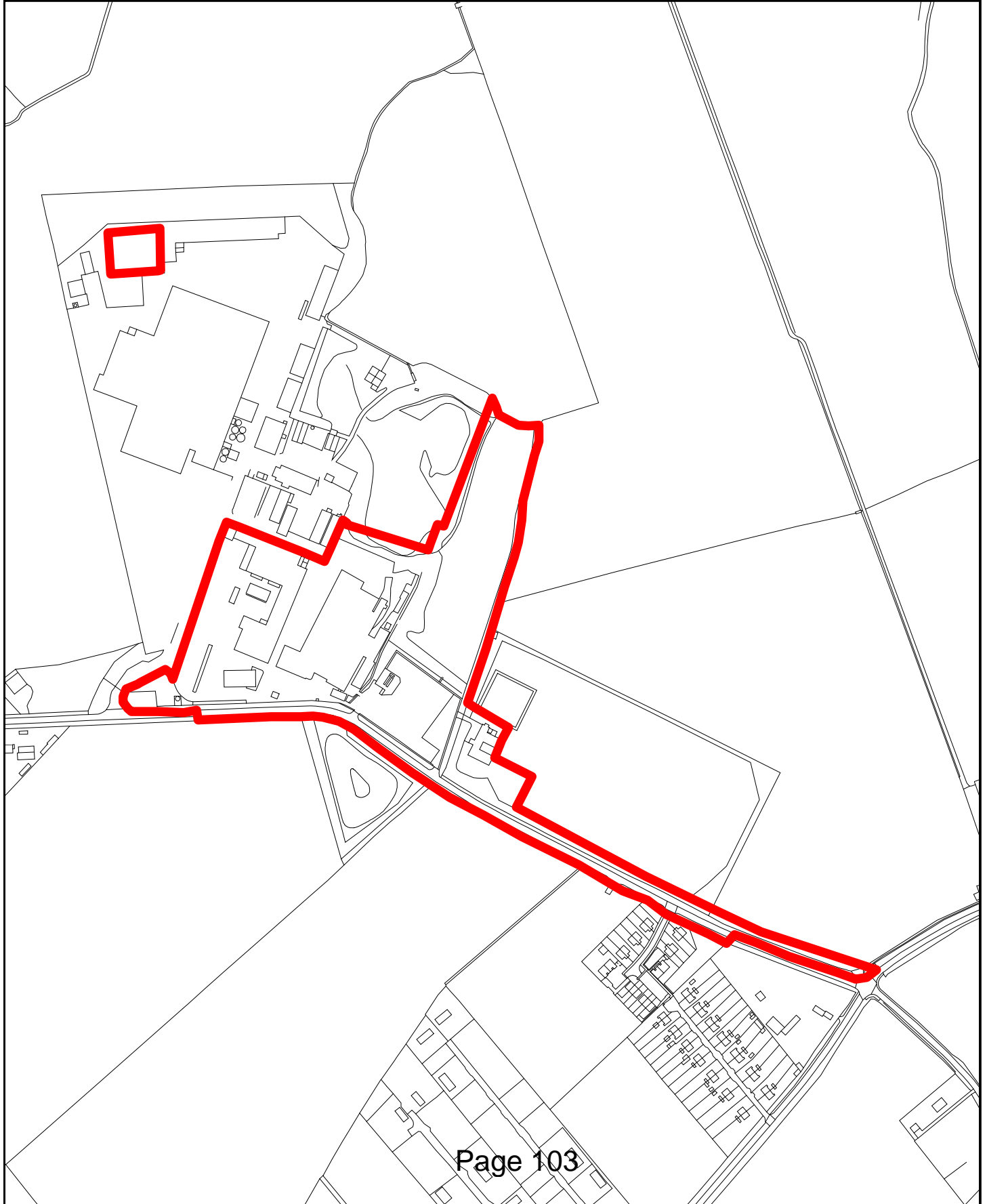
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Date of plot: 14/06/2017



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Cambridgeshire
District Council**

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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 6 September 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2647/15/OL

Parish(es): Papworth Everard

Proposal: Outline planning permission (with all matters reserved except access and strategic landscaping) for up to 215 dwellings, including affordable housing, and land reserved for nursery use (Use Class D1), open space including strategic landscaping, play areas, sustainable drainage features and associated infrastructure including foul sewerage pumping stations.

Site address: Land to East of Old Pinewood Way and Ridgeway, Papworth Everard

Applicant(s): Bloor Homes Eastern

Recommendation: Delegated approval subject to a S106 agreement

Key material considerations: Principle, sustainability, design, density and housing mix, biodiversity, landscape impact, flooding and drainage, transport and traffic, need for section 106 contributions

All of these matters were considered in the report presented to Planning Committee on 2 November 2016, when members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies that are considered to affect the supply of housing.

Committee Site Visit: 1 November 2016

Departure Application: Yes

Presenting Officer: James Stone, Principal Planning Officer

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 13 September 2017

Introduction

1. This application was considered at the 2 November 2016 meeting of the Planning Committee. The Committee resolved to approve the application and gave officers delegated powers to approve the application subject to:
 - (a) The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the obligations referred to in the Heads of Terms attached as an Appendix B1 to the report from the Joint Director of Planning and Economic Development; and
 - (b) The Conditions and Informatives set out in the report.
2. The application was considered again at Planning Committee on 2 August 2017 to take account of the Supreme Court ruling and the extent of Local Plan policies which are considered to affect the supply of housing. Members resolved to defer the application to allow officers to provide more details about the future of the Papworth Hospital site. A copy of the original planning committee report and the 2 August 2017 report with the appendices attached thereto are provided as electronic appendices to this report.
3. The application remains undetermined pending the completion of the section 106 agreement which is ready to be signed by all parties. A copy of the original committee report (and an amended list of draft conditions and informatives and Head of Terms) are provided as electronic appendices to this report.
4. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
5. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
6. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
7. On 30 June 2017, the Court of Appeal issued a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
8. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, paragraph 14 is considered to outweigh the conflict with the policies of the LDF.

9. This report considers:

- (a) The officer advice given to Members at the 2 November 2016 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision; and
- (b) The extant and proposed policy situation in respect of the Papworth Hospital Site.

Planning Assessment

10. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 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 March 2017). 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.
11. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/5 are no longer to be considered as "relevant policies for the supply of housing". They are therefore not "out of date" by reason of paragraph 49 of the NPPF. None of these adopted policies are "housing supply policies" nor are they policies by which "acceptable housing sites are to be identified". Rather, together, these policies seek to direct development to sustainable locations, the various dimensions of which are set out in the NPPF at para 7.
12. Any conflict with adopted policies DP/1(a), DP/7 and ST/5 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. Nonetheless, the NPPF places very considerable weight on the need to boost the supply of housing, including affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies DP/1(a), DP/7 and ST/5 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
13. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/5 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh" the benefit in terms of the delivery of new homes that planning permission should be refused.
14. Although this proposal is located outside the development framework of a Minor Rural Centre, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within the village, enhancing social sustainability of the scheme and the overall sustainability of Papworth. Access to services and facilities within the village is also considered to be adequate. The weight that can therefore be attached to the conflict with policies DP/1(a) and DP/7 which are intended to ensure that development is directed to the most sustainable locations in the district is limited.

15. Policies HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity), NE/17 (Protecting High Quality Agricultural Land) and CH/2 (Archaeological Sites) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, the only (insignificant) conflict that was identified with any of these policies was in respect of the loss of grade 3b agricultural land and none of these policies require a reassessment in terms of any harm that might arise.
16. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
- the positive contribution of up to 215 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector;
 - the provision of 86 affordable dwellings on site, making a significant contribution to the identified need in Papworth and the wider District. As of May 2016 there were 55 people within the village of Papworth on the Housing Register, a figure that had increased by 3 since 2015;
 - 5% of the dwellings provided will be bungalows to help meet a social need in the area. Of the 11 bungalows 5 will be market dwellings and 6 will be affordable housing;
 - significant public open space, including a Local Equipped Area of Play and a combined Local and Neighbourhood Equipped Area of Play;
 - Provision of 0.9ha of land to extend Papworth Wood to deliver additional publically accessible open space and help manage visitor pressure on the SSSI;
 - Funding for 2 additional bus services;
 - Provision of a 6 month free bus pass per dwelling to boost the use of sustainable modes of transport;
 - Provision of land on site capable for use for early years education;
 - Funding for an extension to Pendragon Primary School;
 - Upgrades to public footpaths including the provision of lighting at Footpath number 4 which connects the south western corner of the site with the centre of Papworth;
 - Funding towards extension or remodelling of Papworth Surgery;
 - Funding towards the construction of cycle link between Papworth and Cambourne
17. At the Planning Committee on 2 August 2017 some Members expressed concerns that the future use of the Papworth Hospital site was uncertain and that it was possible the site could be used for the provision of residential development in the future.
18. The Local Development Framework Site Specific Policies DPD (2010) includes adopted policy 'SP/10 Papworth Everard Village Development' This states the following:
1. *Exceptionally, if the re-use or redevelopment of the Papworth Hospital or the area to be known as Papworth Everard West Central is required, development above the scale permitted in a Minor Rural Centre will be permitted.*
- Site 1 – Papworth Hospital Site*
2. *Re-use and / or re-development will provide for the continuation of employment uses on the Papworth Hospital site.*

3. *A sequential approach will be taken to finding replacement uses beginning with healthcare. Only if a suitable healthcare use or uses cannot be found after the site has been marketed for healthcare for a period beginning no later than mid 2006 and ending no earlier than 2 years before the final closure and vacation of Papworth Hospital would other employment uses within the B1 use classes that would be compatible with this location in the centre of Papworth Everard be permitted.*
4. *Any scheme must: a. Maintain the vitality and viability of Papworth Everard village; b. Maintain the housing and employment balance of the village; c. Maintain the present setting of Papworth Hall; and d. Preserve buildings on the site that contribute to the setting of the village and history of the site.*
5. *New housing development and / or redevelopment for housing will not be permitted. Conversion of existing buildings of character for residential use may exceptionally be permitted where it would be the most appropriate use of the buildings and re-create the character of the original Papworth Hospital buildings fronting the historic landscaped parkland setting of Papworth Hall.*

Site 2 – Papworth Everard West Central

6. *Redevelopment will be based on a mixed-use development aimed at the continued invigoration of the village centre with community uses, employment and housing development.*
 7. *Any scheme for redevelopment must: e. Be well related to, and respect the character of, Papworth Everard village centre; f. Integrate with the housing allocation to the south.*
 8. *Further guidance for both sites 1 and 2 will be detailed in Supplementary Planning Documents.*
19. Policy SP/10 is carried forward in the Submission Local Plan as 'Policy E/5 Papworth Hospital'. The wording of the policy is similar. The supporting text to both Policy SP/10 and ET/6 conclude by stating "... Residential development as an alternative to healthcare/employment uses is not compatible with the long term strategy to make Papworth Everard a sustainable village and would make the village a dormitory settlement unrelated to the main focus of jobs growth in and on the edge of Cambridge".
20. Following the 2 August committee meeting, the applicants have provided a legal opinion from C Lockhart-Mummery QC. This is attached as an appendix A to this report (September 2017).
21. The legal opinion addresses the legal relevance, or otherwise, of potential aspirations for development at the Papworth Hospital site. Paragraph 5 specifically addresses the wording and thrust of the policy and the concluding part states
- "...there is a theoretical possibility in the future that small scale residential use may be acceptable by way of conversion of certain buildings. Accordingly, the site does not offer a substitute or alternative, to the proposed form of modern estate development at the application site, with its comprehensive supporting benefits and facilities ..."

22. The opinion goes on to explain that for another site to be considered a material consideration it needs to meet the following tests:
- 1) The Papworth Hospital site is actually proposed as an alternative solution to meeting the relevant need and;
 - 2) It could sensibly provide an alternative solution to the development proposed in the current application.
23. The legal opinion concludes that neither consideration applies to speculative proposals at the hospital site.
24. Officers agree with the conclusions arising from the legal opinion.
25. It should be noted that both the Council's adopted and emerging policies for the redevelopment of the hospital site seek a sequential approach to finding replacement uses beginning with healthcare. Only if a suitable healthcare use or uses cannot be found would other employment uses within the B1 use classes be permitted. Both policies explain that new housing development and / or redevelopment for housing will not be permitted, other than conversion of buildings of character where it would be the most appropriate use. The emerging Local Plan 2014 Policy E/5: Papworth Hospital explains that only if a suitable healthcare use or uses cannot be found after the site has been marketed for healthcare for a period of no less than 2 years before the final closure and vacation of Papworth Hospital would other employment uses within the B1 use classes be permitted. To date, in the submission Local Plan Examination, the Inspectors have not provided any views on the emerging policy.
26. Finally, it is considered that even if some employment land was eventually lost at the Papworth Hospital site the proposed Ridgeway development would still be considered sustainable in terms of proximity of employment land. The Papworth Business Park, which benefits from planning policy protection in some areas as an Employment Zone, is located towards the southern end of the village and provides a range of employment uses including industrial, warehouse and office accommodation. Policy SP/13 and emerging policy E/4 both allocate an area of 2.5 hectares for class B1, B2 and B8 employment use (i.e. offices; R&D, general industry and storage uses).
27. Other employment opportunities in the village include the range of shops and services located along Ermine Street and adjacent to Chequers Lane. The employment opportunities offered by Papworth are significantly greater than those at Caldecote where the Planning Inspector recently approved a scheme of up to 140 dwellings. There are no defined employment zones in Caldecote.

Conclusion

28. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/5, this conflict can only be given "limited" weight. There is some limited landscape harm which weighs against the proposals. The loss of grade 3b agricultural land also carries limited weight against the proposal. The future of the Papworth Hospital site is protected by a specific policy and does not form a material planning consideration that weighs against the proposal. The policy requirement that healthcare/employment uses should be retained is compatible with the long term strategy to make Papworth Everard a sustainable village.
29. The provision of 215 dwellings, including 86 affordable dwellings can be given significant weight. The contributions towards the provision of infrastructure in relation to public open space, the extension of Papworth Wood, education/health facilities, public transport and public footpaths all carry moderate to significant weight in favour of the proposals. The increase use of local services and employment during construction to benefit the local economy can also be given some limited weight.

30. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.
31. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as attached to the 2 August report.

Recommendation

32. Officers recommend that the Committee grants planning permission, with delegated powers subject to the following:
- (a) Section 106 Agreement to cover the items including trigger point as set out in Appendix B1 of the 2 August report.
 - (b) The conditions and informatives as set out in Appendix B2.

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 January 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Site Specific Policies DPD 2010
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Ref: S/2647/15/0L

Report Author: James Stone Principal Planning Officer
Telephone Number: (01954) 712904

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OPINION

Introduction

1. I am asked to provide a brief Opinion relating to the consideration by the Planning Committee of South Cambridgeshire District Council of planning application S/2647/15/OL, submitted by Bloor Homes Eastern. The essential question relates to the legal relevance, or otherwise, of potential aspirations for development at the Papworth Hospital site.

Background

2. In 2015 Bloor Homes Eastern submitted an outline application for up to 215 dwellings, including affordable housing, land reserved for nursery use, open space including strategic landscaping, play areas, sustainable drainage features and associated infrastructure on land to the east of Old Pinewood Way and Ridgeway, Papworth Everard. The Council do not claim that they have five years supply of deliverable housing sites. If permitted, the application site will deliver dwellings which will make a material contribution to housing supply within five years. Following comprehensive assessments, the advice of planning officers is that the proposals will constitute desirable, sustainable development.
3. The application was considered by the Planning Committee on 2 November 2016. Following debate, which included the potential implications of the relocation of Papworth Hospital to an alternative site, it was resolved to approve the application.
4. In May 2017 the Supreme Court gave judgment in the Hopkins Homes case, dealing with the scope of the concept of policies for the supply of housing for the purposes of

paragraph 49 of the NPPF. The judgment affected the approach previously taken (quite properly) by the planning officers in relation to certain of the development plan policies. For this reason, a further report presenting the up-to-date legal position was presented to the Planning Committee on 2nd August 2017. Owing to an oral reference to an email relating to Papworth Hospital, the application was deferred.

Papworth Hospital

5. As noted, the site is to be vacated. Debate as to the future use of the site has taken place, especially in the context of the emerging local plan. The preferred use is proposed to be healthcare, with a cascade to B1. Residential development is not to be acceptable, other than “exceptionally for the conversion of any existing buildings of character where it is the most appropriate use of the buildings and would make the most appropriate contribution to enhancing the historic setting of Papworth Hall”. In other words, there is a theoretical possibility in the future that small scale residential use may be acceptable by way of conversion of certain buildings. Accordingly, the site does not offer a substitute, or alternative, to the proposed form of modern estate development at the application site, with its comprehensive supporting benefits and facilities noted above.
6. The email referred to at the Committee has now come to light. It is an email dated 9 July 2017 from a planning officer to a Councillor. It contains the vaguest possible discussion as to how interested parties might react if the NHS were to challenge the preferred policy position in relation to residential development at the site.
7. To be clear – there is no proposal for residential development at the Papworth Hospital site (let alone a planning application), policy might “exceptionally” support some

residential conversion, no-one could possibly suggest at the moment that the site could offer an alternative to the application site, and if residential development were ever to take place, it would be highly unlikely to make any or any meaningful contribution to the five year supply.

Questions

8. The two questions that I am asked are therefore (1) could the circumstances at Papworth Hospital constitute a material consideration for the purposes of the present application on 6 September 2017 and (2) if so, what weight could the Council reasonably give to that matter?

Question (1)

9. This question has very recently been considered by the High Court in the case of Dignity Funerals Limited v. Breckland District Council [2017] EWHC 1492 (Admin). This case applied established earlier authority of the Court of Appeal and the High Court in R (Luton Borough Council) v. Central Bedfordshire Council (2015) 2 P & CR 19 and Derbyshire Dales District Council v. Secretary of State for Communities and Local Government (2010) 1 P & CR 19. Put shortly, the scope for an alternative site being a material consideration for the purposes of another planning application is extremely limited. The circumstances here, as summarised in paragraph 7 above, come nowhere near to meeting the relevant test. The test could only begin to be met where an alternative site is (1) actually proposed as an alternative solution to meeting the relevant need and (2) could sensibly provide an alternative solution to the development proposed in the current application. Neither consideration applies here.

Question (2)

10. I am confident that I have correctly answered question (1). If that were not the case, it could only be legally reasonable to give the least possible weight to the Papworth Hospital circumstances.

Conclusion

11. The lawful course for the Planning Committee to take is, therefore, to determine the present application on its own merits, without regard to any speculation as to the future of Papworth Hospital.

C. LOCKHART-MUMMERY QC

Landmark Chambers
180 Fleet Street
London EC4A 2HG
18th August 2017

IN THE MATTER OF:

BLOOR HOMES EASTERN

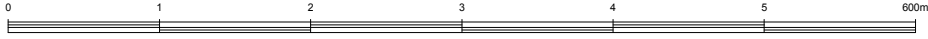
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OPINION

Howes Percival LLP
Jay Mehta

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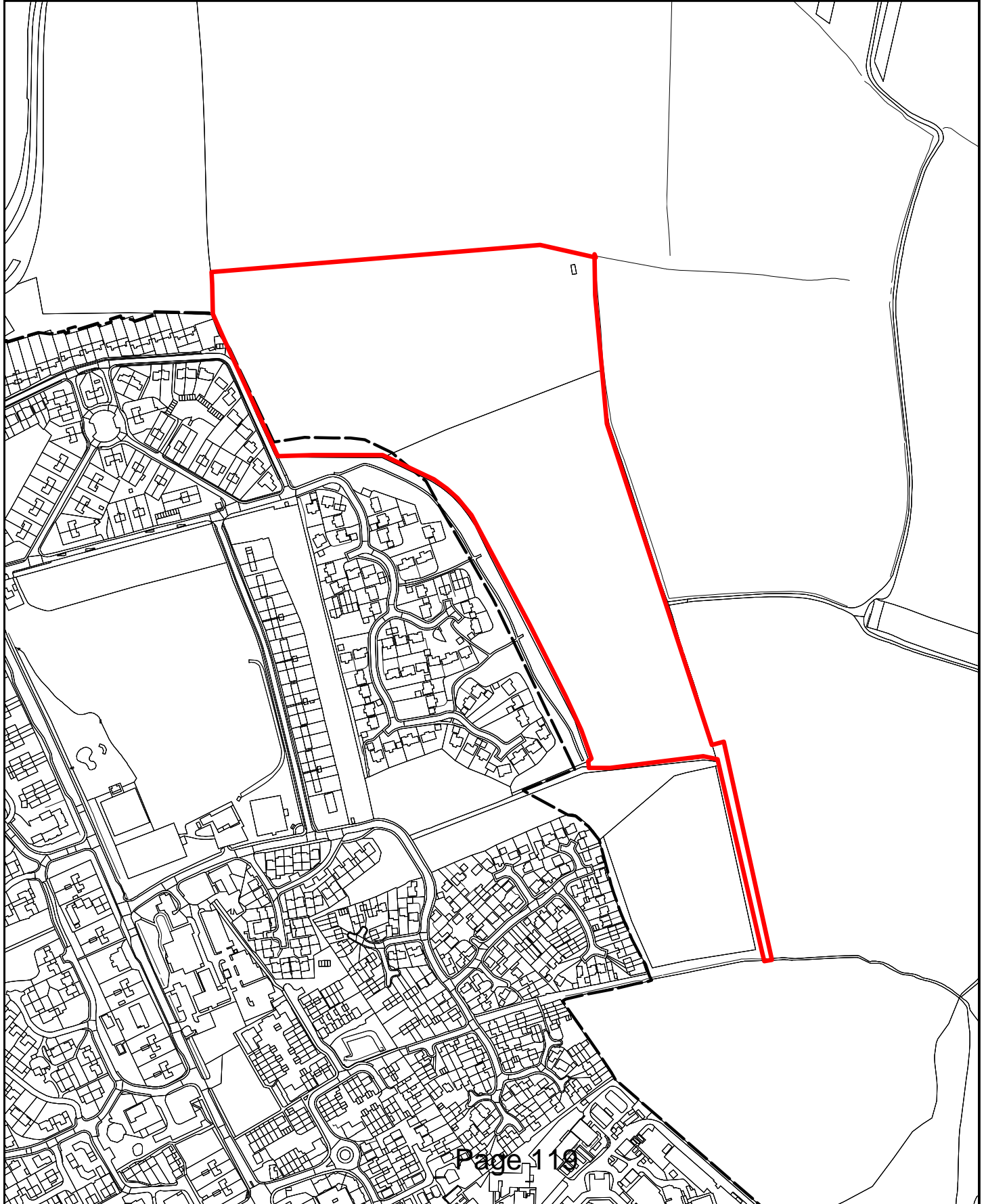
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District Council**

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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 September 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/1812/17/OL
Parish(es):	Toft (immediately adjacent to the boundary with Comberton Parish)
Proposal:	Outline planning permission for up to 90 dwellings and associated infrastructure works.
Site address:	West Street, Toft, Cambridge, Cambridgeshire, CB23 7EN
Applicant(s):	Mr Arnold
Recommendation:	Delegated approval (to complete section 106). If committee resolve to grant planning permission, the case will be referred to the Secretary of State as a departure from the Local Plan and development in the Green Belt (as was the case with the extant planning permission for development of the site.)
Key material considerations:	Five year supply of housing land Sustainability of the location Principle of development in the Green Belt Density of development and housing mix Character of the village edge and surrounding landscape Highway safety Residential amenity of neighbouring properties Surface water and foul water drainage Provision of formal and informal open space Affordable housing Section 106 Contributions
Committee Site Visit:	Undertaken on 10 May 2016 in associated with application ref. S/2204/15/OL
Departure Application:	Yes, advertised 31 May 2017
Presenting Officer:	David Thompson, Principal Planning Officer
Application brought to Committee because:	The application would represent a significant departure from the approved policies of the Council
Date by which decision due:	08 September 2017 (extension of time agreed)

Executive Summary

1. The application site is currently located in the Green Belt. In accordance with the guidance contained within the NPPF and policy GB/1 of the Local Plan (which is given significant weight by officers due to the conformity of that policy with the NPPF), residential development is inappropriate development in the Green Belt and therefore is by definition harmful to the openness of the Green Belt. Both national and local planning policy require very special circumstances to be demonstrated and for the Local Planning Authority to be satisfied that the benefits of the proposal clearly and demonstrably outweigh the harm to the Green Belt through the inappropriateness of the development. The fact that there is an extant planning permission for development of the site for 90 dwellings, a car park, football pitch and pavilion is a very special circumstance which should be afforded significant weight in the determination of this application as the applicant has the ability to progress that scheme to reserved matters already.
2. The application site is allocated for housing under policy H/1:h of the Submission Local Plan, subject inter alia, to the incorporation of a full size football pitch and changing facilities for Toft village. The Schedule of Proposed Minor Changes to the Proposed Submission Local Plan, includes a caveat which states that 'a development requirement (such as the football pitch, changing rooms and car park in this case) will apply unless it can be demonstrated when a planning application is submitted, that a requirement is no longer needed, or it could be better addressed in a different way either on or off site.' The granting of planning permission will result in the site being released from the Green Belt.
3. The application is for outline planning permission and the only matters to be decided at this stage are the means of access and the principle of the erection of up to 90 dwellings on the site. It is considered that the illustrative masterplan submitted with the application demonstrates that a maximum of 90 units, the required level of formal and informal open space and surface water attenuation measures can be accommodated on the site. At the density of development proposed, it is considered that the development could be achieved without having an adverse impact on the character of the village edge or the surrounding Green Belt, within the context of the proposed allocation status of the site. The final positioning of plots and the location of the public open space will be key to this but the exact layout is not being determined at this outline stage.
4. Following the submission of a revised Transport Statement, it is considered that the proposal would not result in an adverse impact on highway safety. The initial objections to the scheme raised by the Major Developments team at Cambridgeshire County Council have been addressed and as a result there are no objections to the scheme from the Local Highway Authority.
5. A significant number of objections from local residents and the Parish Councils have raised surface water run off and foul drainage capacity as a concern in relation to the proposed development. Anglian Water has acknowledged the fact that the existing foul drainage infrastructure has insufficient capacity to deal with the additional demands that will be placed on the system by the proposed development. However, mitigation measures are proposed which would overcome these concerns and the costs associated with upgrading the capacity of the network can be secured. The applicant has agreed to this. This issue is assessed in detail in the main body of this report.
6. Officers are satisfied that the very special circumstances advanced by the applicant, particularly the presence of an extant planning permission for 90 dwellings on the site, are sufficient to demonstrate that the benefits of the proposal do clearly outweigh the harm caused by the inappropriateness of the development and any other identified

harm. The status of the site as an allocation for housing development in the emerging Local Plan (now at an advanced stage of preparation) is given considerable weight in reaching this conclusion, alongside the Council's current inability to demonstrate a five year supply of housing land. Officers conclude that the proposals achieve the definition of sustainable development as set out in the NPPF.

Planning History

7. S/2204/15/OL – outline planning permission for the erection of up to 90 dwellings, a car park, football pitch and changing facilities and associated infrastructure works - approved

S/1623/15/E1 – request for screening opinion as to whether Environmental Impact Assessment (EIA) development – not considered to be EIA development

S/0451/07/F – erection of new dwelling following demolition of existing - withdrawn

S/0068/98/F – agricultural storage building (retrospective application) - approved

S/0360/95/F – change of use of farm offices to B1, B2 and B8 use and conversion of part of farm buildings to farm offices – approved

S/1152/87/F – extensions to pond – approved

Nb. Neighbour representations have referred to previous applications for residential development on the site. There is no such history of planning applications. An option for 115 units was included in the 2013 Issues and Options Report which formed part of the preparation of the Local Plan but the lower figure of 90 was eventually put forward in the emerging allocations policy in light of the requirement to also provide the other facilities.

National Guidance

8. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance

Development Plan Policies

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

9. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/1 Green Belt
ST/2 Housing Provision
ST/6 Group Villages
ST/7 Infill Villages

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
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
 HG/3 Affordable Housing
 CH/5 Conservation Areas
 NE/1 Energy Efficiency
 NE/3 Renewable Energy Technologies in New Development
 NE/4 Landscape Character Areas
 NE/6 Biodiversity
 NE/8 Groundwater
 NE/9 Water and Drainage Infrastructure
 NE/11 Flood Risk
 NE/12 Water Conservation
 NE/14 Lighting Proposals
 NE/15 Noise Pollution
 NE/17 Protecting High Quality Agricultural Land
 CH/2 Archaeological Sites
 SF/10 Outdoor Playspace, Informal Open Space, and New Developments
 SF/11 Open Space Standards
 TR/1 Planning For More Sustainable Travel
 TR/2 Car and Cycle Parking Standards
 TR/3 Mitigating Travel Impact

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

Open Space in New Developments SPD - Adopted January 2009
 Affordable Housing SPD - Adopted March 2010
 Trees & Development Sites SPD - Adopted January 2009
 Landscape in New Developments SPD - Adopted March 2010
 Biodiversity SPD - Adopted July 2009
 District Design Guide SPD - Adopted March 2010
 Health Impact Assessment SPD– Adopted March 2011

11. **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/4 Cambridge Green Belt
 S/5 Provision of New Jobs and Homes
 S/6 The Development Strategy to 2031
 S/7 Development Frameworks
 S/9 Minor Rural Centres
 S/11 Infill Villages
 HQ/1 Design Principles
 H/1 Allocations for residential development at Villages (h relates to this site)
 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/8 Mitigating the Impact of Development in and adjoining the Green Belt
 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/7 Water Quality

CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 SC/2 Heath Impact Assessment
 SC/6 Indoor Community Facilities
 SC/7 Outdoor Playspace, Informal Open Space, and New Developments
 SC/8 Open Space Standards
 SC/10 Lighting Proposals
 SC/11 Noise Pollution
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/8 Infrastructure and New Developments

Consultation

12. **Toft Parish Council** – objected to both the original and revised schemes and raised the following concerns:
- The site is located in the Green Belt and the proposal therefore constitutes inappropriate development
 - 3 storey and 2.5 storey development is not considered to be appropriate in this location and the scheme should be built out at a lower density
 - There is a lack of capacity in the foul sewage system which must be addressed to accommodate the additional demand generated by the proposed development
 - The football pitch originally proposed is not wanted in either Toft or Comberton
 - The development should provide more opportunities for cycling than it currently does
 - The concerns regarding impact on the Green Belt, drainage, volume of additional traffic, highway safety concerns and the lack of capacity at the GP surgery outweigh the benefits of the additional housing, including affordable housing
 - Should the proposal be considered for approval, the speed of broadband in the area should be improved, the scheme should incorporate renewable energy generation and biodiversity enhancements
 - The proposal will add to the already detrimental amount of traffic congestion on this part of West Street, adjacent to the Village College.
 - The previous application included the land on which the sports and recreation facilities were to be built, not only the facilities. As such, this land should still be included within the application as public open space associated with the development. If this is not forthcoming, a reasonable alternative would be funding provided by the developer for Toft to purchase land to be used for recreation purposes.
 - Additional projects that require funding are an extension (project costed at £100,000) to and upgrading the facilities at The People's Hall (upgrade works estimated at £20,000), and facilities at the recreation ground, including the installation of trim trail equipment (estimated cost of £20,000).
 - There are safety concerns about the use of the footpath/cycleway between Toft and the application site and Comberton Village College due to the constrained width of this facility. There is no footpath on the opposite side of the road and this is an unsatisfactory pedestrian arrangement given the lack of a school bus service between Toft and Comberton.
13. **Comberton Parish Council** - objected to both the original and revised schemes and raised the following concerns:
- The site is located in the Green Belt and the proposal therefore constitutes inappropriate development
 - 3 storey and 2.5 storey development is not considered to be appropriate in this location

- The existing congestion outside the Village College would be made worse by the proposed development
- The Doctors surgery at Comberton is at capacity and therefore residents will need to travel to access medical services
- There is no need for the football pitch originally proposed following the upgrading of the facilities at Comberton recreation ground
- The main access should be moved to the western edge of the site where there is an existing access to the Bennell Court office complex
- Road traffic calming measures should be introduced on the western edge of Comberton
- The proposed footpath link is welcomed but this should also include a cycleway
- The speed limit actuated signs proposed along West Street are welcomed but these should include the speed a car is travelling to incentivise reduced speed
- There is a lack of capacity in the foul sewage system which must be addressed to accommodate the additional demand generated by the proposed development
- If SCDC is minded to approve the application, all affordable housing should be rented, the ransom strip should be removed from the plans and the Section 106 money should be allocated to Comberton Parish Council
- The funding to be secured via the Section 106 Agreement should all be allocated to Comberton Parish Council as the impacts of the development will mainly affect Comberton
- The land to the west of the access track should be included as public open space within the development
- The Section 106 money in lieu of the on site provision should be allocated in full to the redevelopment of the facilities on Comberton recreation ground.

(Nb. Please see representations section below for the comments of each Parish Council to the emerging allocation of the site.)

14. **District Council Planning Policy Officer** - The site is included in the Cambridge Green Belt. It has been allocated for development in the Submission Local Plan, the Council having judged through the SHLAA and Local Plan preparation processes that the site is suitable for development and that whilst there are adverse Green Belt impacts these are not significant.

Notwithstanding the limited harm to Green Belt purposes identified, substantial weight should be accorded to this in your report as required by national policy. This should be balanced against other material considerations.

These include:

- The overall acceptability of the development, especially concerning matters raised as objections to the proposed site allocation in the Proposed Submission Local Plan.
- Its allocation in the Local Plan which is at an advanced stage of preparation.
- The limited harm to Green Belt purposes identified in the SHLAA assessment which led to it being included as a site allocation in the emerging Local Plan.
- The provision of affordable housing to meet identified local needs in Toft and Comberton (data on the scale of local needs should be sought from housing colleagues and included in your report)
- The other benefits advanced by the applicants or alternatives to them.
- The contribution that the development of the site could make towards housing land supply and 5 year housing land supply – by itself ‘unlikely to outweigh’ but it should be included in the planning balance to be made.

15. The harm to Green Belt purposes should be viewed in the context of the harm that the

development of this allocated site would cause in the future, thereby considerably lessening the overall harm of the proposal. The site will be removed from the Green Belt

16. Overall I would advocate a recommendation of approval but subject to the site being satisfactory with regard to such matters as congestion, pedestrian safety, flooding and drainage, sewage capacity and etc.
17. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment has been assessed as Grade B, which meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.

Further assessment of the potential noise generated by the activity on the land to the west of the access track (to be retained as agricultural land) and the impact that this may have on the residential amenity of the occupants of the dwellings will be required to ensure that adequate attenuation measures are put in place. Given that these assessments will require confirmation of the layout and that the scheme is of low density, with the access road separating this land from the location of the dwellings on the illustrative masterplan, it is considered that this issue can be satisfactorily addressed at the reserved matters stage.

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

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

18. **District Council Urban Design Officer** – does not object to the principle of development following amendments to the illustrative masterplan and acknowledges that improvements to the indicative layout have been made but does express reservations as to whether 90 dwellings could be accommodated on the site without having an adverse impact on the character of the site and the Green Belt.
19. **Design Enabling Panel** – conclude that ‘a more detailed layout and rationale will allow the Panel to usefully engage with this proposal. The Panel encourages the applicant’s architect to address the issues raised by at the meeting and return with a robust and well argued case that is appropriate for the site.’ Main concerns raised are summarised as follows:

The Panel had some concerns about the evolution of the illustrative design of the proposals as the scheme presented did not clearly reference the strong linear pattern of development on the existing village edge.

20. **District Council Landscape Design Officer** - does not object to the principle of development following amendments to the illustrative masterplan and acknowledges that improvements to the indicative layout have been made but does express

reservations as to whether 90 dwellings could be accommodated on the site without having an adverse impact on the character of the site and the Green Belt.

21. **Cambridgeshire County Council Transport Assessment Team** – no objection to the proposals following the submission of a revised masterplan showing indicative cycleway connections to the proposed pedestrian accesses on the southern boundary of the site. Consider that there is no evidence to suggest that the proposed development would exacerbate the existing road safety risks in the locality. No objection to the proposed access into the site. Conditions recommended regarding the management of traffic and storage of materials during construction and issues relating to the phasing of development. Road and bus stop upgrading measures to be secured by legal agreement
22. **Cambridgeshire County Council Historic Environment Team** – no objection in terms of the archaeological significance of the site and no further survey work is considered necessary
23. **Cambridgeshire County Council Flood & Water Team** – no objection subject to the securing of the sustainable urban drainage facility as detailed in the surface water drainage strategy submitted with the planning application and a condition regarding pollution control
24. **Environment Agency** - no objection subject to the securing of the sustainable urban drainage facility as detailed in the surface water drainage strategy submitted with the planning application
25. **Anglian Water** - indicated that to make the scheme acceptable in foul water drainage terms, the applicant would need to fund the cost of increasing the capacity of the sewage network. Two storage units are proposed, one on West Street (100m cubed capacity) and one on Swayne's Lane (50m cubed capacity). The scheme also requires infrastructure to convey the additional waste via an on-site pumping station - the developer contribution is £371,265 to cover the cost of mitigation and conveyancing.
26. **Contaminated Land Officer** - low risk in relation to land contamination and as such it is considered that a phase I contaminated land assessment can be required by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
27. **Air Quality Officer** - to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
28. **Affordable Housing Officer** - The site at Bennell Farm for 90 properties is allocated within Policy H/1 of the local plan, for residential development. The development requirement for the affordable housing is for it to meet the local housing need for both Comberton and Toft, proportionate to the level of need in each village.

40% affordable housing is being proposed, which equates to 36 dwellings. This is in accordance with Policy H/9.

Cambridge & County Developments, part of CHS group who are a registered provider operating in South Cambs have approached us about this development and we provided our preferred mix, which they have used to inform the developer for this proposal.

22 X 1 Beds, 8 x 2 Beds, 4 x 3 Beds, 2 x 4 Beds

The mix is reflective of the housing need in the villages of Comberton and Toft.

Initial allocations should be made to applicants who have a local connection to either Comberton or Toft, in accordance with the development requirements for this site. The district wide tenure split in the Affordable Housing SPD is 70/30 is in favour of rented.

Properties should be built to HCA design and quality standards.

In order to ensure sustainable communities, the distribution of the affordable housing through the development should be in clusters or small groups typically between 6 and 8 units; this is in accordance with Policy HG/3 as set out in Section 3 Layout and Distribution of the Affordable Housing SPD.

This proposal will meet a high proportion of the current housing need in both Comberton and Toft and is therefore supported by the Housing Strategy Team.

29. **Section 106 Officer** – details of the summary of section 106 requirements are appended to this report. Specific policy compliant contributions that would fund the equivalent level of recreation facilities offsite as was approved on site in the extant scheme are discussed in the main body of the report.
30. **Cambridgeshire County Council Growth Team** – the County Council have confirmed that there is sufficient capacity at pre-school, primary and secondary education levels to accommodate the additional population generated by the proposed development.

A contribution of £8,718.84 is requested to improve the provision of library services. The County Council have calculated this figure based on 207 new residents resulting from the scheme multiplied by a sum of £42.12 as a per person contribution towards the installation of additional shelving within the library to enhance the service.

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

A monitoring fee would also be applied

31. **Historic England** – no comments to make. Advice of the District Council conservation officer should be sought
32. **District Council Conservation Officer** - concerns about the proposed scale of development on the village edge which displays a linear character of development with a number of properties set in large plots within the historic part of the Comberton conservation area. Three storey development would not be appropriate in this location.
33. **NHS England** - state that their assessment of capacity is based on the amount of floorspace required to run a practice as opposed to the number of GP's. On the basis

of their calculation, NHS England have requested a sum of £34,845 to provide an additional 15.15 square metres of floorspace to accommodate the additional 221 anticipated population increase (nb. Different projection to the County Council figures above).

34. **District Council Ecology** - This application is supported by an ecological assessment which does not identify any significant biodiversity constraint to development. An area of more botanically interesting grassland, including yellow rattle has been identified associated with the site's central ditch. The flora of this ditch and immediate adjacent land should be protected through the course of this development. No tree planting along the ditch along the front of the site should take place if it is likely to result in shading of the flora. Details of the impact of the proposals on the condition of this ditch should be considered at the reserved matters stage when the final proposed layout is known. The loss of areas of species poor grassland can be compensated for by the establishment of new sown wild flower meadow habitats across the site.

A condition is required to control the removal of vegetation during the bird nesting period.

Regard has been given to the value of the nearby pond for great crested newts. It is considered to be suboptimal and as such is not subject to any further detailed survey work.

No badger setts have been found on site but low level of badger activity has been observed. A condition should be used to secure a repeat survey of the site prior to a reserved matters application being assessed.

35. **District Council Tree Officer** – no objections at this stage due to the outline nature of the proposals in which the layout is not fixed and additional landscaping is an issue to be considered at the reserved matters stage
36. **Highways England** – no objection
37. **Sport England** - No objection to the principle of the proposal. The emerging Local Plan should inform the best way of delivery of the additional facilities in light of the recent upgrade of the recreation ground in Comberton

Representations

38. This section is split into the responses received to the emerging Local Plan allocation (policy H/1:h), which need to be considered in the assessment of the application to determine the weight to be given to the emerging allocation as a very special circumstance for development within the Green Belt and the responses received to the planning application.
39. 30 objections have been received to the emerging allocation which raise the following concerns (summarised):
- The hierarchy of settlements as defined in the Local Development Framework sets thresholds for limits on housing development to avoid development in the Green Belt
 - Too many houses are being provided in the Green Belt (this site and the sites at Sawston propose 430 houses in total in the Green Belt)
 - Objection in principle to the release of Green Belt land

- Question whether sufficient sewage outflow capacity exists to accommodate the development – a number suggest that such a capacity does not exist
- Concern about the impact of additional traffic that will be generated by the development on the east to west traffic flow through the village
- Concern that the precept for affordable housing and the open space provision will benefit Toft but the adverse impacts (e.g. traffic and pressure on infrastructure) will be felt in Comberton
- The allocation restricts development to the eastern side of the access road. Allowing development across the site would allow for a lower density of development to be better distributed across the site
- The site is in close proximity to the Village College and will have an adverse impact on highway safety around the entrance to the school site
- The need for the football pitch, changing facilities and overspill carpark to serve the Village College as originally proposed are questioned.
- If the pitches are needed for Toft residents, these should be provided alongside the existing facilities at Comberton Village College
- No significant benefits arise from the erosion of the Green Belt
- No capacity at the school, or the doctors surgery to accommodate the additional demand that will be placed on these resources
- Additional housing would result in additional congestion on the B1046
- Flooding issues already exist in the village – development of this greenfield site will exacerbate these problems
- The site has been the subject of numerous planning applications
- Badgers have been recorded as evident on the site
- Roads into the village from the site are not suitable for walking/cycling/horse riding – the occupants of the development will be reliant on car travel
- Although the need for housing is accepted, these should be located on sites that can be easily accessed from major A roads – e.g. A428
- Concerns have been expressed by Anglian Water regarding the capacity of the foul sewage network
- The number of proposed dwellings should be capped at 60 as it is important to preserve the character of the surrounding landscape and the volume of traffic generated by the scheme
- Due to the limited facilities within the village, residents would rely on the car for travel to meet day to day needs

40. Comberton Parish Council's objection to the proposed allocation can be summarised as:

- Questionnaires have been sent to local residents and public meetings have been held. The majority view is that there should be no significant change made to the size of Comberton
- Concerns regarding the capacity of the sewage network have been raised
- Traffic calming measures in place are inadequate to deal with the additional east-west traffic flow through the village that will result from the development
- Recommend removal of the proposed allocation from the Local Plan

41. Toft Parish Council's objection to the proposed allocation can be summarised as:

- Do not believe that the site is suitable for 90 dwellings and wonder whether a lower density of development could be achieved by dispersing development across a larger part of the site
- Local services, amenities and infrastructure would be over stretched as a result of the proposed population increase
- Proximity of the site to the village college will result in additional congestion

- which will be detrimental to highway safety
 - The Parish Council has not been involved in discussions regarding the football pitch and changing facilities to be provided
 - Toft Parish Council would support any objection to the proposals made by Comberton Parish Council
42. Barton Parish Council's objection to the proposed allocation:
- If sites are to be proposed in Comberton or on Bourn Airfield, upgrading of the access from the A428 to the M11 should be provided before development commences to avoid additional traffic travelling through the villages
43. 2 representations which were classified as supporting the allocation were received, raising the following comments:
- The Defence Infrastructure Organisation confirm that the proposed development site falls outside of the statutory consultation zone
 - Anglian Water – no specific comments to make at that stage regarding the development of this site. Made generic comments regarding the need to avoid development over the sewer network on all proposed allocation sites.
44. The key issues raised in the 16 responses from residents submitted during the consultation process on the extant planning permission and this revised application are summarised below. (Please see responses for Comberton and Toft Parish Councils in relation to this application in the consultation section of this report.)
- The vehicular access to the proposed development would result in conflict with the access to the Village College – this will result in a highway safety hazard – particularly during peak times at the start and end of the college day
 - The proposed football pitch originally proposed on site would result in harmful noise levels at the western edge of the village. Noise is already generated by the use of the pitches on the recreation ground and the Village College and the proposal would exacerbate this problem
 - There is no need for the additional football pitch originally proposed as the facilities at the recreation ground have recently been upgraded and there is also provision at the Village College, opposite the site.
 - Three storey development would not be appropriate in this location.
 - The proposed development is located in the Green Belt and is the gateway to the conservation area
 - A development on this site will erode the character of the Green Belt and should not be developed unless exceptional circumstances are demonstrated
 - Comberton is poorly served in terms of infrastructure, there is only one small shop, a butcher and hairdressers. The GP surgery is apparently at capacity and does not have the ability to expand. The dentist is at capacity and is not accepting new NHS patients.
 - The land in question is rich in biodiversity and this would be detrimentally affected by the development of the site
 - Rainwater drainage is a problem. Tit Brook (adjacent to the site) overflows during periods of heavy rain which results in surface water flooding on Swaynes Lane and Bush Close. This has included foul water.
 - The precept from the affordable housing will go to Toft but the negative impacts of the development e.g. traffic generation, infrastructure capacity etc will detrimentally affect Comberton
 - One issue mentioned in the Inspector's letter suspending the Local Plan examination process in 2016 was that development should be focussed on the

fringes of Cambridge rather than on site such as this which are in more rural locations and settings

- The development will add significant volumes of additional traffic which will worsen the existing congestion issues on West Street and along the main route through Comberton
- Congestion at the Village College site is a problem due to insufficient parking capacity on that site
- Bus services that would serve this site are inadequate during the evenings and at weekends
- The schools do not have adequate capacity to cope with the additional demand
- The inadequacy of the existing foul drainage system would need to be addressed before existing residential properties are built

45. Cllr Tim Scott as local member for Comberton has objected to the proposals and has raised the following concerns and observations:

- The proposal is inappropriate development in the Green Belt
- The affordable housing provision would be a positive element of the scheme
- Comberton is a Group Village where the policy in the Core Strategy states that indicative developments of a maximum of 8 houses would be supported in principle – clearly the proposed development would far exceed this
- All hedging on the boundaries of the site should be retained as part of the development
- Foul sewage drainage capacity is currently insufficient to cope with the additional demand resulting from the development
- There are capacity issues at the Doctors surgery
- A traffic management plan will be required to ensure that the development does not result in further adverse impact on congestion along West Street

Site and Surroundings

46. The application site is located on the western edge of Comberton village, immediately west of the framework boundary. Despite its proximity to Comberton, the site is located within the parish of Toft. The eastern and western boundaries of the site are demarcated by established hedgerows, West Street runs parallel with the southern boundary of the site. The northern boundary is not clearly demarcated. Open agricultural land is located to the north and west of the site. Bennell Court, a cluster of offices which are buildings converted from agricultural use is located approximately 100 metres north of the application site.

47. Land levels rise gradually from south to north. There are several small clusters of trees and bushes within the site, along with a number of individual trees. The site is bisected by an access road which runs north to south through the site, which provides access to the Bennell Farm development.

Proposal

48. The applicant seeks outline planning permission for the erection of up to 90 dwellings, and associated infrastructure works. The proposal primarily differs from that previously approved under extant planning permission ref. S/2204/15/OL in that it excludes the provision of the football pitch, pavilion and car park that were secured on site under that planning permission. In lieu of the on site provision, this revised application proposes a commuted sum for equivalent provision off site.

Planning Assessment

49. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals, the impact of development in the Green Belt, the sustainability of the location, the density of development and affordable housing. An assessment is required in relation to the impact of the proposals on the character of the village edge and surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

Five year housing land supply:

50. The National Planning Policy Framework (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.
51. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 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 March 2017). 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.
52. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
53. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*). The Court defined 'relevant policies for the supply of housing' widely and held that the term was not to be restricted 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies in the adopted Development Plan which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.
54. The decision of the Court of Appeal tended to confirm the approach taken by the

inspector who determined the Waterbeach appeal. As such, as a result of the decision of the Court of Appeal, policies including policy ST/6 of the Core Strategy and policies DP/1 (a) and DP/7 of the Development Control Policies DPD fell to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF para 49 and therefore out of date.

55. However, the decision of the Court of Appeal has since been overturned by the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF. The term “relevant policies for the supply of housing” has been held by the Supreme Court to be limited to “housing supply policies” rather than more being interpreted more broadly so as to include any policies which “affect” the supply of housing, as was held in substance by the Court of Appeal.
56. The effect of the Supreme Court’s judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as “relevant policies for the supply of housing”. They are therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policies ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
57. The ‘narrower’ definition of policies that affect the supply of housing resulting from the Supreme Court decision is of particular significance in this case as policies GB/1 (Green Belt) and GB/2 (mitigating impact of development in the Green Belt) are no longer to be considered policies which affect the supply of housing and are therefore not ‘out of date.’ In any case, these policies are considered to have significant weight in the determination of this planning application as the NPPF contains specific advice that inappropriate development should not be approved in the Green Belt. Policies GB/1 and GB/2 are therefore still considered to have a relevant purpose in restricting unsustainable development and therefore conform to the overarching principles of the NPPF.
58. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain ‘out of date’, albeit that ‘housing supply policies’ do not now include policies ST/6, DP/1(a) and DP/7 and Green Belt policies. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”
59. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF, unless other national policies indicate an exception to this, Green Belt land is one such exception. Sustainable development is defined in paragraph 7 of the NPPF as having environmental, economic and social strands. When assessed these objectives, unless the harm arising from the proposal ‘significantly and demonstrably’ outweighs the benefits of the proposals, planning permission should be granted (in accordance with paragraph 14).
60. This means that even if policies are considered to be up to date, the absence of a

demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.

61. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused.
62. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
63. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
64. The site is located outside the Toft and Comberton village frameworks, although adjacent to the western boundary of Comberton, 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 permitted. The erection of a residential development of up to 90 dwellings would therefore not under normal circumstances be considered acceptable in principle.
65. Development in Group Villages (the current status of Comberton) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings, or in exceptional cases 15, where development would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. 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.
66. The Village Classification Report of 2012 assessed the status of a number of the villages in the District and considered whether the hierarchy as set out in the LDF Core Strategy was still suitable in light of the requirement to provide an additional 19,500 houses during the lifetime of the emerging Local Plan. The Report considered 4 categories which led to an overall score for each of the settlements considered. Comberton scored the maximum 3 points in relation to education, 1 point was given

for services and facilities in the village, with 0 points awarded for public transport and employment opportunities.

67. In this assessment, Comberton scored higher than Papworth Everard, Willingham and Waterbeach, all of which are classified as Minor Rural Centres in the current LDF and would retain the same status under the emerging Local Plan.
68. In relation to Comberton, the Classification Report concluded that the village 'has a Village College and Doctors surgery, but apart from that services and facilities are limited. It does not perform a Minor Rural Centre function, but it does have a better range of services than most Group villages.' In recommending the elevation of Bassingbourn, Swavesey and Comberton from Group villages to Minor Rural Centres, the report concludes that these villages 'have a distinctly difference level of services and facilities from other Group villages' and 'have a wider range of services and facilities that some existing Minor Rural Centres.'
69. Development in Minor Rural Centres (the emerging status of Comberton) is normally limited to schemes of up to 30 dwellings, within the village framework boundary. 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.
70. The principal consideration however is that the NPPF requires Local Planning Authorities to boost the supply of housing and to assess development against the definition of sustainable development within that context. Specifically in relation to the size of development in or on the edge of settlements, the Inspector in the recent Over appeal decision (18 January 2017) stated that '...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.'
71. It is considered that the fact that Comberton was considered suitable for upgrading to a Minor Rural Centre through the 2012 Village Classification Report should be afforded significant weight in the determination of this application. The Report provides an evidence based assessment of the relative sustainability of the larger villages within the District and Comberton scores comparably with a number of the existing Minor Rural Centres.
72. Twenty one representations in objection and one in support were received to the proposed reclassification of Comberton to a Minor Rural Centre. The main issues of concern raised were the impact of additional development on the amount of traffic travelling through the village, impact on foul and surface water drainage, the lack of capacity at the doctor's surgery and the Village College, the limited nature of services and facilities (including public transport), limited employment opportunities and lack of other infrastructure e.g. the village has no gas supply. The objections also referred to the need to develop on greenfield sites to achieve the larger scale developments that may be permitted in Minor Rural Centres.
73. In relation to the determination of this application, the issues of impact on the capacity of the highway network, the Village College (and primary school) and doctor's surgery are all considered in this report, as they were for the extant planning permission for up to 90 dwellings on the site. In addition, Anglian Water and the County Council as Lead Local Flood Risk Authority have been consulted on foul and surface water drainage respectively. In each of these areas, it is considered that the impact of the

development can be mitigated through conditions or contributions secured through a Section 106 Agreement. There is an hourly bus service to and from Cambridge Monday to Saturday and at a scheduled journey time of just over 20 minutes, this is a more frequent service than most Group villages and is more regular than the service in Papworth Everard which, as stated above, is currently a Minor Rural Centre.

74. Within the context of a need to boost the supply of housing within the District and the fact that this site is allocated for residential development in the emerging Local Plan, the fact that Comberton has been classified as one of the better served villages in terms of access to services and facilities is considered to be a key material factor in assessing any proposals for residential development on this site against the definition of sustainable development as set out in the NPPF.
75. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.
76. The environmental issues, including impact on the Green Belt, are assessed in the following sections of the report. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grade 2 (in this case) agricultural land unless :
 - a. Land is allocated for development in the Local Development Framework
 - b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
77. Whilst the substantive issues are discussed in detail in the remainder of this report, it is considered that, as weight is being given to the housing land allocation of the site in the emerging Local Plan, the proposal would not directly conflict with part a. of the policy, in principle, and that the need for the development could be argued to override the need to preserve the agricultural value of the land given the sustainable location of the site for residential development and the fact that the Council cannot demonstrate a five year supply of deliverable housing land.

Social sustainability:
78. 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.
79. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 90 residential dwellings, 40% of which would be affordable (36 units). Ensuring that the housing mix in the market element of the scheme would accord with emerging policy H/8 is a matter to be dealt with at the reserved matters stage.
80. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 90 additional houses, including the affordable dwellings, is a social benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that this scheme would meet the majority of the housing need in both Toft and Comberton.
81. Formal play space is shown on the indicative layout plan, which is compliant with the required size for the scale of development proposed. Management of this space can

be secured via the Section 106 Agreement. There is a shortage of equipped play areas in this part of the village, and therefore the proposed LEAP has the potential to serve existing properties in the area in addition to the new residents. The siting of the LEAP and other open space within the development will be determined at the reserved matters stage.

82. Under normal circumstances, there is no requirement to provide for formal sports space on site on a development of this scale (sports pitches are required for developments of over 200 dwellings, in line with the advice within the adopted Design Guide). However, the emerging allocation policy H1/h states that a football pitch should be provided as part of the scheme. Notwithstanding this requirement, in the Schedule of Proposed Minor Changes to the Proposed Submission Local Plan, which have been submitted to the Inspector for examination, a caveat has been added to the supporting text of the proposed H/1 allocations policy. The caveat states that 'a development requirement (such as the football pitch, changing rooms and car park in this case) will apply unless it can be demonstrated when a planning application is submitted, that a requirement is no longer needed, or it could be better addressed in a different way either on or off site.'
83. Both Toft and Comberton Parish Councils questioned the need for the football pitch which would be provided on site under the extant permission. The Recreation and Open Space Study (July 2013) identified a shortfall in sports provision in Comberton and in Toft and it is from that evidence that the emerging policy requirement was drawn. Since the conducting of that study, it is acknowledged that the recreation ground in Comberton has been extended and this has included the provision of additional football pitches.
84. The wording of the emerging allocation policy specifically references that the football pitch and changing facilities would be to serve the needs of the residents of Toft. Toft village has no provision at all in terms of outdoor sport according to the 2013 Recreation and Open Space Study and therefore there is an identified need for the provision within the Parish within which the site is located.
85. Given the level of objection to the inclusion of the football pitch as part of the extant development (as demonstrated by the neighbour representations received and the responses of both Toft and Comberton Parish Councils), this proposal excludes any on site sports provision. There may be evidence to suggest that the sports pitch is no longer required as sports clubs in Toft can utilise the facilities at Comberton recreation ground, which have been expanded since the allocation policy was initially drafted. Notwithstanding this, the applicant now proposes a contribution of £327,751.31, which has been advanced in lieu of the on site provision, to be used to fund offsite facilities. This figure has been independently assessed by consultants who have previously devised the Sports Strategy for Northstowe, in relation to the Sport England and Football Association standards and is considered to be a reasonable cost estimate (the independent report is attached as Appendix 2 to this report.)
86. The applicant has proposed contributions to the following schemes, following engagement with Council Officers (who have discussed the options with Local Members and the Parish Councils):
- Upgrading of the 3G sports pitches at Comberton Village College (contribution of £150,000 to the cost of the overall project)
 - Funding of an extension to the Comberton village pavilion (estimated by Comberton Parish Council to cost £67,000)
 - Refurbishment of Comberton tennis courts (estimated by Comberton Parish

Council to cost £10,000)

- Drainage improvements to Comberton Primary School sports pitches (estimated by Comberton Parish Council to cost £7,500)
- Improvements to Toft People's Hall (cost to be confirmed at the time that the application was submitted.)

87. The total amount of the costs identified above is £234,500, leaving a sum of £93,251 still to be allocated from the sum of £327,751.31 advanced by the applicant as the off site commuted sum. It is considered that it is reasonable to allocate funding that would benefit facilities within Toft village itself, as the policy requirement specifically refers to Toft being the beneficiary of the football pitch and changing facilities in the extant scheme. Whilst Comberton Village College is actually within the Parish of Toft, it is a facility that existed when the emerging allocation was drafted and is used by sports clubs and members of the community in Comberton as well as Toft.

It is considered that contributions towards the redesign of the recreation ground and installation of the trim trail, a storage facility at the recreation ground and remodelling the internal arrangements at the Village Hall are suitable projects (enhancement of the Village Hall could be considered a 'different way' of providing an indoor space for recreational use in Toft.) Based on Toft Parish Council's estimates, the total cost of these two projects would be £40,000, leaving a total £53,251. This figure could be allocated to the project for draining the sports pitches on Comberton recreation ground as a significant contribution to a project that the Parish Council estimate would cost £75,000.

88. It is considered that the above projects would achieve the policy objective of providing sport and recreation facilities for the benefit of the residents of Toft, but would also ensure that the fact that the majority of services and facilities that residents of the development would utilise are located in Comberton is recognised through the mitigation secured. It is however within Members' gift to remove identified projects and/or reallocate funding between the projects listed. It is acknowledged that this does not fully achieve the objectives of either Toft or Comberton Parish Councils, both of which have expressed concerns that the Village College is not truly a community facility. Officers have scrutinised the Community Access Agreement for the facility and are satisfied that measures such as priority for local sports groups, favourable fees for affiliate clubs and allowing the facilities to be used outside of college term times ensures that there are opportunities for a wide range of users of the facilities.

89. In recognition of the fact that a number of recreational uses would not be accommodated at the Village College, the package of measures listed above includes upgrading of public open space and recreation facilities elsewhere within Comberton and Toft. The benefit to the community of the proposed renovation of the 3G pitches at Comberton Village College is clearly evidenced by the fact that some football fixtures that did take place on the site have had to cease due to the declining condition of the facility.

90. The total provision of public open space (formal and informal) within the development to the east of the access track would be in excess of 10,000 square metres. The adopted Open Space SPD requires the provision of approximately 2,200 square metres of open space for a development on the scale proposed. Given that both Comberton and Toft have a deficit in play space and informal open space this level of provision is considered to be a significant social benefit of the proposals.

Both Toft and Comberton Parish Councils and a number of residents have raised concerns about the implications of the revised scheme in relation to the land to the

west of the access track. This land would be developed as the location for the football pitch, pavilion and car park in the extant scheme but would remain as agricultural land in this application, due to the provision of a commuted sum for facilities to be provided offsite. A desire for this land to be incorporated as part of the revised scheme as public open space in addition to the payment of a commuted sum has been expressed. However, there is no policy justification for this approach. As stated above, the amount of open space to be provided to the east of the access track far exceeds the policy required amount for a development of 90 dwellings (maximum number that could be developed under this application). There is therefore no requirement to include this land to make the development acceptable in planning terms.

91. Officers have explored the possibility of reducing the commuted sum for offsite facilities as part of a package that would include the land to the west of the access track as public open space within the development site. The difficulty with that option is that the emerging policy requires that if the recreation facilities are not to be provided on site, it must be demonstrated that the provision could be better made either in a different way either on or off site. The provision of informal play space is not what the allocation policy requires to be delivered as a football pitch and pavilion would provide for formal sports provision. Of the projects listed above, the extension to Toft People's Hall is the only option which may be considered not directly linked to sport/recreation. However, there is no other indoor community meeting space or a pavilion in Toft. It would not be CIL compliant to seek the development of a new pavilion in Toft as part of this development given the location of the site, the level of facilities in Comberton and the fact that the Councils Audit of community space identified that the People's Hall was sufficient to serve the needs of the people of Toft. Seeking improvements to that facility would however be CIL compliant given the growth in population of the Parish of Toft that would result from this development and that the sports pavilion secured under the extant permission would have been large enough to include a community meeting room within it (in accordance with Sport England Guidance.)
92. A planning application must be determined on its own merits and on the basis of what is being applied for. The development seeks outline planning permission in accordance with an emerging Local Plan policy which specifically requires residential development to be located to the east of the access track. Compliance with this element of the policy would be required at the reserved matters stage and this can be secured by condition at this outline stage. Any future planning application must be assessed on its own merits and any future potential use of that land is not a material consideration in determining this application.
93. A footpath link would be provided from the development into the centre of Comberton. The footpath is not shown in detail on the illustrative masterplan although the location of the proposed pedestrian accesses are indicated. The footpath would allow residents to walk along the northern side of West Street into the centre of Comberton, which would be a benefit in relation to the current position which requires pedestrians to cross the road to join the footpath on the southern side of the road. This would improve access to the services within Comberton and would therefore be a social benefit of the scheme. The installation of this footpath would be provided via a legal agreement with the Highway Authority, the details of which can be secured via a planning condition at this outline stage.
94. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The indicative layout plan demonstrates that the site can be developed for the number of dwellings proposed, although there are aspects which require further consideration

at the reserved matters stage.

Impact on services and facilities:

Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:

- necessary to make the scheme acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development proposed.

95. In applying this guidance to this planning application, officers consider that the contributions sought through the section 106 agreement, in addition to the facilities required by the emerging allocation policy, should be based upon an assessment of the availability and capacity of services in Comberton. This assessment is made on the basis that despite being located within Toft Parish, the site is immediately west of Comberton village and given that the extent of facilities is far greater in Comberton than Toft, it is considered that the residents of the development would mostly use the facilities and services in Comberton. It is however important to highlight that, in following the requirements of the emerging allocation policy, the shortfall in sports provision in Toft would be addressed by the scheme and the affordable housing provision on the site would be allocated for Toft and Comberton proportionately based upon the need in each village.
96. Comberton is currently classified as a Group Village in the LDF but would be elevated to Minor Rural Centre Status in the emerging Local Plan. Emerging policy S/9 states that residential development of up to a maximum indicative size of 30 dwellings will be permitted, subject to the satisfaction of all material planning considerations. The proposal would significantly exceed this number and would not be within the framework. However, as the land is proposed to be allocated for housing and an indicative number of 90 dwellings has been included within the emerging policy, the fact that the site has been assessed as sustainable through the Strategic Housing Land Availability Assessment (SHLAA) is considered to be the overriding factor in assessing the principle of the scale of development on the site.
97. There is a bus stop immediately adjacent to the site on West Street, with further stops to the east and west of the site. There is an hourly bus service to and from Cambridge along West Street between 09:30 and 19:00 on weekdays with 3 buses to and 2 from Cambridge between 07:00 and 09:30 on those days. Hourly services run most of the day Saturday, no services are available on Sundays. Given the extremely close proximity of the site to the bus service, the frequency of the service during commuting times and the 25 minute journey time, it is considered that the site is well served by public transport, which enhances the environmental sustainability of the scheme by reducing reliance on car travel.
98. Comberton has a primary school, a secondary school and a Library (located at Comberton Village College, which is located opposite the site) and also has an infrequent mobile library service. The County Council as the relevant Authority for providing these services has indicated that there is capacity in the early years provision, that the 19 pupils estimated to be generated by the development of primary school age could also be accommodated within the existing infrastructure and that the Village College has capacity to accommodate the additional 12 children in the relevant age group that the scheme is anticipated to generate. This information corroborates the evidence used in the SHLAA assessment of the site and it is considered that the

fact that these services have capacity to accommodate the additional demand is a factor which contributes to the social sustainability of the scheme.

99. A contribution of £8,718.84 is requested to improve the provision of library services. The County Council have calculated this figure based on 207 new residents resulting from the scheme multiplied by a sum of £42.12 as a per person contribution towards the installation of additional shelving within the library to enhance the service. It is considered that securing this sum via a section 106 agreement would offset any negative impacts on social sustainability in this regard.
100. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment concludes that the number of GP's and the resulting amount of patients that can be accommodated by Comberton surgery indicate that the existing infrastructure could cope with the increased demand. However, on the basis of their calculation, NHS England have requested a sum of £34,845 to provide an additional 15.15 square metres of floorspace to accommodate the additional 221 anticipated population increase (nb. This is a different projection to the County Council figures above). The NHS response indicates that this figure does not include an assessment of any additional car parking capacity and have indicated that they do not have the evidence base to make a request for extension/reconfiguration of the site in this regard.
101. Whilst it is acknowledged that Comberton surgery is a constrained site, the additional floorspace could be achieved through internal modification. If an extension is required, there is space to provide an extension to the surgery site in Little Eversden, which is a satellite practice associated with Comberton.
102. NHS England have indicated in their response that they consider the requested sum to meet the tests for seeking contributions as set out in the NPPF, quoted above. This sum is considered necessary to mitigate the deficit in the capacity of Comberton surgery that would result from the projected population increase from the development and subject to this being secured through the section 106 agreement, the development would not be socially unsustainable in this regard.
103. In terms of services available in Comberton, in addition to those listed above, there is a public house, a dentist, a playgroup, employment premises at Bennell Court, a number of shops and professional services, a grocery store and a post office (within the grocery store). Officers have received confirmation from the dental practice that, although no NHS patients are being taken on, there is capacity at the surgery for private patients to be accommodated should the anticipated population increase arise from the proposed development. Likewise, the playgroup has also confirmed that it has sufficient capacity to accommodate the resulting need.
104. Given the above assessment and the supporting evidence from the SHLAA assessment of the site, it is considered that the adverse impacts of the development in terms of social sustainability could be mitigated through the contributions towards expanded library and NHS provision, to be secured via a Section 106 agreement.

Economic sustainability:

105. The provision of 90 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.
106. Overall, it is considered that the proposed development would achieve the social and

economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Principle of development in the Green Belt

107. This section of the report assesses firstly how the existing site contributes to the purposes of the Cambridge Green Belt and then goes on to consider the implications of the fact that the proposal does not meet the definition of appropriate development in the Green Belt.

Purposes of the Green Belt:

108. The entirety of the application site is currently located in the Green Belt. Paragraph 89 of the NPPF states that ‘a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt.’ Given that the land to be developed is agricultural land, none of the exceptions listed in that paragraph would apply to residential development on this site and as such the proposed development would constitute inappropriate development within the Green Belt.
109. Policy GB/1 of the LDF mirrors paragraph 87 of the NPPF which states that ‘as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.’ Paragraph 88 of the NPPF develops this further by stating 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.’
110. Given that unresolved objections remain to the proposed allocation of the site for residential development, there is a need to assess whether the proposals would conflict with the purposes of the Green Belt, as the allocation of the site has not been agreed and a decision will not ultimately be made on this until the adoption of the Local Plan.
111. Paragraph 80 of the NPPF defines the five purposes of the Green Belt as:
1. To check the unrestricted sprawl of large built up areas
 2. To prevent neighbouring towns merging into one another
 3. To assist in the safeguarding the countryside from encroachment
 4. To preserve the setting and special character of historic towns; and
 5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
112. Policy ST/1 of the Core Strategy is considered to still have significant weight, despite the Council’s inability to demonstrate a five year housing land supply. This is due to the specific reference in the NPPF to land in the Green Belt as an example of where development can be legitimately restricted due to the desire to preserve the openness and prevent inappropriate development within this designated area. Policy ST/1 states that the purposes of the Cambridge Green Belt specifically are as follows:
1. To preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre;
 2. To maintain and enhance the quality of its setting
 3. To prevent communities in the environs of Cambridge from merging into one

another and with the city

113. The special character of Cambridge and its setting are considered by the policy to include:
1. Key views of Cambridge from the surrounding countryside;
 2. A soft green edge to the city
 3. A distinctive urban edge
 4. Green corridors penetrating into the city
 5. Designated sites and other features contributing positively to the character of the landscape setting
 6. The distribution, physical separation, setting, scale and character of Green Belt villages
 7. A landscape which retains a strong rural character
114. The application site was considered as part of the Strategic Housing Land Availability Assessment (SHLAA) in 2013, which evidentially led to its status as an allocation site for development in the Green Belt. At that stage it was identified that the development of the site would have 'an adverse impact on the Green Belt purposes and functions.' It was acknowledged that development of the site would reduce the separation distance between Toft and Comberton and expand the scale of Comberton which would have some limited impact on the character of the village. The development of the site was considered to have a 'small' impact upon the rural character of the landscape.
115. Without mitigation therefore, it was identified that development of the whole site would conflict in part with criteria 2 and would conflict with criteria 3 of the locally defined characteristics of the Cambridge Green Belt. In a similar vein, without mitigation, the development of the site would also conflict in part with criteria 2, 3 and 4 of the nationally defined Green Belt characteristics set out in the NPPF.
116. However, the SHLAA report does make recommendations as to how an adverse landscape impact could be overcome and states that 'development of the site if carefully designed with development set back from the road would have little impact on the landscape setting of the village.' The report also concludes that 'the townscape impact would be minimal if the site were to be developed at a low density to merge into this part of the village which is characterised by low density housing with large gardens, with mature hedges and trees. Development in this location would not impinge upon the linear nature of development in the most historic parts of the village.'
117. It is acknowledged that development of the site would reduce the gap between the western edge of Comberton and the settlement of Toft, approximately 1 mile to the west of the site. However, Bennell Court, an existing cluster of commercial buildings is located in the north western corner of the existing site, which is the corner furthest from the western edge of the existing village and the emerging allocation specifies that residential development should be confined to the land to the east of the access road which serves Bennell Court. Furthermore, the western boundary of the Village College site to the south of the B1046 is located further west and closer to Toft than the western edge of the area of the allocated site to include residential development.
118. This design approach would retain a significant area of green space in the western portion of the site and help to retain a buffer between the edge of the proposed built development and the adjacent land to the west, which is to remain in the Green Belt. In principle it is considered that this approach would maintain the appropriate physical separation, setting, scale and character of the respective edges of the two settlements

in the Green Belt, according with criteria 3 of the defined purposes of the Cambridge Green Belt and the 6th identified characteristic of the designated area.

119. Subject to an assessment of the impact of the indicative scheme on the character of the site and surrounding landscape, considered later in this report, it is considered that the SHLAA assessment has indicated that the site is capable of development in principle without having a detrimental impact on the character of the village edge, the setting of the historic core of the village or the quality of the surrounding landscape. It is clear that the development would have some additional adverse impact on the Green Belt in terms of the national and local policy definitions of the purposes and characteristics of the Green Belt. However, it is considered that the adverse impact could be satisfactorily mitigated

Density of development and housing mix

120. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 within the site area proposed for development in the emerging allocation under policy H/1 h (approximately 27 dwellings per hectare on the approximately 3.35 hectares to the east of the access track, which is the developable area, to be limited by condition, as opposed to the policy requirement of 30). However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
121. Under the provisions of policy HG/2, the market housing element of the proposal is required to include a minimum of 40% 1 or 2 bed properties, approximately 25% of dwellings in residential schemes should be 3 bed and the same threshold applies to 4 or more.
122. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories, with the 10% margin to be applied flexibly across the scheme. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF quoted above. As the application seeks outline planning permission only, a condition requiring this mix is recommended to ensure that the scheme policy compliant.

Character of the village edge and surrounding landscape

Landscape Impact

123. In the SHLAA assessment which resulted in the site being put forward to its current status as an emerging site for housing development, the landscape impact of the proposed development was considered. The South Cambridgeshire Village Capacity Study (1998) refers to the landscape setting of Comberton as characterised by large arable fields, with smaller enclosed fields and paddocks close to the edge of the village. The village edges are generally soft and green and this characteristic applies to this site and the surrounding area.
124. The application site is surrounded by mature boundary landscaping comprising hedgerows and trees which provide a relatively comprehensive screen from wider views. Wider views from the west of site are across arable fields on both sides of the

road, with Comberton Village College forming the edge of built development on the southern side of West Street.

125. Within this context, the SHLAA assessment concludes that 'development of this site if carefully designed with development set back from the road would have little impact on the landscape setting of the village. The townscape impact would also be minimal if the site were to be developed at a low density to merge into this part of the village which is characterised by low density housing with large gardens, with mature hedges and trees.' Overall, the SHLAA concludes that the landscape impact of a proposed development of 90 dwellings on the site could be adequately mitigated.
126. The applicant has submitted a landscape visual impact assessment (LVIA) with the application which assesses the proposed development from 7 viewpoints and includes the images taken, looking towards the site from the identified locations. The assessment concludes that the viewpoints are highly sensitive (the exceptions being the viewpoints taken from West Street adjacent to the site, one looking east (5a and b) and one looking north from the Village College). In assessing the impact on these highly sensitive views, it is considered that there would be a neutral impact on the character of the landscape from 2 of the views (from the footpath on Hardwick Road and from the public footpath east of Meridian Golf Club) and a minor adverse impact on 2 of the viewpoints (both of those identified of medium sensitivity).
127. The LVIA concludes that the relative containment of the proposed development by existing boundary vegetation, the consistency of the proposed layout with the existing pattern of development in the western end of Comberton in terms of pattern, vegetation and alignment and the contribution of the existing boundary vegetation makes to the character of the approach to the village, are factors which ensure that the development of the site would not conflict with the purpose or function of the wider Green Belt.
128. In terms of visual impact, the LVIA concludes that the highest degree of significance would be in views closer to the site where the mitigation measures of providing significant 'buffers' between the edge of the built development of the scheme and the boundaries of the site would address any adverse impact. The scheme has been revised to set the frontage properties well back into the site, enhancing the 'buffer' along the West Street frontage. In addition, the majority of the tree and hedge planting on the boundaries of the site would be retained, with enhancement on the southern boundary, ensuring that the 'containing' nature of the vegetation would be retained.
129. The Urban Design Officer (UDO) has commented that the proposal will result in harmful impacts to the character of the Green Belt. As stated in the principle of development section of this report, this is accepted as the site is currently agricultural land which is open and undeveloped in character and will be developed by up to 90 residential units.
130. A number of concerns have been raised by the UDO although there is no objection to the scheme as the application is in outline only, with the layout and exact quantum (as the description is 'up to' 90 units) to be finalised at the reserved matters stage. Officers are content that the significant extent of the recess of the front building line from the southern boundary of the site shown in the indicative layout could be reduced by pulling all of the buildings southwards. In addition to that alteration, the LAP open space could be relocated so that the layout of the properties in the northern part of the site could be altered and a landscape 'buffer' achieved to the northern boundary. It is considered that these amendments, which would be achieved through the reserved matters application when the layout is to be fixed, would allow the 90 dwellings

proposed to be achieved on the site without resulting in significant harm to the character of the site or the surrounding landscape.

131. The illustrative masterplan has been amended to improve the surveillance of the formal and informal public open space and this is a positive element of the scheme, as is the revision to the front building line of the development, which is considered to better reflect the low density and rural character of the existing village edge, through the extension of the open space and location of the pond for surface water attenuation immediately behind the southern boundary of the site.
132. The illustrative masterplan has also been revised to create an active frontage onto the main access road into the development. The UDO has indicated that some of these plots should be reconfigured but again this is a matter of detail which is to be determined at the reserved matter stage as the principle of this approach is considered to be a positive element of the proposed design. The layout of the parking area has also been improved in the revised masterplan, private open space associated with the flatted development has been defined and the separation distances between neighbouring properties could achieve the requirements of the adopted Design Guide, with the final details to be considered at the reserved matter stage.
133. The original masterplan indicated that there would be 2.5 storey and 3 storey development in the front two thirds of the site. This height of development on the scale initially proposed was considered unacceptable by virtue of the impact the massing of the proposals would have had on the sensitive nature of the site on the rural edge of the village and adjacent to the Green Belt. Three storey development is no longer proposed.
134. Comments are also made by the UDO in relation to 'Lifetime Homes' being achieved across the site and this is a matter that will be resolved in the details of the reserved matters application. The applicant has committed to the provision of 10% of the energy used by the development to be provided by on site renewable energy sources, in compliance with policy, with the detail to be provided once the exact quantum of development is known at the reserved matters stage.
135. The Landscape Design Officer (LDO) comments that the application site has a rural character with strong hedges and mature tree planting. The resulting relatively small-scale fields and paddocks are typical of the local village edges, and mark the transition between the more open countryside and arrival at the village. This particular site has been planted with groups and avenues of trees, producing an additional 'Parkland' landscape character. It is considered that there would be some harm from the proposed layout on the character of the Green Belt by virtue of the arrangement of the rows of properties, back to back through to the rear boundary of the site.
136. The application suggests that open vistas will be maintained with views to the Green Belt and further breaks in development will be delivered by providing on-plot parking and garages. Officers consider that this area will require a far greater degree of visual permeability if the desired long views and openness are to be achieved. Again, this is a matter that would need to be addressed at the reserved matters stage and could be achieved through the amendments to the layout referred to previously.

Trees

137. The arboricultural report submitted with the application highlights two of the trees as category A, with 44 trees, 20 trees 'groups' and 2 areas of woodland as category B

and 42 trees and 11 'groups' of trees are category C. Trees that are considered to be category A are considered to be of high amenity value, and these should be retained. Category B trees serve some amenity value but are in a poorer condition than category A and category C trees are considered to be of a condition which gives them a lower amenity value and are therefore considered not to be worthy of retention.

138. The category A trees are located in the centre of the western part of the site. The indicative masterplan indicates that 3 category B and 6 category C trees would be removed to facilitate the development as shown at this stage. It is considered beneficial that the highest quality trees would be retained and that the additional landscaping proposed would in principle help to offset the loss of the lesser quality trees through the enhancement of the site boundaries and the areas of open space, which would help to assimilate the development into the surrounding landscape. It is considered that a condition can be added to the outline permission requiring tree protection measures to be agreed. All other matters, including the number and location of the trees to be retained and removed will be decided at the reserved matters stage as these issues are dependent on the layout of the site being fixed.

Ecology

139. This application is supported by an ecological assessment which does not identify any significant biodiversity constraint to development. However, a number of issues need further consideration and/or addressing at the reserved matters stage should this development be allowed. The grassland is considered to be species poor. However, an area of more botanically interesting grassland, including yellow rattle has been identified associated with the site's central ditch.
140. The flora of this ditch and immediate adjacent land should be protected through the course of this development. No tree planting along the ditch along the front of the site should take place if it is likely to result in shading of the flora. Details of the impact of the proposals on the condition of this ditch should be considered at the reserved matters stage when the final proposed layout is known. The loss of areas of species poor grassland can be compensated for by the establishment of new sown wild flower meadow habitats across the site.
141. A condition is required to control the removal of vegetation during the bird nesting period. Regard has been given to the value of the nearby pond for great crested newts. It is considered to be suboptimal and as such is not subject to any further detailed survey work.
142. No badger setts have been found on site but a low level of badger activity has been observed. A condition should be attached to secure a repeat survey of the site prior to a reserved matters application being assessed. No further assessment is required for reptiles.
143. Bat surveys have established the use of the site by eight species of bat but with no roosts being present. The main activity was from common pipistrelle bat. The design makes reference to the use of bat boxes within buildings and retained trees and that should be secured through condition, which should added at this outline stage as it relates to mitigation of the impact of the scale of development proposed. Regard was also had to the need to retain dark corridors for bat movements. Details of any external lighting within the open space/public realm can be secured by condition to ensure that there would be no adverse impact on the foraging paths of protected species.

144. A significant balancing pond is to be created at the front of the site and that is considered to be a biodiversity benefit of the scheme. The ecology officer has commented that the design of the pond should integrate areas of permanent open water and native marginal planting along with other measures to ensure that its biodiversity is maximised.
145. Final details of the balancing pond and measures to ensure that it provides for biodiversity will be sought at the reserved matters stage. There is an opportunity to bring SUDS features such as swales into the development areas in order to secure a more sustainable design that aims to start water treatment and management processes at source, which should also form part of the reserved matters scheme.
146. The current layout will see the retention of all hedgerows except for hedge H4. However, that hedge is a low and formally managed hedge with reduced biodiversity value. New hedgerow planting will compensate for that loss. A condition is recommended to secure a scheme of ecological enhancement, including the provision of specialist bird and bat boxes.

Highway safety and parking

147. The County Council Major Developments Team, having requested additional information from the applicant, has confirmed that it has no objection to the proposed scheme in terms of impact on existing highway conditions, trip generation and distribution, and transport impact. The Highway Authority considers that there is no evidence to suggest that the proposed development would exacerbate the existing road safety risks in the locality. Details of the zebra crossing, traffic calming measures and the proposed footpath link are to be secured by condition. In addition, the upgrading of the bus shelters along West Street shall be included in the Section 106, with a fee to be secured for the provision of Real Time Passenger Information. A detailed travel plan for the development will be required at the reserved matters stage. No objection has been raised to the principle of the access point proposed.
148. Given the low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.

Residential amenity

149. The application seeks outline planning permission and therefore the layout plan submitted is for illustrative purposes only. However, officers consider that this plan is sufficient to demonstrate that 90 units could be accommodated on the site without having a detrimental impact on the residential amenity of occupiers of adjacent properties. The revised indicative layout plan is considered to indicate that the separation distances as prescribed in the adopted design guide (25 metres between elevations with habitable windows, 13 metres from elevations with windows facing blank elevations) can be achieved in terms of loss of light, overbearing and overlooking issues.
150. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice. Given the separation distance to be retained between the flatted development and the closest neighbouring property to the east of the site would be in excess of 40 metres from that element of the scheme, it is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the

residential amenity of neighbouring properties or the occupants of the proposed development.

Surface water and foul water drainage

Surface water drainage

151. The site lies in Flood Zone 1. The Lead Local Flood Authority has not raised an objection and is of the view that surface water drainage from the site will not be an issue, subject to suitable conditions being included in any consent.
152. The Environment Agency requires conditions to be included in relation to securing the details of a surface water drainage strategy and minimising water contamination issues in a sensitive area. These can be added to the planning permission at this outline stage.

Foul water drainage

153. The applicant has submitted details of pre-application discussions with Anglian Water regarding the capacity of the foul drainage network. Anglian Water indicated that to make the scheme acceptable in foul water drainage terms, the applicant would need to fund the cost of increasing the capacity of the sewage network. Two storage units are proposed, one on West Street (100m cubed capacity) and one on Swayne's Lane (50m cubed capacity). The scheme also requires infrastructure to convey the additional waste via an on-site pumping station - the developer contribution is £371,265 to cover the cost of mitigation and conveyance infrastructure. A 'Grampian' condition requiring the developer to enter into an agreement with Anglian Water as the sewerage undertaker to ensure that these works are completed prior to the occupation of the development can be added at this outline stage should planning permission be granted.

Section 106 Contributions

154. The revised application proposes a commuted sum for offsite facilities, as detailed in paragraphs 88-90 of this report. The total amount to be secured towards those projects has been independently verified as an amount equivalent to the provision of the football pitch, pavilion and car park to be provided on site in the extant scheme and therefore is considered to meet the requirements of the emerging allocation policy.
155. On site provision for equipped play space meets the policy requirement and the level of informal open space exceeds this and so no contribution towards off site provision is required in either regard. The on site provision of a Local Equipped Area of Play can be secured through the Section 106 Agreement.
156. Household Waste Receptacles charged at £72.50 per dwelling and a monitoring fee of £3,000 (flat fee), can be secured as part of the Section 106 Agreement. The County Council's footway upgrade requirements and the financial contribution required by Anglian Water to enhance the capacity of the foul drainage network can be secured through the recommended planning conditions. The upgrade to the adjacent bus stops through the installation of Real Time Passenger Information Facilities and a maintenance contribution can be secured as part of the Section 106 Agreement.

Archaeology and Heritage

157. Following the initial assessment submitted with the planning application, it is considered that no further work is required regarding archaeology and no mitigation measures are required.
158. The SHLAA assessment of the site considered that the setting of the Comberton conservation area (the western boundary of which is 180 metres to the east of the site) would not be adversely affected by the development of the site on the scale proposed subject to the retention of the landscaping on the site boundaries. The same assessment was made regarding the setting of the closest listed building, 57 West Street (grade II) located 190 metres east of the application site. Policy CH/5 of the Local Plan is considered still to be worthy of full weight in the determination of this application as this conforms with the NPPF in terms of requiring proposals to preserve the character of a conservation area. 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 building or its setting or any features of special architectural or historic interest which it possesses.” It is considered that the amended indicative layout has created a significant ‘buffer’ in the front part of the site which would ensure that the built form of the development would not have an adverse impact on the setting of the listed building located a significant distance to the east of the site.
159. The scheme has been amended to remove the three storey block from the front part of the site and the illustrative masterplan proposes a more linear form which better reflects the layout of the plots in the more historically significant parts of the conservation area, separated from the site by more modern suburban housing. Historic England has not raised any specific objections to the proposals although the District Council conservation officer has some concerns about the proposed scale of development on the village edge.
160. The revised scheme has pulled the southern edge of the built development back from the southern boundary and the indicative scale of development has been set out in the emerging Local Plan policy, which is being given weight in the assessment of the application. Following the reduction in the height of the buildings below 3 storeys and an improvement in the indicative layout through a more linear pattern of development, it is considered that the proposal would not result in significant harm to the setting of the conservation area to the extent that would outweigh the benefits of the provision of housing in a sustainable location.

Environmental Health

161. The Public Health Specialist has commented that the Health Impact Assessment has been assessed as Grade B, which meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
162. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council’s low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
163. It is considered that further assessment of the potential noise generated by the activity on the land to the west of the access track (to be retained as agricultural land) and the

impact that this may have on the residential amenity of the occupants of the dwellings will be required to ensure that adequate attenuation measures are put in place, if required. Given that these assessments will require confirmation of the layout and that the scheme is of low density, with the access road separating this land from the location of the dwellings on the illustrative masterplan, it is considered that this issue can be satisfactorily addressed at the reserved matters stage.

164. The site is considered to be a low risk in relation to land contamination and as such it is considered that a phase I contaminated land assessment can be required by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
165. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
166. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement. The developer should ensure that the highway design allows for the use of waste collection vehicles and this is a detailed matter relating to the layout of the scheme at the reserved matters stage.
167. The applicant has committed to 10% of the energy requirements generated by the development being produced by renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated.

Prematurity

168. As outlined above, in light of the appeal decisions at Waterbeach regarding the 5 year land supply this application needs to be considered against policies in the NPPF. However Members also need to address the issue of whether the approval of development on this site would be premature in respect of the consideration of the Submission Local Plan.
169. The Planning Practice Guidance states that the NPPF explains how weight may be given to policies in emerging plans. However, it states that in the context of the NPPF and the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify refusal of planning permission, other than where it is clear that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, taking the NPPF policies and any other material considerations into account.
170. The PPG indicates that such circumstances are likely to be limited to situations where both the development proposed is so substantial, or its cumulative effect would be so significant, that to grant planning permission would undermine the plan-making process by predetermining decisions about the scale, location of phasing of new development that are central to an emerging local plan; and the emerging plan is at an

advanced stage but is not yet formally part of the development plan for the area.

171. Where permission is refused on grounds of prematurity, the PPG states that a Local Planning Authority will need to clearly indicate how the grant of permission would prejudice the outcome of the plan-making process.
172. Following the assessment throughout this report, it is considered that the harm arising from the proposal would be less than substantial when conducting the balancing act of weighing the benefits against the harm caused by the scheme.

Very Special Circumstances

173. There is harm arising from the inappropriate nature of the development in the Green Belt and some landscape harm arising from the development of what is currently an agricultural field. However, this harm would be removed in the longer term by the allocation of the land for housing development in the Local Plan.
174. The site has emerging allocation status in the Local Plan which is currently being assessed by an Inspector appointed by the Secretary of State. H/1 part h is the policy in the Local Plan which relates to the proposed allocation of the site that is the subject of this application.
175. Paragraph 216 of the NPPF states that ‘from the day of publication, decision-takers may also give weight to the relevant policies in emerging plans according to:
 - The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
 - The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given.)
176. The advanced stage that the preparation of the Local Plan has reached (which accords the policy more weight) is counterbalanced by the extent of unresolved objections. The unresolved objections primarily relate to matters which have been considered by the Council and have not been accorded significant weight which has resulted in the site being confirmed for inclusion in the Submission Local Plan as a residential site allocation. On balance it is considered that weight can be given to the proposed allocation of the site in the Submission Local Plan in planning decisions, alongside all other material considerations
177. The applicant has highlighted a High Court decision (Luton Borough Council v. Central Bedfordshire Council) which related to the development of an emerging allocation site for residential development in the Green Belt. Luton BC contended that granting planning permission was premature given the emerging as opposed to fully adopted status of the policy and that proper consideration had not been given to the availability of other sites which may have achieved the housing as a better way of meeting the local need, amongst other issues. Paragraph 55 of the judgement in that case states ‘Paragraph 83 (of the NPPF) does not lay down a requirement that the boundaries of the Green Belt must first be altered via the process for changing a local plan before development may take place on the area in question. Paragraphs 87-88 (of the NPPF) plainly contemplate that development may be permitted on land within the Green Belt, provided that very special circumstances exist.’

178. The judgement also indicated that the granting of planning permission for a site in the Green Belt which is proposed to be allocated does not need to await formal adoption of the Local Plan. Paragraph 56 of the judgement states that 'whilst it may be easier to proceed in stages, by changing the local plan to take a site out of the Green Belt (according to the less demanding 'exceptional circumstances test') there is nothing in paragraph 83 (read in the context of the entirety of section 9 of the NPPF) to prevent a planning authority from proceeding to consider and grant planning permission of the land in question within the designated Green Belt, provided the stringent 'very special circumstances' test is satisfied.'
179. The issue of prematurity has been raised as a concern in the consultation process and this is considered to be addressed in this judgement of the High Court. So long as very special circumstances can be demonstrated, there is not a requirement for a site to be removed from the Green Belt prior to the granting of planning permission.
180. For the principle of development to be accepted therefore, the applicant must demonstrate that very special circumstances apply in this case. The fact that there is an extant outline permission for the development of the site for 90 dwellings, a football pitch, pavilion and a car park is clearly a very special circumstance that should be afforded significant weight in the determination of this application, as it is within the applicant's gift to pursue this alternative development on the site. In addition to this fall back position, the status of the site as an allocation for residential development in the emerging Local Plan is one of the considerations advanced as a very special circumstance by the applicant. The applicant makes the case that this site is one of a number in the emerging Local Plan which is identified as deliverable within the first five years of the Local Plan period due to the lack of constraints identified in developing the site. The Annual Monitoring report published in April 2015 by the District Council includes a trajectory which indicates that the development could be built out by 2019 and this has been factored in to the proposed housing growth numbers.
181. The strength of this very special circumstance is considered to be dependent upon how effectively and comprehensively the proposal addresses the objections raised to the emerging allocation during the consultation process (listed in the representations section of this report). If the objections have not been adequately addressed, this would reduce the amount of weight that could be given to the policy, in line with paragraph 216 of the NPPF.
182. Given that the proposal is considered to respond to the objections raised, it is considered that the emerging allocation status should be given significant weight. The proposal would make a significant contribution towards reducing the deficit in the five year supply of housing land (which is advanced as a very special circumstance on its own.) The site is considered to meet the definition of sustainable development once removed from the Green Belt, which would be the consequence of the emerging policy which is considered to hold significant weight in the decision making process.
183. There are community benefits arising from the scheme, which are advanced as part of the very special circumstances case for the development by the applicant. The provision of 40% affordable housing as part of the development in a district which has a significant deficit in supply and a significant demand for this type of housing and the provision of a Section 106 package that would secure improvements to recreation and sports facilities within Toft and Comberton are two elements of the community benefits proposed.

184. The applicant also makes the point that this site is the only proposed allocation for residential development outside of the established frameworks of both Toft and Comberton and given the extent of the identified housing need in the district, this site is the only site at this stage in the Plan process that could achieve the number of new units proposed within these two villages.
185. Economic benefits are also part of the very special circumstances case presented by the applicant. The applicant quotes from the 2014 City Deal agreement which states that 'The success (of Greater Cambridge) has been widely celebrated, but is now contributing to a shortage of housing and significant transport congestion that threaten to choke off further economic growth.'
186. The applicant makes the case that developing smaller sites that are proposed to be allocated, which can be delivered in the first five years of the life of the Local Plan, are likely to meet this need on a far shorter timescale than the urban extensions and new settlements which are to provide development on a much larger scale but require significant improvements to infrastructure in order to be achieved.
187. There is no definition of what can constitute 'very special circumstances.' It is considered that when taken individually, the lack of a five year housing land supply is not sufficient to demonstrate very special circumstances in this case as the applicant has not provided a sequential test to demonstrate that equally sustainable sites on the edge of Rural Centres or other Minor Rural Centres that are not in the Green Belt are not available for development of a scheme on the scale proposed.
188. Similarly, the provision of affordable housing and the other community benefits would be requirements of making the scheme acceptable in planning terms to demonstrate the sustainability of the development and are therefore not on their own considered to meet the extra-ordinary standards implied by the very special circumstances test. Given the lack of a sequential test, the economic benefits are also not considered to constitute very special circumstances in this case.
189. In the case of Basildon DC vs. FFS (2005), the judgement states that 'it is not necessary to show that each and every factor in itself amounts to a very special circumstance, but that the combination of circumstances, viewed objectively, is capable of being described as 'very special.' A number of ordinary factors may when combined together result in something very special.'
190. The applicant has provided additional information which highlights a number of recent cases where planning permission has been granted for the development of sites that had emerging allocation status but were located within the Green Belt at the time that a planning application was submitted. Each planning application has to be determined on its own merits but the principle behind these decisions have some relevance to the determination of whether the emerging allocation status of this site can be considered either on its own or in combination with other factors, a very special circumstance.
191. In an example from Thurrock (2010 application in Stanford-le-Hope), an application for development was submitted on Green Belt land prior to the adoption of a Site Allocations document which was to form part of the Core Strategy. In March 2012, following a public inquiry, the Secretary of State granted planning permission.
192. At the time the appeal decision was issued, the Core Strategy had been through full examination but had not been adopted. The appeal decision stated that 'there is a substantial need for deliverable housing, part of the site has been identified in the (Core Strategy) and to bring land forward for development on that part would not be

against the aims and objectives of the development plan, or the emerging development plan, just not accord with the process envisaged.'

193. In agreeing with the conclusions of the Planning Inspector, the Secretary of State stated that 'harm to the Green Belt should be viewed in the context of the harm that the development of (the site), identified as a broad location for development (in adopted regional plan and the emerging Core Strategy) would cause in the future, thereby considerably lessening the overall harm of this proposal.'
194. It is important for Members to note that the policy context of the Thurrock decision was different from this application as the Regional Plan carried weight in the determination of that application where it no longer exists as a consideration in this case. The Regional Spatial Strategy had identified some fringe sites as suitable for release from the Green Belt and part of the application site was in one of those areas. The proposal was therefore not entirely in contravention with the Development Plan, although it did contravene the emerging Local Plan policy in that case.
195. Nevertheless, Bennell Farm has been identified as a sustainable location for development through the SHLAA process and therefore the harm to the Green Belt in the future has been considered to be outweighed by the benefits of providing significant additional housing on the immediate edge of a Minor Rural Centre.
196. The broad theme of this judgement can clearly be applied to the proposal being considered in this application. There is harm arising from the inappropriate nature of the development in the Green Belt and some landscape harm arising from the development of what is currently an agricultural field. However, as was the case on the Thurrock example, this harm would be mitigated in the longer term by the allocation of the land for housing development in the Local Plan.
197. This proposal includes a locally significant level of contributions to enhance recreational facilities, that would meet an identified shortfall within Toft and Comberton Parish and is therefore clearly a benefit of a scheme of this scale.
198. In addressing the question of very special circumstances in the Thurrock case, the Secretary of State concluded that 'the fact that part of the site has already been identified as a broad location for development and removal from the Green Belt, and that bringing sites forward early is not against the principles of the development plan, the benefits of the scheme, including the provision of housing to help meet the shortfall in the five year supply, provision of affordable housing and the proposed strategic open space clearly outweigh the harm to the Green Belt and the other harm identified. For these reasons, I consider that the proposal should be seen as having a very limited adverse effect in relation to permanence.'
199. Given that the outstanding objections to this application can be resolved, officers consider that the principles of the Thurrock case in terms of the approach to a future allocation on Green Belt land are directly relevant to this application.
200. Another case highlighted is in Tewkesbury, dated 31 March 2016. In this situation, the emerging Joint Core Strategy which proposed to remove the site from the Green Belt had been given 'qualified acceptance' in an Interim Report by the Planning Inspector. As a result, the emerging policy in that case could be legitimately given more weight than the emerging allocation status of the Bennell Farm site.
201. In the Tewkesbury case, the Inspector commented that '...it seems that it is the proposed boundary change (to the Green Belt) which has prompted the making of the

planning application, not the other way round.’ This led to the conclusion that ‘Whilst there should be no prejudgement of the outcome of the Joint Core Strategy (JCS) examination, the extensive body of evidence in support of this element of the submitted JCS indicates that it can be afforded a good deal of weight, even though it is the subject of objections.’

202. The status of the emerging Local Plan in the Tewkesbury case was clearly more advanced as there has been no indication of qualified acceptance of any of the allocation sites in the emerging South Cambridgeshire Local Plan. However, the point that is relevant from the Tewkesbury case is that there is evidence of the need for the level of housing proposed in the Local Plan for South Cambridgeshire.
203. The Local Plan examination was suspended following concerns that (amongst other issues) whether projected housing need had taken full account of market signals. Following this suspension, additional work has been undertaken and another 500 houses (total 19,500) are now to be proposed to be allocated. Therefore, the need for the removal of this site from the Green Belt as an allocation in the longer term could be afforded significant weight without prejudging the outcome of the Local Plan examinations, despite the objections that have been raised to the allocation during the consultation process.
204. The Tewkesbury case also addresses the benefits of developing a site considered to be sustainable as an emerging allocation site in a situation where a Council cannot demonstrate a five year supply of housing land. In determining the Tewkesbury case, the Inspector considered that ‘Since (the site) is in keeping with the emerging JCS, the proposal should not be regarded as premature within the terms of the NPPF 216. Indeed, Gloucester City Council supports the early release (of the site) precisely to avoid the development as less sustainable locations being approved due to the housing supply situation.’
205. Given the extent of the Council’s five year housing land supply deficit and the likely timescales for the adoption of the emerging Local Plan, it is considered that the above conclusion is relevant to the determination of this application. Clearly a decision on whether or not the Council supports this application rests with Members of the planning committee. However, officers do, on balance, support the early release of the site and one of the key advantages would be a significant contribution towards the reduction in the land supply deficit in a location that is considered to be sustainable.
206. Given that the emerging allocation is considered to be worthy of weight in the determination of the application, that is considered to be the strongest element of the very special circumstances case. The same status does not apply to any other land within the parishes of either Toft or Comberton and this therefore represents the optimum site for achieving a significant number of affordable housing units (of which there is an identified need in Toft Parish), as well as a large number of market houses. This benefit does link to the extent of the social benefits provided by this scale of development.
207. In this revised application, the provision of a financial contribution to offsite sports facilities allows a more flexible approach to mitigating the impact of the development and providing wider community benefits. A key concern of objectors to the previous application was that an additional football pitch is no longer required as people from Toft and Comberton use the sports pitches at Comberton recreation ground, a facility which has expanded since the time of gathering evidence to support the allocation policy in the emerging Local Plan. The provision of a contribution to the restoration of a well used community sports facility at Comberton Village College, the upgrading of

the pavilion at Comberton recreation ground, the draining of sports pitches at Comberton primary school, improvement works to the People's Hall in Toft and the improvements to the play equipment at Toft recreation ground are enhancements would improve existing well used facilities. The proposed Section 106 contributions therefore significantly enhance the social sustainability of the proposed development.

208. These factors, when combined with the results of the SHLAA analysis which concluded that the site meets the definition of sustainable development (hence its inclusion as an allocation site in the emerging Local Plan) are considered sufficient to demonstrate very special circumstances.
209. The lack of a five year supply of housing land is also considered relevant in the balancing of the merits of the application, despite on its own not meriting very special status, as supported by the conclusion of the Sectary of State in the Thurrock case referenced previously.
210. From the above assessment, it is considered that the combination of factors advanced by the applicant lead officers to consider that very special circumstances have been demonstrated, particularly given the fact that there is an extant permission for 90 units on the site, along with other development. From the conclusion in relation to the impact on the purposes and characteristics of the Green Belt, it is clear that some harm would result to the Green Belt as a result of the development. This harm and any other identified harm must be clearly outweighed by other considerations, in accordance with paragraph 87 of the NPPF. Given the limited nature of the other harm identified in this report, it is considered that the very special circumstances are sufficient to clearly outweigh any harm arising from the development.

Conclusion

211. Policies GB/1 and GB/2 of the LDF are considered to carry full weight in the determination process as they confirm with the NPPF in terms of development in the Green Belt. The application site is located in the Green Belt and the proposal for residential development is considered to be inappropriate by definition in this location. As a result, the proposal would result in harm to the Green Belt. In accordance with the guidance in the NPPF, if a case for 'very special circumstances' is advanced as justification for the proposal, these circumstances must clearly outweigh the harm to the Green Belt caused by the fact that the development would be inappropriate and any other harm identified.
212. In this case, the applicant has provided package of circumstances which they consider, when taken cumulatively, to meet the 'very special circumstances' test. These are: the fact that there is an extant permission for up to 90 dwellings and other facilities on the site, the allocation of the site for housing development in the emerging Local Plan, the social benefits of the scheme, the economic benefits of the development and the contribution that the 90 dwellings would make addressing the identified shortfall in the Council's five year supply of housing land.
213. For the reasons assessed in the main body of this report, it is considered that the emerging allocation status of the site can be given weight in the determination of this application. This situation is supported by the case law also referred to in this report although only the broad themes from the judgements should be considered in assessing this application as clearly each case must be determined on its own merits. In this case, the fact that the location and quantum of development on this site was considered to be sustainable during the SHLAA process and that removal of the site is considered overall not to undermine the overall purposes of the Green Belt, it is

considered that weight should be given to the emerging allocation status in the decision making process.

214. The development of the site with up to 90 residential units will result in harm to the existing character of the Green Belt in this location, which is currently agricultural land. However, the sustainable location of the site, the social benefits of the scheme (affordable housing provision, provision of substantial amounts of open space and the commuted sum to fund the offsite sport and recreation facilities described previously in this report) and the need for housing in the District, combined with the emerging allocation status weigh in favour of the proposal. In line with the case law examples cited, this assessment is made within the context that the long term harm is considered to be less than substantial due to the proposed allocation status.
215. In terms of the other harm that would arise from the proposals, it is considered that the landscape harm can be mitigated through the development of the site in accordance with the layout prescribed in the emerging allocation policy. The revised illustrative masterplan indicates that the residential development would be located to the east of the access road and that a significant landscape 'buffer' would be provided between the southern edge of the built form of the development and the southern boundary of the site. Given that scale, layout and appearance are amongst the matters to be dealt with at the reserved matters stage, it is considered that the applicant has demonstrated that 'up to' 90 units (i.e. leaving the possibility of fewer units coming forward at the detailed stage) can be accommodated on the site in a layout in which the harm to the Green Belt would not significantly and demonstrably outweigh the benefits of the development due to the very special circumstances which have been demonstrated.
216. It is considered that the applicant has demonstrated that the deficiencies in the capacity of the sewerage network can be addressed through the mitigation scheme required by Anglian Water as detailed earlier in this report. It is considered that surface water drainage, highway safety and environmental health impacts of the development can be mitigated. There are no objections from any of the statutory consultees relating to these aspects of the proposal.
217. It is acknowledged that the layout on the illustrative masterplan does not provide the detail to ensure that all urban design and landscape comments can be addressed. However, as stated by the relevant consultees, it does demonstrate sufficiently that 'up to' 90 dwellings could be accommodated on the site and those consultees have not objected to the principle of development. Those concerns will need to be addressed at the reserved matters stage but the fact that the principle is not opposed is the overriding factor at this outline stage.
218. It is considered that the emerging allocation status of the site for housing development should be attributed more weight in the assessment of the application than policies DP/7 and ST/6 of the LDF, as Comberton is proposed to be elevated to a Minor Rural Centre in the emerging Local Plan and that the allocation for up to 90 units exceeds the indicative thresholds in each of these policies. Policies HG/1, HG/2 and HG/3 are all housing policies which are considered to carry some weight in the decision making process as these relate to the density of development, housing mix and affordable housing, all of which contribute to sustainable development. Some weight is also being attached to the emerging policies in this regard. This assessment of weight is considered in light of the fact that the site has been assessed as a sustainable location for the proposed development through the SHLAA process. In relation to the other relevant policies of the LDF as quoted in this report, these are considered to be consistent with the definition of sustainable development as set out in the NPPF and

therefore have been given significant weight in the assessment of this application.

219. Given this assessment, officers consider that, on balance, the benefits of the development would not be significantly and demonstrably outweighed by the disbenefits of the scheme.

Recommendation

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

Section 106 Agreement

As detailed in Appendix 1 attached to this report.

Draft conditions

- (a) Outline planning permission
- (b) Time limit for submission of reserved matters
- (c) Time limit for implementation
- (d) Approved plans
- (e) Residential development must be limited to the east of the access track only
- (f) Landscaping details
- (g) Contaminated land assessment
- (h) Dust, noise, vibration mitigation strategy
- (i) Noise assessment relating to impact of the use of the land to the west of the access track (currently in agricultural use) on the amenity of properties – including necessary mitigation measures
- (j) Details of renewable energy generation within the development and associated noise assessment and mitigation measures – 10% renewables and details of implementation
- (k) Scheme to detail upgrading of highway facilities including public footpath
- (l) Scheme for the provision of contributions towards the increased capacity requirements relating to foul water drainage, as detailed by Anglian Water
- (m) Foul water drainage scheme
- (n) Surface water drainage scheme
- (o) Sustainable drainage strategy
- (p) Tree Protection measures
- (q) Compliance with flood risk assessment
- (r) Traffic Management Plan
- (s) Time restriction on the removal of trees
- (t) Detailed plans of the construction of the accesses
- (u) Pedestrian visibility splays
- (v) Ecological enhancements including bird and bat boxes
- (w) Site waste management plan
- (x) Restriction on the hours of power operated machinery during construction
- (y) Phasing of construction
- (z) Compliance with ecological surveys submitted
 - (aa) Additional Ecological surveys
 - (bb) Details of external lighting
 - (cc) Housing mix within market element to be policy compliant
 - (dd) Screened storage
 - (ee) Boundary treatments
 - (ff) Waste water management plan
 - (gg) Construction environment management plan
 - (hh) Details of piled foundations

- (ii) Fire hydrant locations
- (jj) Cycle storage

Informatives

- (a) Environmental health informatives
- (b) Exclusion of indicative plans from approval
- (c) Requirements of Anglian Water to be secured by legal agreement with the statutory undertaker.

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1812/17/OL

Report Author:

David Thompson
Telephone Number:

Principal Planning Officer
01954 713250

Heads of terms for the completion of a Section 106 agreement

Toft – Bennell Farm (S/1812/17/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	<p>When allocating properties priority will be given to Qualifying Persons in order of the priorities listed below. In the event that a Qualifying Person cannot be found within the relevant priority then cascade arrangements will apply to move to the next priority order and so on.</p> <ul style="list-style-type: none"> • 1st Priority - Qualifying Persons with a Local Connection to Toft or Comberton (allocations to be proportionate to the level of need in each village) • 2nd Priority - Qualifying Persons with a Local Connection to either Barton, Caldecote or Kingston • 3rd Priority - Qualifying Persons with a Local Connection to Hardwick • 4th Priority - Qualifying Persons with a Local Connection to Great Eversden/Little Eversden

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Libraries and lifelong learning	CCC	£8,718.84
Real Time Passenger Information	CCC	£54,000
Sports	SCDC	£287,751
Indoor community space	SCDC	£40,000
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£1,000
Healthcare	SCDC	£34,845
TOTAL		£426,314.84
TOTAL PER DWELLING		£4,736.83

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Equipped Area for Play	SCDC	

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Extension of the footway along the northern side of West Street	CCC	Required to improve pedestrian connectivity from the development to the centre of Comberton

CAMBRIDGESHIRE COUNTY COUNCIL	
Ref	CCC1
Type	Early years
Policy	DP/4
Required	NO
Detail	No need identified by CCC to increase early years capacity
Ref	CCC2
Type	Primary School
Policy	DP/4
Required	NO
Detail	No need identified by CCC to increase capacity at Comberton Primary School
Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	YES
Detail	No need identified by CCC to increase capacity at Comberton Village College
Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	<p>Cambridgeshire County Council have requested a contribution towards modification of the existing library on West Street, to fund mobile freestanding and adjustable shelving and modification of the counter to improve the efficiency of the space.</p> <p>The contribution is based on the figure of £42.12 per person (with an assumed population of 207).</p>
Quantum	£8,718.84
Fixed / Tariff	Fixed
Trigger	<p>50% of the contribution upon commencement of development</p> <p>50% payable prior to occupation of 50% of dwellings</p>
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE
Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Pooling limit reached such that no further contributions may be secured
Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	
Ref	CCC7
Type	Transport

Policy	TR/3
Required	NO
Detail	All highways improvements are to be secured via a planning condition leading to a section 278 highways agreement.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL	
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Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>Upgrading of the 3G sports pitches at Comberton Village College (contribution of £150,000 to the cost of the overall project)</p> <p>Funding of an extension to the Comberton village pavilion (estimated by Comberton Parish Council to cost £67,000)</p> <p>Refurbishment of Comberton tennis courts (estimated by Comberton Parish Council to cost £10,000)</p> <p>Drainage improvements to Comberton Primary School sports pitches (estimated by Comberton Parish Council to cost £7,500)</p> <p>Improvements to facilities at Toft recreation ground (£20,000)</p> <p>£53,251 - the residual amount being given over as a contribution to the drainage of sports pitches on Comberton Recreation Ground (total project cost estimated to be £75k).</p>
Quantum	£307,751
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupations of 50% of the dwellings (in each phase if more than one reserved matters application submitted)
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One to date

Ref	SCDC2															
Type	Children's play space															
Policy	SF/10															
Required	YES															
Detail	<table border="1"> <thead> <tr> <th></th> <th>Formal play space</th> <th>Informal play space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>Nil</td> <td>Nil</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> <td>13.3m2</td> </tr> </tbody> </table>		Formal play space	Informal play space	1 bed	Nil	Nil	2 bed	7m2	7m2	3 bed	9.7m2	9.7m2	4+ bed	13.3m2	13.3m2
	Formal play space	Informal play space														
1 bed	Nil	Nil														
2 bed	7m2	7m2														
3 bed	9.7m2	9.7m2														
4+ bed	13.3m2	13.3m2														
Quantum	N/A															
Fixed / Tariff	Tariff															
Trigger																
Officer agreed	YES															
Applicant agreed	YES															
Number Pooled obligations	NONE															

Ref	SCDC3
Type	Informal open space
Policy	SF/10
Required	YES

Detail	The applicant will be required to provide a minimum level of informal open space in accordance with the table below <table border="1" data-bbox="625 282 1230 468"> <thead> <tr> <th></th> <th>Informal open space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>5.4 m2</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> </tr> </tbody> </table>		Informal open space	1 bed	5.4 m2	2 bed	7m2	3 bed	9.7m2	4+ bed	13.3m2
	Informal open space										
1 bed	5.4 m2										
2 bed	7m2										
3 bed	9.7m2										
4+ bed	13.3m2										
Quantum											
Fixed / Tariff											
Trigger											
Officer agreed	YES										
Applicant agreed	YES										
Number Pooled obligations	None										

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	Improvements to Toft People's Hall £20,000
Quantum	£20,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupations of 50% of the dwellings in each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	SCDC5
Type	Household waste receptacles
Policy	RECAP WMDG
Required	YES
Detail	£73.50 per house and £150 per flat
Quantum	See above
Fixed / Tariff	Tariff
Trigger	Paid in full prior to commencement of each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To monitor the timely delivery of onsite infrastructure (and with regards public open space and the LEAP its maintenance thereafter)
Quantum	£1,000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES

Number Pooled obligations	None
Ref	SCDC7
Type	Onsite open space and play area maintenance
Policy	
Required	YES
Detail	<p>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. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space is offered to Toft Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

OTHER OBLIGATIONS	
Ref	OTHER 1
Type	Health
Policy	DP/4
Required	YES
Detail	NHS England have sought a contribution from this development towards the cost of providing additional capacity at Little Eversden Surgery (the branch of Comberton Surgery) as is consistent with recent approvals for developments in Caldecote and Hardwick.
Quantum	£34,845
Fixed / Tariff	Fixed
Trigger	100% prior to occupation of 50% of the dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE



FOR INTERNAL USE ONLY

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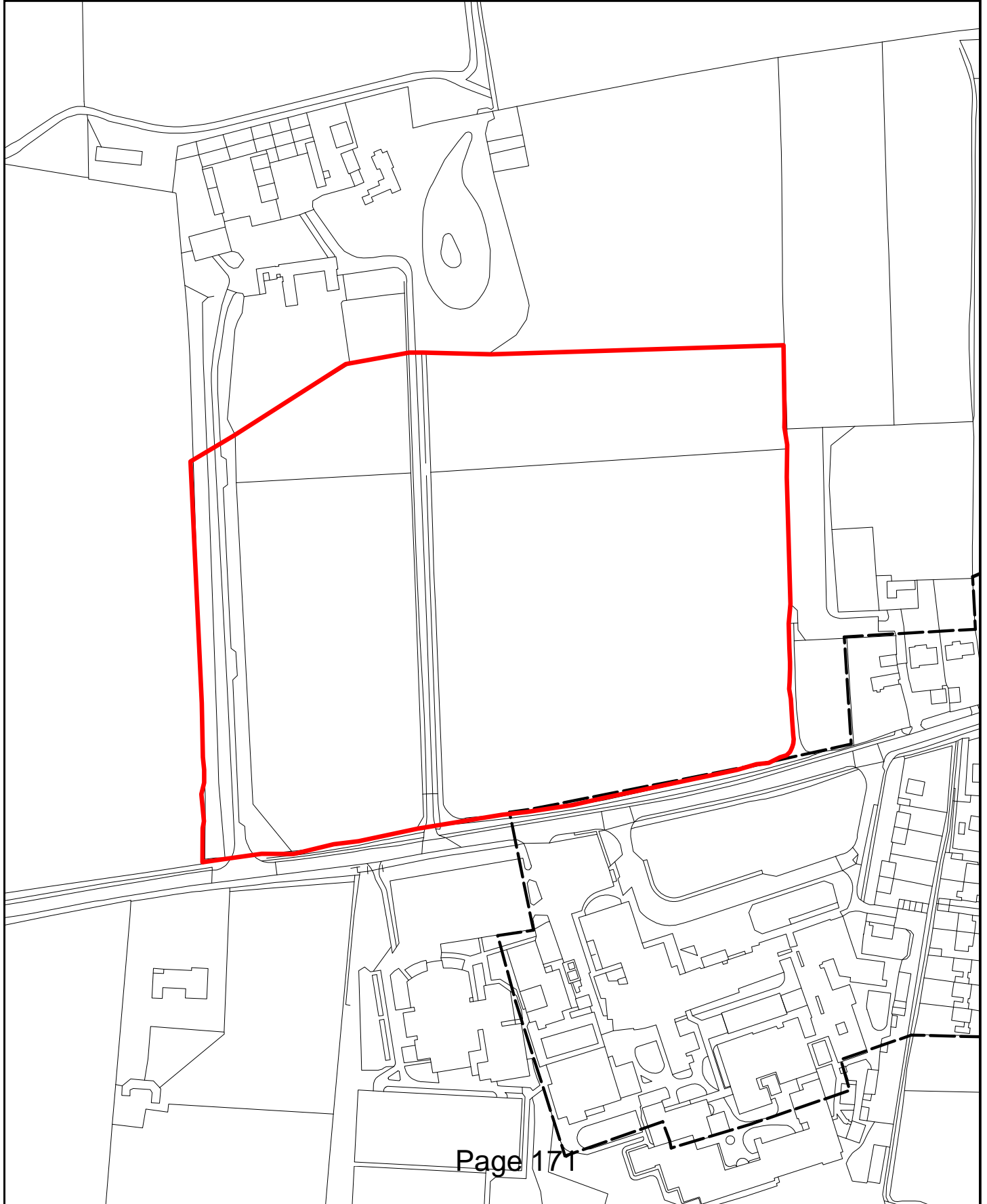
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Cambridgeshire
District Council**

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Agenda Item 8



REPORT TO: Planning Committee

6 September 2017

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases, as at 22 August 2017. Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently 84 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. Updates are as follows:

(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. Preparation work including further detailed inspections of the lands in question, personal service etc. is currently being carried out along with a witness statement to facilitate the High Court Injunction application.

The family of the deceased owner of Hill Trees have informed the council that the various claims against the estate by the current occupier have been struck out including the Inheritance Claim. Although further appeals have been made it is their solicitor's view that the person responsible for the breach of control on the Land adjacent to Hill Trees has reached the end of the road and that they are shortly going to issue a notice for the unlawful occupation of Hill Trees to cease?

A further inspection of the land adjacent to Hill Trees carried out on the 13th July confirmed that the displaced vehicles are still occupying the site along with several additional vehicles. The meeting with Counsel which was originally booked for the 17th July has now taken place on the 26th July 2017. Following advice from Counsel additional preparation work required prior to the application for a High Court Injunction.

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

Work continues on Setchel Drove, following the placement of a number of static caravans on four plots in breach of the current planning consent and High Court Injunction applicable to each plot. Formal letters have been issued to those reported owners and occupants on Setchel Drove, covering the breaches of planning control and breach of the High Court Injunction - Copies of the Injunction and Housing leaflets, covering those that may be threatened with homelessness or eviction has been issued – Given the complexity and number of departments within the organisation that may be involved in any future action the Councils Tasking & Coordination group are facilitating a joint approach with Planning, Environmental Health, Housing, Benefits & Council Tax, and Legal.

Following a full survey of the site, including Needs assessments preparation was made for the issue of twenty two (22) Breach of Condition Notices covering five plots in Water Lane, one plot in Orchard Drive, four plots in Pine Lane, three plots in Park Lane, and nine plots in Setchel Drove, who have been found to breach their planning permission.

A compliance inspection carried out after the 31 July 2017 confirmed that 54% of the plots previously identified as being in breach of their planning permission in relation to planning conditions are now complying with them. Work is currently underway to identify the persons continuing to breach planning and to instigate prosecution proceedings against them.

(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 – Appeal Listed for a 1 day hearing on the 19th January 2017. The Court of Appeal upheld the Appeal i.e. Planning permission quashed and it will now need to be returned to Planning Committee. Currently waiting for revised documents to be submitted by latest 30th July 2017 and scheduled July 2017 Planning Committee at the earliest. No further update at this time

(d) **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 was made. Enforcement Notice issued 9th September 2016 effective date 21 October 2016 Compliance period – Three months - Appeal received by the Planning Inspectorate. Appeal to be Written Reps.

Appeal dismissed – Compliance period 16th October 2017

(e) **Histon – Land at Moor Drove**

Unauthorised development within the Green Belt of agricultural land and occupation of a section of the land, including stationing of five (5) touring caravans. Immediate application of a High Court Injunction made to prevent further development and occupation of the land. Application successful. Enforcement Notice to be issued requiring removal of the five (5) unauthorised touring caravans. Retrospective planning application received, awaiting validation. Planning reference S/2896/16 refers. Since application a planning agent has been engaged to provide outstanding information in order to allow original application to be validated. Application now validated. Enforcement notices (3) issued 10 January 2017 covering the section of land the subject of the unauthorised development. Planning Appeal Submitted and received by the Planning Inspectorate, Hearing has been set for October 2017. Confirmed 10th October 2017

(f) **Horseheath - Thistledown Cardinals Green**

Erection of a wooden lodge sited in the rear garden for the purpose of an annexe for independent living accommodation, without the benefit of a planning consent. Application submitted, subsequently refused. Planning reference S/1075/16/FL refers. Enforcement notice issued wooden lodge to be removed within three months (7 May 2017) unless an appeal is received in the meantime. Planning Appeal now submitted in relation to the planning decision. Appeal to be Written Reps.

Appeal dismissed 7 July 2017 Compliance period three months, i.e. by 7th October 2017.

(g) **Willingham – The Oaks Meadow Road**

The use of the chalet building as a dwelling house without the benefit of planning permission. A retrospective planning application had previously been submitted and was due to be heard at the 7th December 2016 Planning Committee but was withdrawn by the applicant. Enforcement Notice issued and subsequently Appealed. Appeal to be by Enquiry 19th & 20th September 2017 - Confirmed

Investigation summary

- 6 Enforcement Investigations for July 2017 reflect an 8.3% increase when compared to the same period in 2016. Fifty two (52) cases in total for the period.

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:

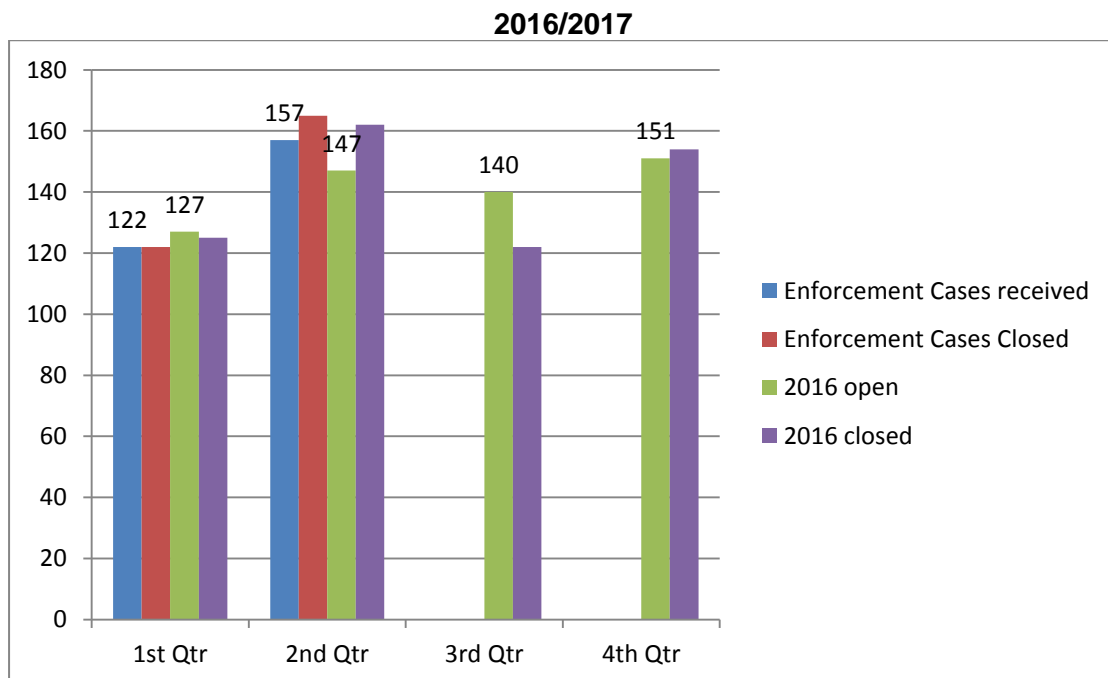
The following background papers were used in the preparation of this report:

- **Appendices 1 and 2**

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

Enforcement Cases Received and Closed

Month – 2017	Received	Closed
July 2017	52	32
August 2017	-	-
September 2017	-	-
1 st Qtr. 2017	122	122
2 nd Qtr. 2017	157	165
3 rd Qtr. 2017	-	-
4 th Qtr. 2017	-	-
1 st Qtr. 2016	127	125
2 nd Qtr. 2016	147	162
3 rd Qtr. 2016	140	122
4 th Qtr. 2016	151	154
2016 - YTD	565	563
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 2017	2017
Enforcement	1	10
Stop Notice	0	0
Temporary Stop Notice	0	4
Breach of Condition	23	25
S215 – Amenity Notice	0	1
Planning Contravention Notice	1	3
Injunctions	0	0
High Hedge Remedial Notice	0	0

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
PCN 03/2017	Milton	Southgate Farm Chesterton Fen Road	Planning Contravention Notice
SCD-ENF 277-17 A - E	Cottenham	Plots 3,7,8,9 & 21 Water Lane Smithy Fen	Breach of Conditions Notice
SCD-ENF 276-17	Cottenham	16 Orchard Drive	Breach of Conditions Notice
SCD-ENF 269-17 C - E	Cottenham	Plots 1A, 2, & 3 Park Lane	Breach of Conditions Notice
SCD-ENF 270-17 A - D	Cottenham	Plots 1,2,3,4 & 5 Pine Lane	Breach of Conditions Notice
SCD-ENF 252-17 C – L	Cottenham	Plots 3,5,6,7,7A,8,9,10 & 11 Setchel Drove	Breach of Conditions Notice
SCD-ENF 272/17 Material change of use to a dog breeding establishment	Hardwick	67 St. Neots Road	Planning Enforcement Notice

3. Case Information

Thirty one of the fifty two cases opened during July were closed within the same period which represents a 59.6% closure rate.

A breakdown of the cases investigated during June 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.
Three (3) cases were investigated

Medium Priority -Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)
Forty Six (46) 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

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

Adverts	x 01
Amenity	x 01
Breach of Condition	x 09
Breach of Planning Control	x 09
Built in Accordance	x 05
Change of Use	x 05
Conservation	x 02
High Hedge	x 01
Listed Building	x 04
Other	x 05
Unauthorised Development	x 09
Permitted Development	x 01
<u>Total Cases reported</u>	<u>52</u>

Agenda Item 9



REPORT TO: Planning Committee

6 September 2017

LEAD OFFICER: Joint Director for Planning and Economic Development

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 29th August 2017 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 713406

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Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
ENF/0207/16	St Martins Cottage, 36, Apthorpe Street, Fulbourn, Cambridge, Cambridgeshire, CB21 5EY	Building erected on green belt and used for carpentry business	Dismissed	26/07/2017	Refused
S/0475/16/FL	The Old Bakery, Church Street, Litlington	Demolition of existing building and erection of a new dwelling	Dismissed	04/08/2017	Refused
S/0251/17/FL	2 The Lakes, Twentypence Road, Cottenham	Two storey front extension to existing dwelling plus internal alterations and changes to rear doors and windows	Dismissed	11/08/2017	Refused
S/0487/16/FL	Land Adjacent Spring House, Church Lane, Sawston	Proposed erection of detached dwelling	Dismissed	17/08/2017	Refused
S/2999/16/FL	Land to the West, Desmonds Close, Hauxton	Residential Development Comprising 5 Open Market Dwellings and Associated Garden Land, Road Infrastructure, Landscaping and New Access from Desmonds Close following Demolition of Existing Agricultural Buildings	Dismissed	17/08/2017	Refused
S/2943/16/OL	Land at, 41, St Neots Road,	Outline planning permission for	Dismissed	21/08/2017	Refused

Appendix 1

	Hardwick	one dwelling with all matters reserved except access			
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Appeals Received

Reference	Address	Details	Date Appeal lodged
ENF/0483/116	Overbrook Farm/Nursery Green End Landbeach	Erection of a Two Storey Prefabricated dwelling	21/07/2017
S/1077/17/FL	82 High Street, Great Abington,	Proposed new barn adjacent to existing thatched cottage	01/08/2017
S/1030/17/FL	109 Bramley Way Hardwick	2 Storey Side extension and single storey porch replacement	17/07/2017
S/3585/16/FL	Land adjacent to St Neots Road, Hardwick	Self storage container site, with site administration office, WC block and associated customer parking	30/06/17
S/1112/17/FL	Church Farm Cottages 49 Sawston Road Babraham	Partial First Floor extension over an existing single storey side extension and new front porch	2/8/2017
S/3547/16/FL	20 Mill Road, Over	Erection of dwelling and ancillary access arrangements	26/6/17
S/3569/16/LD	Unit 3, Hill Trees, Babraham Road, Shelford Bottom, Great Shelford	Certificate of lawful development for the use of land for sales and repair of motor vehicles	21/04/2017

Appendix 2

S/2228/17/FL	Morden House, Trap Road, Guilden Morden, Royston	Erection of ancillary domestic outbuilding / garage	24/08/2017
S/2251/17/FL	197A Ermine Way, Arrington, Royston, Cambridgeshire, SG8 0AY	Single storey rear extension to replace a plastic conservatory, first floor roof alterations/extension.	24/08/2017

Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/1818/15/OL	Gladman Developments Ltd	Cottenham Land off Rampton Rd	Planning Decision	21 st , 22 nd , 26 th and 27 th Sept 2017 Confirmed
ENF/0012/17	Mr Thomas Buckley	The Oaks, Meadow Road, Willingham	Enforcement Notice	17/10/2017 for 3 days Confirmed
S/1092/17/FL	Mr Dolph Buckley	The Oaks, Meadow Road, Willingham	Planning Decision	17/10/2017 for 3 days
S/2764/16/OL	Wellbeck Strategic Land II LLP and Mr B J Fletcher and Mrs S J Fletcher	Land off Grafton Drive, Caldecote	Non Determination	05/09/2017 for 4 days Confirmed
S/1969/15/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	14/11/2017 for 3 days
S/2553/16/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	14/11/2017 for 3 days
S/0096/17/OL	Gladman Developments Ltd	Agricultural land North East of Back Road, Linton	Planning Decision	TBC
S/3569/16/LD	Fleet Stother Cooke	Unit C, Hill Trees, Babraham Road, Great Shelford	Planning Decision	05/12/2017

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
ENF/0433/16	Mr Tony Price	7 Moor Drove,	Enforcement	10/10/2017

Appendix 3

		Cottenham	Notice	Confirmed
ENF/433/B/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	10/10/2017 Confirmed
ENF/433/C/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	10/10/2017 Confirmed
S/3396/16/RM	Cala Homes North Home Counties	8 Greenacres, Duxford	Planning Decision	TBC
S/1027/16/OL	Bloor Homes Eastern	Land south of Fen Drayton Road, Swavesey	Planning Decision	19/09/2017 Confirmed
S/3391/16/OL	Gladman Developments Ltd	Land off Boxworth End, Swavesey	Planning Decision	TBC