

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500

f: 01954 713149

www.scambs.gov.uk



3 December 2019

To: Chairman – Councillor John Batchelor
Vice-Chairman – Councillor Pippa Heylings
All Members of the Planning Committee - Councillors Anna Bradnam,
Dr. Martin Cahn, Peter Fane, Brian Milnes, Judith Rippeth, Deborah Roberts,
Peter Topping, Heather Williams and Nick Wright

Quorum: 3

Substitutes Councillors Grenville Chamberlain, Mark Howell, Dr. Shrobona Bhattacharya,
if needed: Sue Ellington, Graham Cone, Henry Batchelor, Dr. Claire Daunton,
Eileen Wilson, Dr. Tumi Hawkins and Dr. Douglas de Lacey

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, 11 DECEMBER 2019** at **10.30 a.m.**

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

Yours faithfully
Liz Watts
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

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. **Recorded voting**

4. **Minutes of Previous Meeting**

1 - 4

To authorise the Chairman to sign the Minutes of the meeting held on 13 November 2019 as a correct record.

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’.

5. **S/0670/19/FL - Linton (Land Rear of 24-27 Paynes Meadow)**

5 - 64

The construction of 26 Affordable homes including External works and Parking on land rear of No 8 to 30 Paynes Meadow Linton

6. **S/1782/19/FL - Stapleford (The Tree, 9 Bar Lane)**

65 - 88

Demolition of existing outbuilding and construction of 3-bed detached dwelling, retention of existing public house, and alterations to the internal layout at ground and first floor

7. **S/4298/18/FL - Willingham (Rear of 74 Rampton Rd,)**

89 - 102

Demolition of existing garage and outbuildings and erection of new children's nursery with associated infrastructure and landscaping

MONITORING REPORTS

8. **Enforcement Report**

103 - 110

9. **Appeals against Planning Decisions and Enforcement Action**

111 - 118

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

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

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

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

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

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'.

Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 13 November 2019 at 10.00 a.m.

PRESENT: Councillor John Batchelor – Chairman
Councillor Pippa Heylings – Vice-Chairman

Councillors: Anna Bradnam
Dr. Claire Daunton (substitute)
Brian Milnes
Deborah Roberts
Heather Williams
Dr. Martin Cahn
Peter Fane
Judith Rippeth
Peter Topping

Officers in attendance for all or part of the meeting:

Christopher Carter (Delivery Manager - Strategic Sites), Alistair Funge (Planning Enforcement Officer), Rory McKenna (Deputy Head of Legal Practice), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer) and Rebecca Ward (Principal Planning Officer)

1. APOLOGIES

Councillors Pippa Heylings and Nick Wright sent Apologies for Absence. Councillor Claire Daunton substituted for Councillor Heylings.

In the absence of Councillor Pippa Heylings, the Committee agreed by affirmation than Councillor Brian Milnes be appointed Vice-Chairman of the meeting.

2. DECLARATIONS OF INTEREST

Councillor John Batchelor declared a Non-disclosable Pecuniary Interest in Minute 5 (S/2501/19/RM - Linton (Land to the North and South of Bartlow Road)). Councillor Batchelor's son, Councillor Henry Batchelor, had a business relationship with the developer. In view of the legal advice he had received, Councillor John Batchelor would withdraw to the public gallery, take no part in the debate, and would not vote. However, South Cambridgeshire District Council's Monitoring Officer had granted Councillor John Batchelor a dispensation allowing him to address the Committee as a local Member.

Councillor Deborah Roberts declared a non-pecuniary interest in Minute 7 (S/0913/19/VC - Fowlmere (Apple Acre Park)). As a member of Fowlmere Parish Council, Councillor Roberts had had some involvement with this application in the past but was considering the matter afresh.

Councillor Peter Topping declared a non-pecuniary interest in Minute 7 (S/0913/19/VC - Fowlmere (Apple Acre Park)). As the Cambridgeshire County Councillor representing Fowlmere, Councillor Topping had had some involvement with this application as a result of his attendance at meetings of Fowlmere Parish Council. He was familiar with the site and was considering the matter afresh.

3. RECORDED VOTING

By affirmation, the Committee unanimously agreed that all substantive votes at the current Planning Committee meeting should be recorded by name and / or number and name.

4. MINUTES OF PREVIOUS SCHEDULED MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 9 October 2019, subject to the following amendment:

Minute 7 – Enforcement Report

In the fifth paragraph, delete the word “Argus” and insert the word “Anglers”.

5. S/2501/19/RM - LINTON (LAND TO THE NORTH AND SOUTH OF BARTLOW ROAD)

Members visited the site on 12 November 2019.

In accordance with his Declaration of Interest (Minute 2 refers) Councillor John Batchelor withdrew to the public gallery. Councillor Brian Milnes (Vice-Chairman of the meeting) took the chair and, by affirmation, the Committee agreed that Councillor Peter Fane be appointed Vice-Chairman for the duration of the current item.

The current application for Reserved Matters followed the Committee’s refusal of application S/2487/18/RM in May 2019.

Members had regard to the update report published on 7 November 2019 and, in particular, the updates to paragraphs 10 (comments from the Landscape Officer) and 15 (comments from the Affordable Housing Officer) of the main report published on 5 November 2019, and deletion of the reference to Plot 35 having a garage as part of the application. The case officer addressed Linton Parish Council’s concerns relating to procedure, including validation of the application and adequacy of public consultation. She said that, as a Reserved Matters application was not technically a planning application, officers felt that due process had been followed.

Councillor Enid Bald (Linton Parish Council) and Councillor John Batchelor (in his capacity as a local Member) addressed the meeting.

Members’ debate focussed on the ‘pepper-potting’ of the affordable housing, design, including building heights, and the nature of the public consultation. Councillor Deborah Roberts concluded that the revised layout of the affordable housing was probably the best that could be hoped for. However, she expressed disappointment that the developers had failed fully to address the Committee’s concerns, raised in May 2019, about design. Councillor Roberts said the Committee should defend its policies.

Taking a contrary view, Councillor Peter Fane said that significant changes had been made to the proposal, and that it should now be approved.

Councillor Brian Milnes considered the design in the context of the huge variety of housing in Linton. He concluded that it would be difficult to justify refusal on the ground of the proposal being contrary to the character of the local area.

By five votes to four, the Planning Committee **approved** the application subject to the Conditions and Informative set out in the main report from the Joint Director of Planning and Economic Development, with the final wording of any amendments to these being delegated to officers in consultation with the Chairman and Vice-Chairman for this item (Councillors Brian Milnes and Peter Fane) prior to the issuing of the Decision Notice.

(Councillors Cahn, Daunton, Fane, Milnes and Rippeth voted to approve the application. Councillors Bradnam, Roberts, Topping and Heather Williams voted to refuse it)

6. S/4298/18/FL - WILLINGHAM (74 RAMPTON ROAD)

Members noted that this application had been **withdrawn** from the agenda.

7. S/0913/19/VC - FOWLMERE (APPLE ACRE PARK)

Members visited the site on 12 November 2019.

Members noted that the applicant had appealed against the non-determination of this application and that, therefore, South Cambridgeshire District Council was no longer the determining Authority. They also noted the site history and the issue of a Certificate of Lawful Use, and clarified several issues underlying the application and appeal.

South Cambridgeshire District Council had received a letter from Stephens Scown LLP regarding the content of the report and, specifically, some comments within it relating to a site in East Hertfordshire. Officers confirmed that these comments had been made by a third party and were not relevant to the consideration of this application. The Council understood that the owners of the Apple Acre site had no ownership interest in any site in East Hertfordshire. Members noted that the related representation had been removed from the South Cambridgeshire District Council website.

Councillor Peter Burge (Fowlmere Parish Council) and Councillor Deborah Roberts (speaking as the local Member) addressed the meeting.

Following some debate, Councillor Deborah Roberts proposed that further consideration be deferred. The proposal was seconded by Councillor Heather Williams and, upon a vote being taken, the motion was defeated by eight votes to two. Councillors Roberts and Heather Williams voted for deferral. Councillors John Batchelor, Bradnam, Cahn, Daunton, Fane, Milnes, Rippeth and Topping voted against.

Moving directly to the substantive recommendation, the Planning Committee unanimously **endorsed** the officers' proposed positions at Appeal in respect of Areas A and D, as set out in paragraphs 103 to 116 inclusive of the report from the Joint Director of Planning and Economic Development.

8. ENFORCEMENT REPORT

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

In response to Members' questions, the Principal Enforcement Officer said that:

- negotiations were ongoing in respect of Anglers Way, Waterbeach
- Smithy Fen, Cottenham was well in hand
- The former Barclays Bank building in Great Shelford was being dealt with
- The issues in Great Wilbraham had been resolved

9. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

The Meeting ended at 12.25 p.m.

This page is left blank intentionally.

Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 11 December 2019
AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/0670/19/FL

Parish(es): Linton

Proposal: The construction of 26 Affordable homes including External works and Parking on land rear of No 8 to 30 Paynes Meadow Linton

Site address: Land Rear of 24-27 Paynes Meadow, Linton, CB21 4JP

Applicant(s): Hundred Houses Society

Recommendation: Approval

Key material considerations: Principle of Development and Exception Site
Housing Density
Impact on Character of the area and Landscape
Design, Layout and Open Space
Trees
Biodiversity
Heritage Assets
Highway Safety and Parking Provision
Flood Risk and Drainage
Open Space Provision
Contamination
Residential Amenity
Residential Space Standards
Developer Contributions
Other Matters

Committee Site Visit: Yes

Departure Application: Yes, advertised 06 March 2019)

Presenting Officer: Michael Sexton, Principal Planner

Application brought to Committee because: The officer recommendation of approval conflicts with the recommendation of Linton Parish Council.

Date by which decision due: 28 February 2020 (extension of time agreed)

Executive Summary

1. This application seeks full planning permission for the construction of 26 affordable homes, associated external works and parking on land to the rear of nos.8 to 30 Paynes Meadow, Linton.

2. The site is located outside of the development framework boundary of Linton and in the open countryside.
3. Policy H/11 of the Local Plan states that affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to four criteria. Officers acknowledge that the site does not adjoin the development framework boundary of Linton; rather the site adjoins two previous rural exception sites granted planning consent in 2000 and 2006 respectively. However, officers consider that the site has a clear and functional relationship with the village of Linton and that the site would not appear as a development detached from the main village.
4. Overall, officers consider that the proposal would not conflict with the aims and objectives of policy H/11 of the Local Plan.
5. The erection of 26 dwellings on this undeveloped site will cause some harm to the current landscape character by virtue of new built form in a countryside location and therefore causes some conflict with policies HQ/1 and NH/2 of the Local Plan.
6. During the consultation process objection have been received from Linton Parish Council and several third parties raising various material planning considerations. These have been summarised and discussed in this report.
7. The application has been subject to several revisions seeking to address concerns of the Council's Urban Design Officer and third-party comments. There are no technical objections to the proposed development from statutory consultees, with the use of planning conditions to secure precise details of matters including boundary treatments, drainage and biodiversity enhancement.
8. A S106 agreement will need to be secured for the occupation of the site by those in housing need in perpetuity, formal sports, formal children's play space, informal children's play space, indoor community space, early years education, libraries and lifelong learning and monitoring fees.
9. Overall, officers are of the view that the benefit of providing a scheme for 100% affordable housing to meet an identified local need outweighs the identified landscape harm.
10. Officers recommend that the Committee grants planning permission with delegated powers for the completion of a section 106 agreement.

Site History

11. No specific site history.

Adjacent sites to the south

S/0141/05/F – Erection of 20 Affordable Dwellings – Approved (10 July 2006)

S/0339/99/F – Erection of 19 Dwellings for Affordable Rent – Approved (07 March 2000).

National Guidance

12. National Planning Policy Framework 2019
National Planning Practice Guidance
National Design Guide 2019

Development Plan Policies

13. **South Cambridgeshire Local Plan 2018**
 - S/1 – Vision
 - S/2 – Objectives of the Local Plan
 - S/3 – Presumption in Favour of Sustainable Development
 - S/5 – Provision of New Jobs and Homes
 - S/7 – Development Frameworks
 - S/9 – Minor Rural Centres
 - HQ/1 – Design Principles
 - HQ/2 – Public Art and New Development
 - CC/1 – Mitigation and Adaption 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
 - NH/2 – Protecting and Enhancing Landscape Character
 - NH/3 – Protecting Agricultural Land
 - NH/4 – Biodiversity
 - NH/14 – Heritage Assets
 - H/8 – Housing Density
 - H/11 – Rural Exception Site Affordable Housing
 - H/12 – Residential Space Standards
 - 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/9 – Lighting Proposals
 - SC/10 – Noise Pollution
 - SC/11 – Contaminated Land
 - SC/12 – Air Quality
 - TI/2 – Planning for Sustainable Travel
 - TI/3 – Parking Provision
 - TI/8 – Infrastructure and New Developments
 - TI/10 – Broadband
14. **South Cambridgeshire Supplementary Planning Documents (SPD):**
 - Cambridgeshire Flood and Water SPD – Adopted November 2016
 - Affordable Housing SPD – Adopted March 2010
 - District Design Guide SPD – Adopted March 2010
 - Open Space in New Developments SPD – Adopted January 2009
 - Biodiversity SPD – Adopted July 2009
 - Trees & Development Sites SPD – Adopted January 2009
 - Landscape in New Developments SPD – Adopted March 2010
 - Listed Buildings SPD – Adopted July 2009

Consultation

15. Linton Parish Council – Objection.

A full copy Linton Parish Council's response to the fourth and final round of consultation is provided below (received 13 November). Please see appendix 2 and 3 for full sets of Linton Parish Council's responses to the previous rounds of formal consultation.

There have been some amendments to the housing designs and layout, but these are insufficient, the proposed mix does not meet the housing needs of Linton, there is no access to Rivey Lane and the surface water drainage plans are not convincing for this notoriously damp area.

Please refer to the original comments submitted by Linton Parish Council as these still stand.

The major concern remains the effect of housing being visible over the long views of the valued landscape especially seen from Back Road and the Icknield Way. The site would also be visible from Balsham Road and across the wider landscape of the Granta Valley. Any compromise to the valued landscape by development up the slope would jeopardise the special character and setting of Linton in its valued landscape.

Layout and landscape impact

- The height, dimensions and house designs are not suitable for the character of the village, the context nor the rural nature of this location.
- Please refer to the comments of the Urban Design group, with which we concur. The ridge referred to which would screen buildings at the western edge is less than shown in the section drawings; houses would be visible above the ridge height.
- The original advice of the Urban Design group and landscape team has been ignored – that there should be no more than 22 houses and that those on the western edge (closest to the open fields) should be bungalows, to minimise impact on the views from Back Road and across the wider valued landscape.
- In fact the number of houses has not been reduced and the houses along this edge remain 1¾ or 2-storey, dwellings, not “settled” into the contours of the hillside. These houses would be visible over the valued landscape.
- The section plans still show proposed housing visible above hedges and hillside. Please note that the height of hedges is not permanent and any reduction, die back and loss of trees would result in housing having more impact.
- The major factor in having one appeal refused was the evaluation of the landscape and the effect of housing on that landscape (Appeal Ref: APP/W0530/W/17/3179762, Land off Back Road, Linton). This development will breach these policies and principles.
- A revised Design and Access statement is not part of the amendments: there has been no assessment of how the development will affect the landscape and National Character Area.
- The site will stretch development up the hill, outside of the village envelope (which is re-established as the LP is now in place) and the planning balance for development to meet housing numbers no longer over-rides local issues.

Section plans – please refer to photograph previously submitted

- The street elevations show plots 18, 19, 20 and 21 with hedgerow behind them. This is the western boundary of the site, a thinning and aging hedge that

cannot be relied upon to shield the tall housing. It cannot be enforced that residents, management company or developer will maintain them at this height or improve them.

- The section drawings then inconsistently show these buildings not only being lower than the boundary hedge, but also being lower than the field to the other side of the hedge.
- The green hedgerow does not continue beyond the site as shown in the applicant's section, the tree boundary is particularly patchy towards the top of the site so building behind this point will be visible, the hill that appears on the section drawing has been exaggerated.
- Buildings in Paynes Meadow are visible across the landscape to the edge of the woods. There is no doubt that proposed buildings on this boundary will be visible from Icknield Way.

Hedges, Trees and landscaping

- The site depends upon the current trees and ancient hedging to screen the proposed houses. Many of these are in poor condition and have been stressed by another dry summer.
- Hedges that form boundaries of gardens cannot be adequately protected and there is a strong possibility that these will be reduced in height over time, losing the necessary screening. This particularly relevant for houses 18-21.
- The section plans still appear to show houses visible above the current tree/hedge line, and thus visible across the valued landscape.

Housing designs

- There have been some changes, in response to comments but the recommended bungalows at the western edge have been ignored. Parking and the dominance of cars in the street remains a concern. (see also Design Group comments).
- The designs remain urban in nature and out of keeping with the village, vernacular, design and materials, and rural location (see also Design Group comments).
- This could be an opportunity for innovative designs. Terraced housing, particularly one of bungalows on the western edge, would provide more homes at a sensible height, with better use of land and not impacting on the valued landscape. (There might be ideas in the award winning council estate in Norwich).

Sustainability and connectivity

- The site is far from village facilities. Connectivity to the village is needed, with a path directly to Rivey Lane. Pedestrians would access the PROW by a short-cut over the open land at Paynes Meadow (belonging to LPC) to Chalklands, or across the open land and through the ancient hedge. This will affect the privacy of current housing and residents with people walking in front of their homes, close to their windows.
- We request that a formal route to Rivey Lane PROW should be re-established.
- The Design Group report mentions issues of anti-social behaviour, but these occurred on the open area of Paynes Meadow. Without its own access to the PROW there would be more traffic in front of the current houses with potentially more ASB.
- LPC understands that only one person objected to a path to the PROW, although others have verbally supported the direct link to Rivey Lane.
- Linton has recently had around 100 houses as infill developments or in the planning system. The cumulative effects of this development should be taken into consideration regarding provision of infrastructure, facilities and services.

Parking and highways

- Current parking on Paynes Meadow is not sufficient for residents and visitors. Additional traffic and overflow parking will adversely impact on road safety.
- To meet parking needs, spaces are proposed to be created on Paynes Meadow, with loss of places for current occupants.
- To form 3 parking bays from the current turning head, there is a loss of both the turning head (often used as 2 parking bays) and pavement, affecting pedestrian safety.
- Parking in front of houses and the dominance of cars in the street scene remains a concern (as described in the Design Group comments).

Drainage

- The site is located over a Principal Aquifer and within a Source Protection Zone, as such, surface water drainage and pollution of the water source are key issues.
- The area has springs and known surface water flooding: LPC disagrees with the LLFA assessment of this.
- The drainage/flooding report has acknowledged the issue of surface water run-off and floods from the natural springs. The springs occur at the junctions of clay and underlying chalk and can appear in response to even modest rainfall.
- The developers own report (Rossi Long, Design Criteria for Storm page 10), notes the flood risk. However, these seem to be occurring more than 1:100 years.
- The site might be in flood zone 1 for river flooding, but the Chalklands area is at risk from surface water flooding, exacerbated by green soakaway being replaced with hard surfacing.
- The drainage report is based on the porosity testing done at the end of November 2018, not at peak water levels and after a long and very dry summer. Several tests still failed.
- The site has had no recent major flooding because the water flows downhill into neighbouring gardens, down the Chalklands road and Rivey Lane to flood lower down the slope and into the village. In 2001 in particular, these roads and Lanes flowed like rivers. Gardens near the cemetery can be flooded from the hillside even during modest rainfall.
- The chalk is much closer to the surface in the SE corner where the proposed drainage ditch will be. Following recent modest rainfall, neighbouring gardens of no's 28, 29 and 30 and the site are continually damp and often waterlogged.
- The SUDs plans still include a ditch that does not discharge to a natural watercourse – an essential feature. When this overflows, it will drain onto Rivey Lane, a much used walking route. This is not practical.
- There appears to be no provision, as yet, for the maintenance of the ditch and other parts of the drainage scheme.
- The safety of the ditch is questioned – as it would be damp-to-west most of the year this would not be a good place for children to play but a good breeding ground for mosquitoes (Anopheles sp are still present – carrier of Fen Ague, a type of malaria).
- Any floodwater sent into main drains would add to the overloading of the current sewer/drain system – as happened currently towards the centre of the village.

Housing needs survey

A housing needs survey has been completed in response to this application – thank you.

- The demographics of Linton show that the elderly population is disproportionately high and set to increase. Housing is needed for the elderly,

their families to remain nearby to care for them. Bungalows and smaller homes (flats and maisonettes) are needed, which are not adequately reflected in the proposed housing mix, neither are there homes for the less able.

- The housing to the west of the site have been recommended to be bungalows, to lessen impact on the valued landscape. The need for bungalows (including privately owned homes) is supported by the housing needs survey.

Archaeology Report

- We note that there is no report, despite this site being close to Rivey Wood with known Neolithic roundhouses, the cropmarks indicating Roman Farmsteads nearby, and the wider Historic Landscape of Back Road, Horseheath Road, Bartlow Road, Recreation Ground/LVC, Linton Heath etc, with the inhumations grave goods, artefacts and Curses.

Ecology

- The Ecology Consultation Response of Sarah Dale states that a reptile survey is a requirement, before determination. This has not been done.

Conclusions

- The character of Linton is that it nestles in the valley. Extending up the hillside will change that character and the setting of the village.
- The proposed new development does not respect, retain or enhance the local character and distinctiveness of the local landscape and the National Character Area in which it is located. This is contrary to NPPF policies para 170.
- This could be an opportunity for more interesting housing groups and designs (such as terrace or a row of bungalows along the western edge).
- The recent amendments do not meet the recommendations of the Design Group and the effect on the landscape is not diminished by the amendments.
- The surface water drainage scheme is not convincing; this is a damp site with springs.
- There is no route to Rivey Lane, the main connection for walkers to the village.
- Whilst we appreciate the need for genuinely suitable and affordable homes in Linton, for Linton people, the adverse effects of these plans as presented, outweigh the possible benefits.

16. Affordable Housing Team

The proposed scheme is for 100% affordable housing on a site which is located outside the development framework of Linton and will meet the identified local housing needs of Linton.

The proposal is in accordance with Policy H/11 as all of the 26 properties will be for affordable housing to meet the local housing need in Linton.

Local Housing Need

A housing needs survey was carried out in June 2019 which found that there are 81 households in need in Linton, the breakdown is set out below:

1 bed		2 bed		3 bed		4 bed		5+ bed		Total
F/H	B	F/H	B	F/H	B	F/H	B	F/H	B	81
29	5	34		10		3				

(Linton Housing Needs Survey 2019)

Housing Mix

The mix, proposed consists of:

- 4 x 1 Bedroom Flats
- 16 x 2 Bedroom Houses
- 6 x 3 Bedroom Houses

The mix proposed is consistent with the need identified in the housing needs survey.

Registered Provider

Hundred Houses are a very well-established local housing association who operate in South Cambs and who have provided some excellent, exception site development, in South Cambs, which include Grace Crescent Hardwick and Heslerton Way Barrington

Conclusion

We are in support of the proposal to provide an exception site in Linton to provide 100% affordable housing to meet some of the 'Local Housing Need' in Linton.

17. **Air Quality Officer** – No objection.

To reduce the impact of the proposed development on local air quality the following conditions are recommended should planning permission is granted.

Sustainable Transport

- Provision of EV charging points for dwellings with parking space
- Provision of secure cycle storage

Combined Heat & Power (CHPs) and Boilers

All gas-fired boilers to meet a minimum standard of:

- Less than 40 mgNO_x/kWh

All gas-fired CHP plants to meet a minimum emissions standard of:

- Spark ignition engine: 250 mgNO_x/Nm³
- Compression ignition engine : 400 mgNO_x/Nm³
- Gas turbine: 50 mgNO_x/Nm³

18. **Anglian Water** – No objection.

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Linton Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity connection regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

19. **Cambridgeshire County Council Education**

Contributions sought for the following:

- £73,308 Early Years
- £2,738 Libraries and Lifelong Learning
- £650 Monitoring Charge

20. **Cambridgeshire Fire and Rescue** – No objection.

Adequate provision for fire hydrants, secured through a Section 106 agreement or planning condition.

21. **Contaminated Land Officer** – No objection.

A Geo-Environmental Report, Preliminary Risk Assessment and Geotechnical Category 1 Report by Delta-Simons (January 2019) has been submitted. The site is a low risk site and there aren't any immediately evident environmental constraints however the proposed use is sensitive; recommend unexpected contamination informative.

22. **Definitive Maps Officer** – No objection.

Provides several informatives relating to the public right of way (public bridleway).

23. **Development Officer (Health Specialist)** – No objection.

24. **Ecology Officer**

The applicant has submitted an updated Preliminary Ecological Appraisal (PEA) (Applied Ecology Ltd., October 2019). This report has provided results of a reptile survey conducted in September of 2019 under good conditions, which found no evidence of reptiles at the site. Therefore, there will be no need for any form of compensation planting or receptor site for reptiles.

However, there is still little evidence of how the final layout of the application site will look to provide a net gain in biodiversity. There has been no provision of a biodiversity calculation and no reference to the likelihood of either net gain or net loss.

NPPF paragraph 170, 174, and 175, and the Adopted South Cambridgeshire District Council Local Plan Policy NH/4, asks that applications should look to enhance, restore and add to biodiversity and that opportunities should be taken to achieve a net gain in biodiversity through the form and design of development. The current submission does not provide evidence that this can be achieved.

Action Required – Provide biodiversity calculations using a recognised methodology to show evidence that a biodiversity net gain (minimum 10%) can be achieved at this site with the current layout and outline landscaping plan.

25. **Environment Agency** – No objection.

The application falls within Flood Risk Standing Advice. Infiltration drainage, including soakaways, will only be acceptable where it has been demonstrated by the applicant that the land is uncontaminated.

Informatives and advice provided on matters of SuDS, pollution control, foul water drainage, contaminated land, pol storage tanks and conservation.

26. **Historic Buildings Officer** – No objection.

The site is set well apart from the Linton Conservation Area and will have no impact on this designated heritage asset.

The proposed development will not harm the significance the grade II listed water tower at Rivey Hill. The hillside setting and Rivey Wood limit views between the site and the heritage asset; the site does not feature prominently in views from the tower, and as an addition to existing modern development the proposal does not alter the character of this part of Linton. There remains a substantial separation formed by agricultural land between modern development and Rivey Wood south of the tower.

27. **Historic Environment Team** – No objection.

Our records indicate that this site lies in an area of strong archaeological potential, situated within a particularly rich archaeological landscape. We have previously been consulted by the applicant in relation to this scheme at pre-application stage. At that time we advised that we would not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

28. **Landscape Officer** – Objection.

Note – no landscape comments received to final amendments to the development.

Designations

The landscape is not subject to any national designations.

At National Level the site is situated within the National Landscape Character Area (NCA) 87: East Anglian Chalk. At local level the site is situated within The Chalklands and the South-East Claylands.

Summary

Objection due to insufficient supporting local landscape character assessment and poor layout. A revised statement has not been included with the amended drawings; the applicant has undertaken little, if any, assessment to demonstrate how the new development will respect, retain or enhance the local character and distinctiveness of the local landscape and the individual National Character Area in which it is located.

Layout

- Plots 5-10 – The proposed parking arrangements dominate the street scene. Ideally, they should be accommodated within, or at the side or rear of buildings as per District Design Guide. Applicant to amend layout.
- Plot 9 & 10 – Proposed plot is a focal point into the site. Applicant to define how this both a high quality design and a focal point.
- Plots 11, 22-26 - The proposed parking arrangements dominate the street scene. Ideally, they should be accommodated within, or at the side or rear of buildings as per District Design Guide. Applicant to amend layout.
- Plots 18 – 21 – The applicant has reoriented the plots as requested. However, both the scale of dwellings and positioning has not taken advantage of this key protected view. Applicant to revisit layout and include a focal point at the end of the access road, encourage views out of the site and outline how the materials will reflect or respect the local landscape character.
- Views leading into and out of the site, particularly towards the Water Tower, have still not been acknowledged by the applicant. This a potential lost opportunity which should be encouraged – applicant to revisit layout.

General

- Pedestrian access to be provided between plots 23 and 24 improving connectivity.
- Use of barriers and fencing around the attenuation pond is to be avoided; a

- 1800mm high close boarded fence is not acceptable.
- No objections with 1.5 and 2 storey dwellings within the site, however the applicant should consider bungalows to the north west of the site to prevent visual harm within the landscape.
- A local area of play should be provided.
- No details of hard and soft landscaping works have been provided, which should respect and retain or enhance the local landscape character.
- Boundary treatments to respect the local landscape character; close boarded and green plastic chain link fencing is not acceptable on the edge of the development.
- Garden sizes should respect the District Design Guide requirements.

29. Lead Local Flood Authority

No objection in principle to the proposed development.

The documents submitted demonstrate that surface water from the proposed development can be managed through the use of permeable paving on all shared private driveways and an infiltration basis to allow surface water into the ground. The infiltration basin has now been amended to accord with health and safety requirements and will now be constructed with 1 in 3 side slopes and will be 1.07 metres deep. As infiltration testing failed in the north-western part of the site, surface water from here will be directed to the infiltration basis.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when infiltrating into the ground.

The site is located entirely within Flood Zone 1 and is at very low risk of surface water flooding. Groundwater was not encountered in any of the exploratory locations across the site so the development is unlikely to be at risk from groundwater flooding.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

Request conditions for the surface water drainage scheme to be constructed in full accordance with the Flood Risk Assessment and Drainage Strategy as submitted and details for the long term maintenance arrangement of the surface water drainage system.

30. Local Highways Authority

The Local Highway Authority requests that the applicant re-locate the displaced car parking spaces within the proposed development and not within the turning head of the existing public adoptable highway as this is required for turning which would be prevented if utilised for car parking.

If the applicant wishes for the development to be adopted the shared surface is required to be 6m in width with 500mm hard paving strips either side, traditional surface 1.8m footway and 5m carriageway please show the required dimensions on any submitted drawing.

The proposed car parking layout for Plot 1 appears to show that the length of the Plots driveways is not equally divisible by units of 5m therefore the proposed layout has the potential to encourage irregular parking which could lead to the overhang of

the vehicles into the proposed access route obstructing the footway forcing pedestrians which includes the most venerable road users into live carriageway.

Recommend conditions for pedestrian visibility splays within the curtilage of each new car parking space, access falls and levels, access bound material and a traffic management plan. An informative relating to works to or within the public highway is also requested.

31. **Natural England** – No objection.

32. **Section 106 Officer**

In respect of this application, planning obligations are sought for:

Public Open Space

- Formal sports in the form of an offsite contribution of £22,358.04 to help fund a new skate park and/or BMX trail track at the recreation ground
- Formal children's play space and Informal children's play space in the form of an offsite contribution of £30,942.23 to fund a new play area (including multi use games area) at the recreation ground
- Indoor Community Space in the form of an offsite contribution of £10,150.56 to help fund (a) improvements to Linton Village Hall and/or (b) a new community hub on the recreation ground

Monitoring Fees being a contribution of £500

33. **Sustainable Drainage Engineer**

The development proposed is acceptable subject to the imposition of the condition(s) for surface water and foul water drainage.

34. **Sustainability Officer** – No objection.

Recommend conditions for carbon reduction and water conservation.

35. **Trees Officer**

No arboricultural or hedgerow objections.

From a quick desk study it is likely that the west, north and eastern boundary hedgerows would qualify as 'important hedgerows' under the Hedgerow Regulations 1997. No assessment has been of the hedgerows in relation to the regulations. These should be kept intact wherever possible.

A Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan (dated 06/02/2019) has been submitted. This is sufficient for this proposal, hedgerows and site.

Should this application be approved please list the Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan as an approved document.

36. **Urban Design Officer**

Officers generally do not object to the scheme in Urban Design terms. There have been some improvements to the overall design and they respond well to some of the issues raised by the Urban Design Officers on 10 July 2019.

- The rationale of replacing the 2-storey dwellings (Plots 18 and 19) with 1.5-storey dwellings is welcomed;
- Officers welcome the rationale of moving the southern fence of Plot 1 further north to enlarge the green area around the SUDs (as previously suggested), as this would help improve the street scene and offer better natural surveillance.

However, the scheme would benefit from having further amendments to ensure that the scheme is fully addressing Paragraph 127 of the 'National Planning Policy Framework' (NPPF) (2019) and Policy HQ/1 of the 'South Cambridgeshire Local Plan' (2018). Some of these amendments can be secured via conditions.

- The footpath along the carriageway to the front of Plots 9 & 10 should be removed to increase the open space, the footway adjacent to Plot 26 should be linked to the private path that serves Plots 25 and 26;
- Drives of Plots 12-16 should be no longer than 10m in length and divisible by 5 (per car length);
- Officers consider that the overall landscape approach of the site should be reviewed further in order to improve the quality of the public realm and the extensive use of close boarded fencing as boundary treatment need reconsidering;
- Officers suggest that when there is additional space between the drives and streets, these spaces are better located between the fence and the driveway by moving the parking spaces towards the street;
- Materials need further consideration and should reflect context – this can be secured by conditions.

Representations

37. 10 letters of representation have been received from local residents raising objection to the proposal on the following grounds:

- Biodiversity impact (bats foraging);
- Construction traffic through Back Road which is unsuitable for large vehicles;
- Drainage/flooding;
- Health and safety issues arising from provision of a ditch;
- Highway safety;
- Impact on local amenities;
- Impact on skyline and views towards Rivey Hill/Water Tower;
- Inadequate parking;
- Landscape impact;
- Loss of existing footpath;
- Loss of existing parking spaces;
- No properties for physically disabled or elderly;
- Noise from vehicle movements;
- Not affordable homes;
- Not convenient for rail travel;
- Poor quality of roads leading to development and impact of construction traffic.

38. Representation has also been received from the Chalklands and Paynes Meadow Residents Association who raise objection to the proposed development on the following grounds:
- Assurances of occupation by local Linton residents;
 - Chalklands road insufficient road surface and tarmac of footpath connecting Chalklands/Paynes Meadow to Rivey Way promised by SCDC never delivered.
 - Cumulative effect of development on Linton;
 - Icen Homes were to withdraw their plans if objection from Linton Parish Council and Paynes Meadow community;
 - Lack of local engagement from developer;
 - Loss of existing residents parking spaces and associated pavements;
 - Management concerns from Hundred Houses Society;
 - No sustainability evident throughout the development (solar panels, insulation);
 - Reduce dwellings from 26 to 22 to facilitate children's play area and six to eight additional parking spaces;
 - The design of the properties are out of character, would affect the valued landscape;
 - Water-logged ground and adverse flood risk adjacent to Nos. 28-30 Paynes Meadow.

Proposal

39. The proposal seeks full planning permission for the construction of 26 affordable homes including external works and parking on land rear of No 8 to 30 Paynes Meadow, Linton.

Planning Assessment

40. The key issues to consider in the determination of this application are the principle of development and exception site, housing density, impact on character and appearance of the area and landscape, design and layout, trees, biodiversity, heritage assets, highway safety and parking provision, flood risk and drainage, open space provision, contamination, residential amenity, residential space standards, developer contributions and other matters.

Principle of Development and Exception Site

41. The site is located outside of the development framework boundary of Linton and in the open countryside.
42. Paragraph 77 of the NPPF 2019 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
43. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted. In this instance, policy H/11 of the Local Plan provides the required support.

44. Policy H/11 of the Local Plan states that affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to four criteria.
45. Officers acknowledge that the site does not adjoin the development framework boundary of Linton; rather the site adjoins two previous rural exception sites granted planning consent in 2000 and 2006 respectively, developments which do adjoin the development framework boundary. Consequently, the application has been advertised as a departure.
46. Notwithstanding the above, officers consider that the site has a clear and functional relationship with the village of Linton and that the site would not appear as a development detached from the main village.
47. Officers acknowledge that policy H/11 refers to small sites, however the term 'small' is not quantified within the policy or its supporting text. The development of 26 dwellings is considered 'small' in the context of Linton village, a village with a dwelling stock in excess of 2,000 properties. Officers also acknowledge that the proposed site adjoins previously developed exceptions sites, creating a 'cluster' of 65 affordable units. Nonetheless, officers do not consider this to represent a significant conflict with the aims and objectives of policy H/11.
48. Policy H/11(a) requires the number, size, design, mix and tenure of affordable homes to be confined to, and appropriate to, meeting identified local needs.
49. The application is supported by a Housing Need Survey Results Report for Linton, undertaken in June 2019. The Council's Affordable Housing Team has confirmed that the application meets identified local need for affordable units in Linton in terms of numbers and mix. As such the size, mix and tenure of the units proposed accords with the housing needs identified for Linton and accords with Policy H/11(a).
50. Policy H/11(b) requires the development to be of a scale and location appropriate to the size, facilities and character of the settlement.
51. Linton is identified as a Minor Rural Centre under policy S/9 of the Local Plan, where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings is permitted within development framework boundaries. Minor Rural Centres have a lower level of services, facilities and employment than Rural Centres, but a greater level than most other villages in South Cambridgeshire, and often perform a role in terms of providing services and facilities for a small rural hinterland.
52. Although located outside of the development framework boundary, the quantum of development proposed would align with the thresholds of development considered acceptable within the development framework boundary of a Minor Rural Centre. Officers are therefore of the view that the scale of the scheme is appropriate in this respect.
53. The site lies approximately 92 metres from the edge of the development framework boundary and directly abuts two existing rural exception sites. The site would have road and footpath connections to the High Street and centre of the village where more services and facilities are found. However, officers recognise that the location has its limitations given that it is not on the edge of the village.

54. The secondary school, primary school(s), village shops, general practitioner, church, public houses, recreation ground and playing fields are located between 0.8 to 1.5 kilometres from site. These would be within a reasonable walking and cycling distance. The nearest bus stop is at the junction of Coles Lane and High Street, approximately 620 metres from the site where a 30 minute to hourly bus service to and from Cambridge and Haverhill can be accessed.
55. The impact of the development on the character and landscape of Linton is considered in more detail later in this report.
56. Overall, officers consider that the proposal would largely comply with criteria in Policy H/11(b).
57. Policy H/11(c) details that for sites at settlements within or adjoining the Green Belt, that no alternative sites exist that would have less impact on Green Belt purposes.
58. The site is not located within or adjoining the Green Belt and therefore does not conflict with the requirements of policy H/11(c).
59. Policy H/11(d) requires that the affordable homes are secured for occupation by those in housing need in perpetuity. Mortgagee in Possession clauses will be allowed where demonstrated to be necessary to enable development to proceed.
60. The 26 affordable properties proposed will be secured for occupation by those in housing need in perpetuity within the Section 106 agreement, in accordance with policy H/11(d).
61. Overall, officers consider that the proposal would not conflict with the aims and objectives of policy H/11 of the Local Plan.

Housing Density

62. Policy H/8 of the Local Plan states that housing developments including rural exceptions sites will achieve an average net density of 30 dwellings per hectare in Minor Rural Centres. The policy also states that the net density on a site may vary from the above where justified by the character of the locality, the scale of the development, or other local circumstances.
63. The site has an area of approximately 0.82 hectares. The provision of 26 properties on the site would equate to a density of approximately 32 dwellings per hectare.
64. The proposal would therefore comply with Policy H/8 of the Local Plan.

Impact on Character and Appearance of the Area and Landscape

65. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.
66. Policy HQ/1 of the Local Plan requires all new development to make a positive contribution to its local and wider context. Development proposals should, appropriate to their scale and nature, preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape (criterion 1a).

67. Policy NH/2 of the Local Plan states that development will only be permitted where it respects and retains, or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.
68. The application site is located on the northern edge of the village, attached to the existing Paynes Meadow and Chalklands development. The site is formed from an area of scrubland which is enclosed by a row of existing trees and hedgerows. In terms of topography the village of Linton generally rises as the built form progresses northwards towards Rivey Wood; the development site would sit further up the hill than the existing Paynes Meadow and Chalklands development. The site itself slopes significantly from west to east with a change in levels of approximately four to five metres.
69. A public right of way (bridleway) runs in a north-south direction along the eastern edge of the application site and the existing Chalklands development, running from Back Road to the south up to and beyond Rivey Wood and Rivey Hill Water Tower to the north. The bridleway extends in a western direction to the north of Rivey Wood and returns in a north-south direction to Back Road to the west of nos.42 and 44 Back Road. The bridleway to the west of the site is separated by approximately 290 metres of open agricultural land.
70. Officers are mindful that the presence of a public right of way would afford additional views towards the application site and the existing village from countryside locations, affected by the changing topography of the land. The proposal will include the retention of the existing trees and hedgerows which surround the site, with enhancements which could be secured through a soft landscaping condition, which will soften the impact of the proposed development. Nonetheless, officers accept that some aspects of the development will be present in some countryside views, as is the existing built development, particularly given the predominately two-storey nature of the proposal and its siting further north towards Rivey Wood.
71. Officers acknowledge the point made by Linton Parish Council that the hill that appears on the section drawing is an indicative representation rather than a surveyed drawing.
72. Rural exceptions sites by their very nature, being built forms of development outside of development framework boundaries, have a degree of impact on surrounding countryside and landscape character. The erection of 26 dwellings on this undeveloped site will cause some harm to the current landscape character by virtue of new built form in a countryside location and therefore causes some conflict with policies HQ/1 and NH/2 of the Local Plan.
73. Overall, officers are of the view that the benefit of providing a scheme for 100% affordable housing to meet an identified local need outweighs the identified landscape harm.

Design and Layout

74. The existing development of Chalklands and Paynes Meadow is formed typically from two storey semi-detached and terraced properties, with some examples of detached single storey properties and two storey apartment buildings. The properties are largely finished in facing brickwork or pebble-dashed rendering with tiled or slated roofs. The general design of the properties is fairly consistent with limited architectural variation. Off-road parking is provided in a variety of forms including driveways to the front and side of properties and larger communal parking courts.

75. The application proposes the erection of 26 properties with some variation in the general design, scale and external appearance of the buildings. Typically, the buildings are of a semi-detached form, other than plots 9-10 and 25-26 which take the form of detached apartment buildings and plots 17-19 which are detached properties. In terms of scale, 18 of the properties would be two storey buildings (plots 1-4, 9-17 and 22-26) and eight of the properties would be one and half storey buildings (plots 5-8, 18-21). Several of the properties would take on a stepped appearance within their semi-detached form in response to the topography of the site (plots 11-16 and 22-23). The inclusion of open fronted porches / porch canopies is a design feature consistent with the existing properties of Chalklands and Paynes Meadow. Variation is again achieved through the use of external materials which includes the use of facing brickwork and render.
76. Officers consider that the general design, scale and external appearance of the proposed properties are acceptable and compatible with the character of the area.
77. In terms of layout, the application has been subject to several revisions seeking to address concerns of the Council's Urban Design Officer and third-party comments. The Council's Urban Design Officer has not raised a formal objection to the proposed development, as amended.
78. As amended, the front principle elevation of plots 9-10 has been positioned as a terminating vista upon entrance into the site, with a small amount of green space to the front of this built form. Other areas of open green space, including the attenuation pond, are located at the entrance to the site providing a spacious area of arrival. Green frontages have been provided to the front of each plot within the development. One and a half storey properties are proposed at plots 18 and 19 on the north-western corner of the site which is the most elevated position within the site; a positive design response to the site's topography and countryside surroundings. Parking has been incorporated to the side of properties as far as practical, reducing the sense of a car dominated frontage. Officers note that there are elements of frontage parking but this is relatively limited and given the presence of frontage parking in the existing development of Chalklands and Paynes Meadow this is not considered to be out of keeping with the character of the area.
79. In terms of permeability officers note that a link to the public right of way would have been desirable, although there is limited space available to achieve a good quality link. The provision of a pedestrian link to the public right of way to the east of the site was discussed with the agent but returned as non-desirable from a local perspective and has therefore not been pursued. A pedestrian link between plots 23 and 24 connecting to Paynes Meadow was also explored but would cross land outside of the control of the applicant and therefore could not be secured.
80. Offices note that the Council's Urban Design Officer has offered additional points of guidance which may benefit the scheme further. However, these are minor points compared to the changes which have already been made and further amendments have not been sought.
81. Both the Council's Landscape Officer and Urban Design Officer have raised concerns relating to materials, landscaping and boundary treatments. Officers consider that these concerns can be addressed through the imposition of conditions requiring the submission of these details, to ensure the development accords with policy HQ/1 of the Local Plan.

82. Subject to the recommended conditions the proposal is considered to accord with policy HQ/1 of the Local Plan.

Trees

83. The application is supported by a Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan.
84. The site is defined by existing vegetation comprising trees and hedgerows along the boundaries of the site. The proposed development includes the retention and enhancement of existing trees and hedges to the perimeter of the site. The most significant trees are along the boundary with Rivey Hill and are not directly affected by the proposed development.
85. The proposed development will incorporate several new trees within the layout of the site. As noted above, details of the hard and soft landscaping, including details of planting, will be secured through a landscape condition.
86. The Council's Trees Officer has raised no objection to the proposed development, subject to a condition that the Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan is listed as an approved document. Officers considered it reasonable and necessary to list the document as an approved document to ensure the development accords with policy NH/4 of the Local Plan.
87. Subject to the recommended condition, the proposal is considered to accord with policy NH/4 of the Local Plan.

Biodiversity

88. Paragraphs 170, 174, and 175 of the NPPF and the policy NH/4 of the Local Plan seek that applications should look to enhance, restore and add to biodiversity and that opportunities should be taken to achieve a net gain in biodiversity through the form and design of development.
89. The application is supported by a Preliminary Ecological Appraisal (PEA) (Applied Ecology Ltd., November 2018). Following an initial holding objection(s) from the Council's Ecology Officer, an updated Preliminary Ecological Appraisal (PEA) (Applied Ecology Ltd., October 2019) has been submitted. The additional report provided results of a reptile survey conducted in September of 2019 under good conditions, which found no evidence of reptiles at the site. Therefore, there will be no need for any form of compensation planting or receptor site for reptiles.
90. Officers consider it reasonable and necessary to impose a condition that works are carried out in accordance with the details of the submitted PEA's to minimise disturbance, harm or potential impact on protected species in accordance with policy NH/4 of the Local Plan.
91. The Council's Ecology Officer has raised some concern over how the application site will look to provide a net gain in biodiversity, stating that there is little evidence of how this can be achieved. Conversely, there is no conclusive evidence that a net gain in biodiversity cannot be achieved.
92. In consultation with the Council's Ecology Officer, officers consider it reasonable and necessary in this instance to impose a pre-commencement condition requiring the

submission of a biodiversity enhancement scheme (Landscape and Ecological Management Plan); such a condition is typically a 'no development above slab level until...' condition. However, the pre-commencement trigger provides officers with sufficient comfort that the relevant details can be provided before works commence on site, to the satisfaction of the Local Planning Authority.

93. Subject to the recommended conditions, the proposal is considered to accord with policy NH/4 of the Local Plan.

Heritage Assets

94. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

95. The site is set well apart from the Linton Conservation Area, approximately 500 metres, and will have no impact on this designated heritage asset. To the north of the site towards the top of the hill is the grade II listed water tower at Rivey Hill. The hillside setting and Rivey Wood limit views between the site and the designated heritage asset. There remains a substantial separation formed by agricultural land between the proposed development and Rivey Wood south of the tower. The development is considered to preserve the setting and significance of the listed water tower.

96. The proposed development is considered to accord with policy NH/14 of the Local Plan.

Highway Safety & Parking Provision

97. Paragraph 109 of the NPPF states developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

98. The application is supported by a Transport Statement by Rossi Long Consulting which concludes that there are no safety or capacity concerns. The application has been subject to formal consultation with the Local Highways Authority, who raise no objection to the proposed development on highway safety grounds.

99. Officers note that the Local Highways Authority request that the displaced car parking spaces are relocated within the site and not the existing turning head as this is required for turning. However, objection is not raised to this point on highway safety grounds and turning space will be available within the site itself.

100. The Local Highways Authority also request that dimensions are shown on the site plan if the development is to be adopted with a shared surface of 6 metres in width with 500mm hard paving strips either side and traditional surface 1.8 metre footway and 5 metre carriageway. Although not annotated on the plan, the plan is drawn to scale and dimensions adhered to.

101. To ensure the development is acceptable in highway safety terms, officers consider it reasonable and necessary to impose conditions for pedestrian visibility splays, access falls, levels and bound material and a traffic management plan, as recommended by the Local Highways Authority.

102. Officers note that third-party comments raise concerns over the condition and suitability of the existing roads into the site and the potential impact of construction traffic, the loss of an existing footway and loss of existing parking. Any damage to the road surface would fall outside of the planning assessment and would be a civil / legal matter and not one which can be attached weight as a material planning consideration. The loss of the existing footway to accommodate access to the site is not considered to result in significant harm to highway safety. Overall, there is no net loss of parking to the existing development as the spaces are relocated close by.
103. Policy TI/3 of the Local Plan sets out the Council's car and cycle parking standards. For residential units an indicative car parking provision of 2 spaces per dwelling (1 space to be allocated within the curtilage) and a minimum cycle parking provision of 1 space per bedroom are detailed.
104. Each two and three-bed house will be provided with two off-road car parking spaces. All apartments will contain a single parking space. Every dwelling will have provision for lockable cycle storage facilities in their private garden areas. A condition requiring full details of safe and secure cycle parking is considered appropriate.
105. The proposed development also provides one visitor car parking space outside plots 9 and 10. Three parking spaces are also provided off site to replace the existing parking spaces which are to be removed to allow access into the site.
106. The proposed development is considered to accord with policy TI/3 of the Local Plan.

Flood Risk & Drainage

107. The NPPF requires that flood risk is taken into account in the planning process, to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk. The overall aim should be to steer new development towards Flood Zone 1.
108. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.
109. The application is supported by a Flood Risk Assessment and Drainage Strategy which confirms that the site is located within Flood Zone 1, lowest risk of flooding.
110. The site is not identified as an area of surface water drainage. Environment Agency surface water maps indicate that the site is at 'very low' risk of surface water flooding which means that each year the site has a chance of flooding of less than 1 in 1000 (< 0.1%).
111. The surface water drainage strategy for the site has been subject to several amendments and the submission of additional information following holding objections from the Lead Local Flood and Water Authority (LLFA). Following final alterations to the infiltration basis to accord with health and safety requirements the Lead Local Flood Authority and the Council's Sustainable Drainage Engineer have raised no objection subject to conditions requiring further details.

112. In line with the comments of the LLFA, officers consider it reasonable and necessary to impose conditions requiring the surface water drainage scheme to be constructed in full accordance with the Flood Risk Assessment and Drainage Strategy as submitted and details for the long term maintenance arrangement of the surface water drainage system.
113. Foul water generated from the development will be discharged to the existing public foul sewer network within Paynes Meadow. A pre-planning assessment report obtained from Anglian Water confirms there is capacity within the existing sewerage network for the proposed development
114. Anglian Water and the Council's Sustainable Drainage Engineer have raised no objection, subject to conditions requiring further details.
115. Subject to conditions requiring further details of surface water and foul water drainage, the proposed development is in accordance with policies CC/7, CC/8 and CC/9 of the adopted Local Plan, NPPF guidance and guidance contained within the Cambridgeshire Flood and Water SPD (2016).

Open Space Provision

116. Policy SC/7 of the Local Plan states that all housing developments will contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities) and Informal Open Space to meet the need generated by the development in accordance with set standards. Criterion 4 of the policy states that where appropriate, provision will be on-site so that provision is integrated into the development and benefits to the health and wellbeing of new residents are maximised, guided by Figure 10. However, an appropriate contribution will be required for "off-site" provision of the types of space not provided on-site. This may be for new facilities and/or improvements to existing facilities.
117. In this instance, the level of on-site provision would fall short of the requirements of policy SC/7, however, off-site contributions are sought which would be secured as part of the Section 106 agreement.
118. Subject to the off-site contributions, the proposed development would accord with policy SC/7 of the Local Plan.

Contamination

119. The application is supported by Geo-Environmental Report, Preliminary Risk Assessment and Geotechnical Category 1 Report by Delta-Simons (January 2019).
120. The Council's Contaminated Land Officer has raised no objection to the proposal, stating that the site is a low risk site and recommending an informative for unexpected contamination being found during works. Officers consider it appropriate to include such an informative for the attention of the applicant.
121. The proposal is considered to accord with policy SC/11 of the Local Plan

Residential Amenity

122. The development is not considered to adversely affect the amenities of adjoining neighbours through being unduly overbearing in mass, through a significant loss of light or through a severe loss of privacy.

123. The two storey side elevation of the dwelling on Plot 1 would be approximately 13 metres from the southern boundary of the site and approximately 22 metres from the rear elevations of the existing properties to the south, nos.28 to 30 Paynes Meadow. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to nos.28 to 30 Paynes Meadow. The southern side elevation of Plot 1 features two first floor windows; one serving a landing, a non-habitable room, and one serving a bathroom. The potential for a significant loss of privacy to the amenities of nos.28 to 30 can be mitigated through the imposition of a condition that the bathroom window is fixed shut and obscure glazed.
124. The two storey side elevation of the apartments on Plots 25 and 26 would be approximately 7 metres from the southern boundary of the site and approximately 14 metres from the rear elevations of the existing properties to the south, nos.24 and 25 Paynes Meadow. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to nos.24 and 25 Paynes Meadow. The southern side elevation of plots 25 and 26 features one first floor window; officers consider that it would be reasonable and necessary to impose a condition that this window is fixed shut and obscure glazed to protect the amenities of nos.24 and 25 Paynes Meadow.
125. The two storey rear elevation of the dwelling on Plot 24 would be approximately 11 metres from the southern boundary of the site and approximately 17 metres from the side elevation of the no.9 Paynes Meadow. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to no.9 Paynes Meadow. The first floor rear windows of Plot 24 would face directly towards the side elevation of no.9 Paynes Meadow, with oblique views towards the private amenity area. Consequently, the proposal is not considered to result in a significant loss of privacy to no.9 Paynes Meadow.
126. The two storey side elevation of the dwelling on Plot 21 would be approximately 3.5 metres from the southern boundary of the site and approximately 22 metres from the rear elevation of the no.8 Paynes Meadow, noting that this is an offset relationship. This arrangement is not considered to result in an unduly overbearing mass or significant loss of light to no.8 Paynes Meadow. The southern side elevation of Plot 21 features two first floor windows; one serving a landing, a non-habitable room, and one serving a bathroom. The potential for a significant loss of privacy to the amenities of no.8 Paynes Meadow can be mitigated through the imposition of a condition that the bathroom window is fixed shut and obscure glazed.
127. The development is also not considered to adversely affect neighbours through an unacceptable increase in the level of noise and disturbance through an increase in traffic.
128. Consideration is also given to the amenities of the potential future occupants of the proposed development.
129. The internal arrangements of the site are such that the proposal is considered to provide a reasonable level of amenity to the future occupiers of the development. Each property would benefit from its own private amenity area.
130. Paragraph 6.75 of the Council's District Design Guide details that ideally residential units should be provided with access to the following sizes of private amenity space. Each one or two bedroom house should have private garden space of 40sqm in urban settings and 50sqm in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 50sqm in urban settings and 80sqm in rural

settings. Ground floor apartments should have a minimum of 10sqm private amenity space immediately outside their living accommodation, or use of a communal garden, where 25sqm is allowed for each apartment.

131. The development proposes the erection of a mixture of one bed, two bed and three bed properties which would broadly accord with the recommendations of the Council's District Design Guide noted above.
132. In considering the impact of the existing development to the south of the site on the potential future occupiers, officers are satisfied that the amenities of the site are not significantly compromised through a significant overbearing impact, loss of light or loss of privacy.
133. The proposal is considered to accord with policy HQ/1(n) and provides a reasonable level of amenity for existing and future occupiers.

Residential Space Standards

134. Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.
135. The dwellings within the development would meet the residential space standards in terms of the size of the dwellings and bedroom sizes and therefore accord with policy H/12 of the Local Plan.

Developer Contributions

136. Development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
137. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -
 - i. Necessary to make the development acceptable in planning terms;
 - ii. Directly related to the development; and,
 - iii. Fairly and reasonably related in scale and kind to the development.
138. In consultation with the Council's Section 106 Officer the following planning obligations are sought:
139. A contribution towards formal sports in the form of an offsite contribution of £22,358.04 to help fund a new skate park and/or BMX trail track at the recreation ground.
140. A contribution towards formal children's play space and informal children's play space in the form of an offsite contribution of £30,942.23 to fund a new play area (including multi use games area) at the recreation ground.
141. A contribution towards indoor Community Space in the form of an offsite contribution of £10,150.56 to help fund (a) improvements to Linton Village Hall and/or (b) a new community hub on the recreation ground.

- 142. A contribution of £73.50 per unit towards the provision of household waste receptacles serving the development.
- 143. A monitoring fee being a contribution of £500.
- 144. In consultation with Cambridgeshire County Council the following planning obligations are sought:
- 145. A contribution towards early years education of £73,848.00 towards a mitigation project for one class nursery space offering 52 x 15 hour places.
- 146. A contribution towards libraries and lifelong learning of £2,738.00 to be used towards the reorganisation of the layout of Linton library including the remodelling of the existing library counter, to enable extra shelving units and appropriate units to be installed.
- 147. A monitoring fee being a contribution of £650.
- 148. No contributions are sought for primary or secondary education.
- 149. The Councils S106 Officer has reviewed the projects and officers consider that they meet the tests of CIL regulations 123 and are necessary to mitigate the impact of the development. They will be secured via a Section 106 agreement and the heads of terms, which is attached to this committee report (appendix 1). The contributions are considered required in accordance with policies SC/6, SC/7, and SC/8 of the Local Plan.

Other Matters

Archaeology

- 150. The comments of the Historic Environment Team are noted, who comment that the site lies in an area of strong archaeological potential, situated within a particularly rich archaeological landscape, a point also raised by Linton Parish Council. The Historic Environment Team raise no objection is raised to the proposed development but recommend a condition for archaeological investigation.
- 151. Officers consider it reasonable and necessary to impose a condition for archaeological investigation to ensure that the development accords with policy NH/14 of the Local Plan.

Cambridgeshire Fire and Rescue

- 152. The comments of Cambridgeshire Fire and Rescue are noted. Officers consider it reasonable and necessary to impose a condition requiring details of the provision of fire hydrants in the site.

Environmental Health

- 153. The comments of the Council's Environmental Health Officer are noted. Officers consider it reasonable and necessary to impose a condition restricting the hours of works and informatives for burning of waste, minimising potential disturbance to neighbouring residents, driven pile foundations, demolition notice and air source heat pumps, to ensure the development accords with policy SC/10 of the Local Plan.

Loss of Agricultural Land

- 154. Policy NH/3 of the Local Plan states that planning permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural

land unless land is allocated for development in the Local Plan (criterion a) or sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land (criterion b).

155. The site is identified as grade 2 and grade 3 agricultural land and covers an enclosed area of approximately 0.82 hectares. The site is not actively farmed at present. Officers acknowledge that the proposal would result in the loss of agricultural land. However, the area of land is enclosed, not actively farmed and is a relatively small parcel in agricultural terms.
156. Officers therefore do not consider that the proposal conflicts with policy NH/3 of the Local Plan.

Other Local Plan Policies (Climate Change & Broadband)

157. Policies CC/3 requires that a scheme for renewable energy is submitted, Policy CC/4 required that water efficiency measures are imposed, and Policy TI/10 requires that infrastructure be imposed to create access to broadband internet respectively; the application does not provide details of any of the above.
158. Officers consider it reasonable and necessary to impose conditions to require that the above policies are satisfied.

Permitted Development

159. The impact of the proposed development on the character of the area and the amenities of neighbouring properties has been considered above and found to be acceptable. However, to ensure that the character of the area and neighbour amenity are adequately protected, officers consider it reasonable and necessary to impose a condition removing permitted development rights for Classes A (extensions), B (roof extensions), C (rooflights) and E (outbuildings) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Without such a restriction, extensions, dormer windows, rooflights and outbuildings could be constructed for each plot without formal consent which may result in harm to the aforementioned considerations, given the character of the area, the relatively small size of each plot and their relationship with neighbouring properties.

Pre-Commencement Conditions

160. The pre-commencement conditions have been agreed in writing with the agent.

Public Right of Way

161. The application has been subject to formal consultation with Cambridgeshire County Council's Definitive Maps Officer, who raises no objection to the proposal and offers several informatives relating to the public right of way (public bridleway). Officers consider it appropriate to include such informatives for the attention of the applicant.

Third Party Comments

162. The comments of Linton Parish Council and third-party representations are noted, with many points already considered in the report. The other matters raised are considered below.
163. Linton Parish Council refer to an appeal refused on the evaluation of the landscape impact of housing, appeal reference APP/W0530/W/17/3179762, planning reference S/0096/17/OL. The application referred to was made during a period when the Council could not demonstrate a five-year housing land supply, seeking outline consent for the erection of 95 dwellings which included a significant portion of market housing.

164. The application was refused on landscape harm and upheld at appeal. While each application is determined on its own merits, officers consider that the current application is significantly and materially different to the 2017 application, being a much smaller development site and an application for 100% affordable housing.
165. Reference has been made to reducing the number of properties on the site from 26 to 22 and introducing bungalows into the development. These options were explored with the applicant at an early stage who has maintained that 26 affordable units of the scale proposed are required on viability grounds.
166. The representation from the Chalklands and Paynes Meadow Residents Association details that Icen Homes were to withdraw their plans if objection was received from Linton Parish Council and Paynes Meadow community and the lack of local engagement from developer.
167. The Council is not aware of the details of any discussions which may or may not have taken place outside of the formal planning process and is not responsible for community engagement from the developer; these points are not material planning considerations.
168. One representation notes that the development is not ideal for rail travel. Linton does not have a train station but officers do not consider that this compromises the sustainability of the development.

Conclusion

169. In accordance with paragraph 77 of the NPPF, in rural areas planning decisions should be responsive to local circumstances and support housing developments that reflect local needs; local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs.
170. Policy H/11 of the Local Plan supports the provision of affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be permitted subject to four criteria. Overall, officers consider that the proposal would not conflict with the aims and objectives of policy H/11 of the Local Plan.
171. The proposed development would provide a 26-property scheme which would deliver 100% affordable housing to meet an identified local need. Officers attach significant weight to the delivery of an affordable housing site where there is a clear and demonstrable need.
172. In accordance with paragraph of the NPPF, planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.
173. The erection of 26 dwellings on this undeveloped site will cause some harm to the current landscape character by virtue of new built form in a countryside location and therefore causes some conflict with policies HQ/1 and NH/2 of the Local Plan.
174. Overall, officers are of the view that the benefit of providing a scheme for 100% affordable housing to meet an identified local need outweighs the identified landscape harm.

175. A S106 agreement will need to be secured for the occupation of the site by those in housing need in perpetuity, formal sports, formal children's play space, informal children's play space, indoor community space, early years education, libraries and lifelong learning and monitoring fees. Conditions will also need to be applied to any decision notice to secure precise details of matters including boundary treatments, drainage and biodiversity enhancement.
176. Officers recommend that the Committee grants planning permission with delegated powers for the completion of a section 106 agreement.

Recommendation

177. Delegated approval subject to the completion of a Section 106 agreement and the planning conditions and informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission.

Conditions

178. a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- b) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing numbers IH.809.P01 Rev F, IH.809.P02 Rev C, IH.809.P04 Rev B, IH.809.P05 Rev B, IH.809.P06 Rev B, IH.809.P04 Rev B, IH.809.P07 Rev A, IH.809.P08 Rev B, IH.809.P10 Rev B, IH.809.P11 Rev A and IH.809.P12 Rev A,
- c) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- a) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
 - b) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
 - c) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.
 - d) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.
- Works shall be carried out in accordance with the approved details.
(Reason - In the interests of residential amenity and highway safety in accordance with Policies HQ/1, CC/6 and TI/2 of the South Cambridgeshire Local Plan 2018).
- d) No demolition/development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:

- a) the statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- c) The programme for the analysis, publication & dissemination, and deposition of resulting material. Part (c) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy NH/14 of the South Cambridgeshire Local Plan 2018).

- e) No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following.
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management, to include an achievable 10% net gain in measurable biodiversity.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details. (Reason - To provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.)

- f) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).
- g) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby

permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

- h) No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the development.
(Reason – In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)
- i) No development above slab level shall occur until a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018).
- j) No development above slab level shall occur until, a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.
(Reason - To ensure an adequate water supply is available for emergency use.)
- k) The dwellings hereby approved shall not be occupied until Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) have been submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
(Reason – To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018 and of paragraphs 163 and 165 of the National Planning Policy Framework).
- l) The dwellings hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatments shall be completed before the development is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

- m) The dwellings hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.
(Reason - To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the south Cambridgeshire Local Plan 2018.)
- n) The dwellings hereby approved shall not be occupied until the dwelling to be occupied has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.
(Reason – To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.)
- o) The dwellings, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018).
- p) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).
- q) The surface water drainage scheme shall be constructed in full accordance with the Flood Risk Assessment and Drainage Strategy as submitted (ref: 181370 – Rev 01) dated 17th June 2019.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018).
- r) The development hereby permitted shall be carried out in accordance with the Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan by Haydens Arboricultural Consultants, dated 06 February 2019.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with the policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan.)

- s) All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Applied Ecology Ltd., Oct 2019), including all protected species mitigation recommendations, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
(Reason - To minimise disturbance, harm or potential impact on protected species in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018, the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).)
- t) Two pedestrian visibility splays of 2m x 2m shall be provided within the curtilage of each new car parking space that is to exit directly onto the proposed adopted public on each side of the vehicular access measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.
(Reason - To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access in the interest of highway safety in accordance with Policies HQ/1 and TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- u) The proposed access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public water.
(Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- v) The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway
(Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- w) During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).
- x) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy SC/9 of the South Cambridgeshire Local Plan 2018).
- y) The proposed first floor window in the southern side elevations of plots 1, 21 and 25 & 26, hereby permitted, shall be fitted with obscured glass (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

- z) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C and E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - In the interests of protecting the character of the area and amenities of neighbouring residents in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

Informatives

179. a) This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated
- b) There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
- c) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
- d) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- e) In the event of an air source heat pump(s) being proposed, prior to the commencement of development, a noise impact assessment and insulation scheme detailing the technical details and sound power/noise output of the air source heat pumps and any mitigation measures in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.
- f) If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority
- g) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference

with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

- h) Public Bridleway No. 20 Linton must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s137 of the Highways Act 1980 to obstruct a public Highway).

Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).

No alteration to the public bridleway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).

The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).

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 Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File References: S/0670/19/FL

Report Author:

Michael Sexton
Telephone Number:

Principal Planner
07704 018467

Heads of terms for the completion of a Section 106 agreement

Linton – Paynes Meadow (S/0670/19/FL)

Affordable housing summary:

Affordable housing percentage	100%
Affordable housing tenure	19 affordable rent and 7 shared ownership
Local connection criteria	Yes
Local connection villages	Linton

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£73,848
Libraries	CCC	£2,738
Sports	SCDC	£22,358.04
Children's play space	SCDC	£30,942.23
Indoor community space	SCDC	£10,150.56
Household waste bins	SCDC	£1,911
Monitoring	SCDC	£500
TOTAL		£142,448
TOTAL PER DWELLING		£5,478.76

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Open space	SCDC	Onsite informal open space

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Early years
Policy	South Cambridgeshire Local Plan Policy T1/8
Required	Yes
Detail	<p>The development will create the need for 8 early years aged children of which 6 will be entitled to free early years provision.</p> <p>Cambridgeshire County Council has confirmed that there is insufficient capacity to accommodate the additional demand. In September 2016 there were 219 children aged 0-3 living in the local catchment indicating that approx. 124 children were eligible for free places. In Autumn 2017 there were 40 children taking up these places however in September 2017 new 30 hour funding for 3 and 4 year olds was introduced creating capacity pressures in the area.</p>
Project	
Quantum	£73,848
Fixed / Tariff	Fixed
Trigger	Prior to commencement of development

Ref	CCC2
Type	Libraries and lifelong learning
Policy	South Cambridgeshire Local Plan Policy T1/8
Required	Yes
Detail	<p>The development will create an additional 65 new residents.</p> <p>Cambridgeshire County Council has advised that, in order to meet the additional demand on library services, Linton Library will undergo remodelling to enable additional shelving units and resource material.</p> <p>The contributions is calculated in accordance with the MLA Standard Charge Approach for public libraries (Public Libraries, Archives and New Development: A standard Charge Approach (Museums, Libraries and Archives Council, May 2010) where a cost of £42.12 is recommended for such improvements.</p> <p>On this basis a contribution of £2,738 is required.</p>
Project	Remodelling of Linton Library to create additional resource capacity
Quantum	£2,738
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 10 dwellings

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	South Cambridgeshire Local Plan Policy SC/7 and SF/11 and Open space in new development SPD
Required	Yes
Detail	<p>The Recreation and Open Space Study 2013, forming part of the Local Plan submission, showed that Linton needed 7.22 ha but has 3.03 ha i.e. a deficit of 4.19 ha of Outdoor Sport Provision.</p> <p>Linton Parish Council has said that sports contributions would be used to fund (a) skate park (b) BMX trail and (c) outdoor gym would be provided from developer contributions.</p> <p>A financial contribution is required based on the Open space SPD.</p>
Project	Either/or (a) skate park (b) BMX trail and (c) outdoor gym on the recreation ground
Quantum	£22,358.04
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 13 dwellings

Ref	SCDC2
Type	Children's play space
Policy	South Cambridgeshire Local Plan Policy SC/7 and SF/11 and Open space in new development SPD
Required	Yes
Detail	<p>The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Linton needed 3.61 ha Children's Play Space whereas the village had 0.20, i.e. a deficit of 3.41 ha of Children's Play Space.</p> <p>Linton Parish Council has said that play space contributions would be used to fund a new play equipment on the recreation ground which may include a multi-use games facility.</p> <p>A financial contribution is required based on the Open space SPD.</p>
Project	New play equipment on the recreation ground including a multi-use games area
Quantum	£30,942.23
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 13 dwellings

Ref	SCDC3
Type	Informal open space
Policy	South Cambridgeshire Local Plan Policy SC/7 and SF/11 and Open space in new development SPD
Required	Yes
Detail	Onsite space
Project	N/A
Quantum	As per Site Plan
Fixed / Tariff	Fixed
Trigger	To be provided prior to occupation of 13 dwellings

Ref	SCDC4
Type	Offsite indoor community space
Policy	South Cambridgeshire Local Plan Policy SC/6 and Portfolio holder approved policy
Required	Yes
Detail	<p>In accordance with the 2009 community space audit Linton needs 488 m2 of indoor community space whereas it has 160 m2 resulting in a deficit of 328 m2. Based on the likely number of people arising from the development an area of circa 5 m2 is required.</p> <p>Linton Parish Council would look to use funds to deliver 2 projects in the village.</p> <p>The first is several internal and external improvements to Linton Village Hall;</p> <p>a) Kitchen Refurbishment b) Toilet refurbishment c) Hallway and reception area d) Canopy replacement e) Stair relocation and lift instalment</p> <p>The second is a new community hub on the recreation ground which would replace the existing Linton Action for Youth Portacabin and extend the use of the space in a prominent village location.</p> <p>A financial contribution is required based on the portfolio holder approved policy.</p>
Project	Either improvements to Linton Village Hall or towards the construction of a new community hub in Linton
Quantum	£10,150.56
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 13 dwellings

Ref	SCDC5
Type	Household waste receptacles
Policy	RECAP Waste Management Design Guide
Required	YES
Detail	£73.50 per house and £150 per flat
Project	Towards the Receptacle provision of household waste receptacles necessitated by the Development
Quantum	£1,911
Fixed / Tariff	Fixed
Trigger	Paid in full prior to occupation of first dwelling

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To monitor the timely compliance of the planning obligations, specifically onsite infrastructure including affordable housing and public open space
Project	Monitoring of the proper and timely performance of the Owner's covenants under the terms of the Agreement
Quantum	£500
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge,
CB23 6EA
www.scamb.gov.uk
0345 045 5215



Kathryn Wiseman,
Linton Parish Council Clerk
Village Hall
15, Coles Lane
Linton
Cambridge
Cambridgeshire
CB21 4JS

Planning and New Communities
Contact: Michael Sexton
Tel: 03450455215
Email: planningcomments@scamb.gov.uk
Our Ref: S/0670/19/FL
Your Ref:
Date 22 February 2019

This letter (with no plans attached) has been emailed to the Parish Council prior to sending out in the post, and for information, to the Ward Members

Dear Sir/Madam

Proposal: The construction of 26 Affordable homes including External works and Parking on land rear of No 8 to 30 Paynes Meadow Linton
Application Ref: S/0670/19/FL
Location: Land Rear of 24-27, Paynes Meadow, Linton, CB21 4JP
Applicant: Mrs S Moor, C/o Hundred Houses Society

Attached is a copy of the above application for your retention.

We welcome any comments your Parish Council wishes to make, but would ask that they are made using either the online web form available, or on the form below and returned **no later than 21 days from the date of this letter**. After the expiry of this period, the District Council may determine the application without receipt of your comments.

Below is a link for your convenience to view all copies of documents, plans and forms in respect of the above proposal. As the website updates overnight, these will be available to view the following day from the date of this letter. Please note your comments will be placed on the website.

<http://plan.scamb.gov.uk>

Should the Parish Council wish to request that the application be considered by the District Council's Planning Committee, **please state the material considerations and planning**

EXPLANATION OF APPLICATION SUFFIX

OL	Outline	LD	Lawful Development Certificate
FL	Full	PA	Prior Notification of Agricultural Development
RM	Reserved Matters	PD	Prior Notification of Demolition Works
LB	Listed Building Consent	PT	Prior Notification of Telecommunications Development
CA	Conservation Area Consent	HZ	Hazardous Substance Consent
AD	Advertisement Consent	DC	Discharge of Conditions
VC	Variation or Removal of Condition		

reasons. Examples of material considerations can be found below. The Chairman of the District Council Planning Committee will respond to all reasonable requests.

The Parish Council: - (Please delete appropriately)

Supports

Objects

Has no recommendation

Comments:

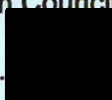
PLEASE SEE ATTACHED COMMENTS

The Parish Council ~~does/does not~~ request that the application be referred to the District Council Planning Committee *(please delete)

Planning reasons:

Note: Where a Parish Councils requests that an application is determined by Planning

Committee there is real value and importance in Parish Council representatives attending Planning Committee to support their comments. Please note that the Parish Council can be represented at Planning Committee by any of it Councillors or the Parish Clerk (with the approval of their Parish Council).

Signed.....  Date. 11/3/19.....

Clerk to the Parish Council ~~or Chairman of the Parish Meeting~~

Guidance:

What are Material Considerations?

A material consideration is a matter that should be taken into account in deciding a planning application or appeal against a planning decision.

Examples of material considerations can include (but are not limited to).

- Overlooking /loss of privacy
- Loss of light/overshadowing
- Highway Safety

EXPLANATION OF APPLICATION SUFFIX

OL	Outline	LD	Lawful Development Certificate
FL	Full	PA	Prior Notification of Agricultural Development
RM	Reserved Matters	PD	Prior Notification of Demolition Works
LB	Listed Building Consent	PT	Prior Notification of Telecommunications Development
CA	Conservation Area Consent	HZ	Hazardous Substance Consent
AD	Advertisement Consent	DC	Discharge of Conditions
VC	Variation or Removal of Condition		

S/0670/19/FL – Mrs S Moor, C/o Hundred Houses Society - Land Rear of 24-27, Paynes Meadow, Linton - The construction of 26 Affordable homes including External works and Parking on land rear of No 8 to 30 Paynes Meadow Linton.

LPC Comments :

Whilst we appreciate the need for genuinely affordable homes in Linton for Linton people, the adverse effects of these plans, as presented, outweigh the possible benefits.

- This is an exception site, outside of the village envelope, meant only for social housing, but where planning policies still apply.
- The planning application is flawed and incomplete - see responses to the submitted reports.
- The site is not liable to river flooding, but is affected by rainwater and surface water run-off.
- The area has natural springs which affect the adjacent fields, Rivey Way, and gardens lower down the hill. The springs occur at the junctions of clay and underlying chalk and can appear in response to rainfall and changes in the level of the water table.
- The drainage plans appear to include a ditch that does not discharge to a natural watercourse. When this overflows the water will drain onto Rivey Lane, a much used walking route. This is not practical. Otherwise it could drain to neighbouring gardens and houses.
- There appears to be no provision, as yet, for the maintenance of the ditch and other parts of the drainage scheme.
- The safety of the ditch is questioned - as it would be damp-to-wet most of the year this would not be a good place for children to play, and a good breeding ground for mosquitoes.
- The housing must be kept for Linton people or those with close Linton connections. We are aware that conditioning might last only 5-years. Long term assurance of housing allocation is needed. Firmer allocation to prioritise Linton people is needed, including assurance of the Linton village envelope criteria.
- Linton has recently had a number of infill developments, and OL permission given for up to 55 houses on one site and up to 42 on another. The cumulative effects of this development along with recent and forthcoming housing should be taken into consideration regarding infrastructure, facilities and services.
- The additional residents will have an impact on noise from residents, cars, outside play, etc. The area is currently tranquil, with ancient woods higher up the hill and buffered from the noise of the A1307. Current residents and wildlife would be affected by additional noise.
- Similarly, light from the site must be carefully designed so as not to impact on residents, neighbours and wildlife (particularly in the ancient woodlands).
- The parking on site might meet current standards, but current parking on Paynes Meadow is not sufficient for their own residents and visitors. Additional traffic will impact on road safety within the Chalklands estate.
- To meet parking space numbers, spaces are proposed to be created on Paynes Meadow, with loss of places for current occupants i.e. outside the red line of the application site.
- To form 3 parking bays from 2 current places, there is a loss of pavement, affecting pedestrian safety.
- There are no proposals for wide disabled parking spaces.
- Peak time traffic movements have not been assessed, nor the effects on the traffic conditions within Chalklands - with its crowded roads, difficult junctions and poor surface.

- The houses appear to be small (50m² for a 2-bedroom flat) which appears inadequate for the needs of modern residents.
- The house designs include a "statement" 2-storey design, which is not needed, not appropriate in this context, and apparently an unjustified insertion by an officer of a personal view that is not consistent with planning legislation and the principle of ensuring that new developments are in keeping with the surrounding area.
- The demographics of Linton have not been reflected in housing provision. The elderly population is disproportionately high and set to increase. There are housing needs for the elderly, for their families to remain nearby to care for them.
- The hedges must be retained, improved and restored to provide a suitable buffer between housing and the rural landscape. Height and density of the western and northern hedges must be retained as the development must not impact upon or be visible upon the valued landscape area. Crown lifting to accommodate housing will impact upon the wider landscape
- There is no shown prediction of the height of housing compared to the height of hedges in the illustrative map. The visibility of housing would impact upon the wider landscape, and this needs to be carefully considered.
- The main objection to this development is that it will compromise the wider village landscape. We fought a public inquiries against speculative developers to retain the village at a reasonable and sustainable size.
- The major factor in having one appeal refused was the evaluation of the landscape and the effect of housing on that landscape. (see public enquiry report on the assessment of this landscape - Appeal Ref: APP/W0530/W/17/3179762, Land Off Back Road, Linton), Paras 15-38 of the decision are significant, and to quote the Inquiry decision -

Amongst other matters policy DP/3 of the Development Control Policies DPD (adopted 2007) states that development must not have an unacceptable adverse impact on the countryside, and landscape character. Policy NE/4 states that development will only be permitted where it respects and retains, or enhances, the local character and distinctiveness of the individual Landscape

The policy numbers might now be different, but the principles remain. This development will breach both of these policies.

- This site will stretch development up the hill, outside of the village envelope (which is now re-establish as the LP is back in place) and the planning balance for development to meet housing numbers no longer over-rides local issues..
- **The character of the village is that it nestles in the valley. Extending up the hillside will change that and give a precedent for more development.**

Responses to reports:

Design and Access Statement

2.2.1 Context - states that the village is well served by bus and rail services. Our own rail station closed some 40+ years ago, there is no rail line, and the nearest station is Whittlesford(?8 miles)

2.2.4 Social Context states that this is in a prominent position. That is exactly the problem - it will be prominent in the landscape, impact on the valued landscape, and will be visible over the long views and character landscape.

2.2.5 Economic Context notes that there will be employment for local trades in construction. The builder will have their own supply chains and staff, and local trades are already fully employed with building in this booming area. Linton business is already thriving.

3.31 - Public Involvement - The developer has listened to residents, but based on relatively few written comments or material planning considerations. LPC has concern as the

application went to SCDC in April last year but we only heard of the proposals in November, two days before we had the public meeting and presentation. Could we not have been involved sooner?

4.5- Scale and massing - the height of dwellings has the potential of being prominent in the wider landscape, particularly after conditioning ends or the management company fails. The impact on our valued landscape would greatly affect the sustainable future of our village

4.6- Landscape- it is not the landscaping within the site that is an issue so much as the effect on the wider landscape outside of the site, part of a define character landscape.

4.8.2 -Drainage- states that "*Surface water drainage will discharge to the proposed infiltration area in the south east corner of the site*". We assume that this will include the ditch adjacent to Rivey Lane. This does not discharge to a natural water course, and when it overflows (It will, we know the area!) it will make Rivey Lane unusable for the many walkers, and flood down the path to affect properties and areas lower on the slope. Otherwise it will affect gardens and houses adjacent.

6.1.3 States that "*The proposed drainage solution introduces a new infiltration ditch at the low point of the site to manage surface water run-off and percolation into the ground. This will also provide open space and create a habitat for fauna and flora. This area will link to the existing wildlife corridor along Rivey Hill*". We again assume that this is the area marked "ditch", overflowing onto Rivey Lane. The open area will be constantly damp-to-wet, like other nearby areas, providing a good habitat for species probably including *anopheles* mosquitoes, carrier of Fen Ague. It is unlikely to provide a safe area for play.

Other topics are dealt with in other comments, below.

Health Impact Assessment -

Section 2.11 - This rather underestimates the distance from the site to local facilities, particularly the village schools. It is unlikely that residents will walk to shops and other amenities, adding to traffic movements and congestion in the Conservation area.

Section 2.14 -has there been a housing needs survey? does the mix address our own village needs?

The comments from the Health Officer should be noted, especially that there should an analysis of the demographic, more houses built to standard (M4)2, housing for the elderly, and more aspects of sustainability. There are no bungalows or housing adapted for the elderly.

The affordability of the housing is related to commercial rental and house value. These rates are still high and probably unaffordable for those most in need.

2.19 - States that "*The proposed development will bring new residents and families into the village, who will be able to support the local economy, local schools and facilities and stimulate economic growth and prosperity*". Linton is already a thriving village, with oversubscribed schools and facilities. The need is for housing for Linton residents and those with close Linton connections. There are developments in the pipeline for those from outside the village.

2.23 - There are bus stops in the village, but the closest one has east-bound routes only. The other stops are outside sustainable walking distances from the site.

2.24- The site is outside the village boundary, without safe cycle routes around the village. The predominant mode of travel will be by car, as it is with current Paynes Meadow residents.

There is no direct access from the site to Rivey Lane, so pedestrians will have an indirect and less safe route to the amenities of the village, through the busy Chalklands estate.

Again, driving will be the preferred mode of travel on already busy roads.

2.36 to 2.40 - The site is far from the centre of the village, amenities and sports facilities. This would tend to lead to it being an isolated introverted community - much like the other proposed large developments outside of the village envelope.

2.41 - The site might be accessible to village services (healthcare, education, etc) but whether they will be able to use them, due to pressure of current need, is far from certain.

2.42 - Would the s106 contributions be able to cover the additional requirements of residents?

Transport Plan - the roads on Paynes Meadow are not currently adopted. The transport plan indicates that these would become retrospectively adoptable, as would the new roads on site.

There are no reported crash incidents in the area of PM for the last 5 years - but the many near misses and other traffic issues have not been able to be considered in this assessment.

Ecology - the hedgerows are important as screening, boundary and buffer zones between housing and rural landscape. We would need these to be preserved and improved beyond conditioning limits. The neglected hedge along Rivey Way - part of the Icknield way - should be returned to hedge height, laid (when age of current trees allows) and thickened. The hedge to the west needs to be maintained at current height with underplanting to screen any building from being seen from the Back Road, across the valued landscape and from the long views of the valley. Any impact on the valued landscape will have severe effects on this valued landscape, and the future of the village regarding speculative planning applications. Crown lifting is not part of correct hedge management.

Drainage report - The ground investigation report shows the make-up of the land - a lot of clay that is just about acceptable for shallow infiltration, but not good for deep soakage (note the failed infiltration tests at 2m depth) to most of the site.

There is chalk much closer to the surface in the SE corner where the proposed drainage ditch will be located. The reports of soggy gardens from the residents of nos 28, 29 and 30 Paynes Meadow would indicate that porosity is already inadequate in this area for such a feature. The additional burden of the water due to be fed to this area of the site is very likely to make this situation worse: the water from this ditch will infiltrate into this already wet area. While the report considers the likelihood of flooding from the river and from surface water, it does not acknowledge the many natural springs that rise to the surface further up the hill in Rivey Woods. These may not have been evident in November when the site testing was completed as we had a very long dry summer in 2018, but they were fully evident in late April after a long, wet period following "the beast from the East".

Contrary to the ground investigation report, there is local evidence of sinkholes in Linton, near Symond's House, on the Grip, etc. Some of the many potholes on the Chalklands roads might be due to the underlying water issues.

The drainage report is based on the porosity testing done at the end of November 2018. This is not ideal from a peak water table perspective. While there had been average rainfall in October and November, the preceding summer months had been unusually dry and we note that several tests still failed.

Archaeology Report - We note that there is no report, despite this site being close to Rivey Wood with known Neolithic roundhouses, the cropmarks indicating Roman Farmsteads nearby, and the wider Historic landscape of Back Road, Horseheath Road, Bartlow Road, Recreation Ground/LVC, Linton Heath, etc., with the inhumations, artefacts and Cursus.

The application is flawed and incomplete.

LPC Decision:

Whilst LPC appreciate the need for genuinely affordable homes in Linton for Linton people, the adverse effects of these plans, as presented, outweigh the possible benefits.

LPC Object and recommend this goes to SCDC Full Planning Committee.

South Cambridgeshire Hall
 Cambourne Business Park
 Cambourne
 Cambridge,
 CB23 6EA
 www.scambs.gov.uk
 0345 045 5215



South
 Cambridgeshire
 District Council

Kathryn Wiseman,
 Linton Parish Council Clerk
 Village Hall
 15, Coles Lane
 Linton
 Cambridge
 Cambridgeshire
 CB21 4JS

Planning and New Communities
 Contact: Michael Sexton
 Direct Dial: 01954 713417
 Direct Email: michael.sexton@scambs.gov.uk
 Our Ref: S/0670/19/FL
 Date: 19 June 2019

Dear Madam

Proposal: The construction of 26 Affordable homes including External works and Parking on land rear of No 8 to 30 Paynes Meadow Linton

Application Ref: S/0670/19/FL

Location: Land Rear of 24-27 Paynes Meadow, Linton, CB21 4JP

Applicant: Mrs S Moor, C/o Hundred Houses Society

The above planning application has been amended. A copy of the revised plans is attached.

Amended site layout and design and amended FRA/ Drainage Strategy

Any comments that your Parish Council wishes to make should be made on this form and returned to the above address not later than 14 days from the date of this letter. (You should note that at the expiry of this period the District Council may determine the application.)

Comments of the Parish Council:

** PLEASE SEE ATTACHED COMMENTS*

** LPC REFER TO SCDC FULL PLANNING COMMITTEE*

Recommendation of the Parish Council:- (please tick one box only)

Approve	<input type="checkbox"/>	Refuse	<input checked="" type="checkbox"/>	No Objections	<input type="checkbox"/>
---------	--------------------------	--------	-------------------------------------	---------------	--------------------------

Signed: Date: 15/7/19
 Clerk of the Parish Meeting Man of the Parish Meeting

EXPLANATION OF APPLICATION SUFFIX

- | | | | |
|----|---------------------------|----|--|
| OL | Outline | LD | Lawful Development Certificate |
| FL | Full | PA | Prior Notification of Agricultural Development |
| RM | Reserved Matters | PD | Prior Notification of Demolition Works |
| LB | Listed Building Consent | PT | Prior Notification of Telecommunications Development |
| CA | Conservation Area Consent | HZ | Hazardous Substance Consent |
| AD | Advertisement Consent | VC | Variation or Removal of Condition |
| | | DC | Discharge of Condition |

Privacy Notice

Who we are

This privacy notice explains how the Greater Cambridge Planning Service uses information in the course of providing planning services to Cambridge City and South Cambridgeshire District Councils. This work includes:

- Making decisions and providing advice on planning applications
- Making planning policies
- Working with neighbourhoods on their plans
- Working with neighbouring authorities on strategic policies
- Responding to allegations of unlawful development
- Monitoring development
- Entering legal agreements, serving notices and promoting the best use of land

Why we require this personal information?

We require personal data to process comments so that we know where the comment or information came from and can weigh the relevance of any comments made. We may use the information provided to contact you about the application you have commented on.

What we do with this information

This information will be used by Cambridge City and South Cambridge District Councils in determining an application for planning permission. This function is known as a "public task" and is why we do not need you to "opt in" to allow this information to be used.

We process this information as a (Public task) Statutory Duty as laid out in the Town and Country Planning Act and we cannot process your comments unless you provide this personal information. If you do not or if you refuse to allow us to share information we will not be able to carry out the service for you.

We may process the information you provide to prevent and detect fraud in any of our systems and may supply information to government agencies, credit reference agencies, audit or other external bodies for such purposes. We participate in the governments National Fraud Initiative.

As we process this information as a statutory duty you hold the following rights with regard to the personal data provided to us when making comments:

Recommendation of the Parish Council:- (please tick one box only)

Approve		Refuse	<input checked="" type="checkbox"/>	No Objections	
---------	--	--------	-------------------------------------	---------------	--

Signed: Date: 15/7/19

Clerk of the Parish Meeting of the Parish Meeting

EXPLANATION OF APPLICATION SUFFIX

<p>OL Outline</p> <p>FL Full</p> <p>RM Reserved Matters</p> <p>LB Listed Building Consent</p> <p>CA Conservation Area Consent</p> <p>AD Advertisement Consent</p>	<p>LD Lawful Development Certificate</p> <p>PA Prior Notification of Agricultural Development</p> <p>PD Prior Notification of Demolition Works</p> <p>PT Prior Notification of Telecommunications Development</p> <p>HZ Hazardous Substance Consent</p> <p>DC Variation or Removal of Condition</p> <p>DE Discharge of Condition</p>
---	--

Right to Access – You have the right to access (receive a copy) of your personal data and supplementary information.

Right to Rectification – You have the right to have any inaccurate or incomplete personal data rectified.

Right to Restriction – You have the right to request a restriction of the processing of your personal data in situations where it is inaccurate, unlawful, and no longer needed for the purposes for which it was originally collected, or if a withdrawal of consent has been made.

The comments provided will form part of our public register of applications and, as such, will be open to public inspection at our offices and on our website and your comment will be attributed to your address. However, personal information including your name and contact details will be redacted in line with our redaction policy. In the event of an appeal, representations will be forwarded to the planning Inspectorate and the appellant. The planning Inspectorate may publish appeal documentation, including copies of representations received.

How we share this information

We do not sell information to other organisations. We do not move information beyond the UK. We do not use information for automated decision making.

We sometimes need to share the information we have with other departments within our Councils, for example to establish how long a building has been used as a dwelling or if you object to a proposal on noise grounds and we feel Environmental Health should be aware.

Redaction ('blinking things out')

We operate a policy where we routinely redact the following details before making forms and documents available online:

- Personal contact details – e.g. name, telephone numbers, email addresses
- Signatures
- Special Category Data - e.g. supporting statements that include information about health conditions or ethnic origin

Retention ('how long we keep your information for')

The Town and Country Planning Act requires us to hold most types of applications on our public register permanently. You can find out more by looking at our Retention Policy on our web sites.

Recommendation of the Parish Council:- (please tick one box only)

Approve	Refuse	<input checked="" type="checkbox"/>	No Objections
---------	--------	-------------------------------------	---------------

Signed: Date: 15.7.19
Clerk of the Parish Meeting

EXPLANATION OF APPLICATION SUFFIX

OL	Outline	LD	Lawful Development Certificate
FL	Full	PA	Prior Notification of Agricultural Development
RM	Reserved Matters	PD	Prior Notification of Demolition Works
LB	Listed Building Consent	PT	Prior Notification of Telecommunications Development
CA	Conservation Area Consent	HZ	Hazardous Substance Consent
AD	Advertisement Consent	VC	Variation or Removal of Condition
		DC	Discharge of Condition

Complaints and problems

You can find out more about how we handle your data by visiting the Councils Privacy Notice page on the web site

If you think we have got something wrong or if you are concerned with the way we are handling your data please contact us by emailing applicationsupport@cambridge.gov.uk for Cambridge City applications and planning@scambs.gov.uk for South Cambridgeshire District applications. Alternatively you can call us on the numbers above.

If you have a query regarding your rights please contact the Data Protection Officer who can be contacted by emailing infogov@3csharedservices.org or you can write to the Council and mark your letter for the attention of the Data Protection Officer. Alternatively you can call 07864 604221 or 01954 713318.

If we fail to respond properly you can direct your concerns to the Information Commissioner's Office (ICO).

Recommendation of the Parish Council:- (please tick one box only)

Approve	<input type="checkbox"/>	Refuse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No Objections	<input type="checkbox"/>
---------	--------------------------	--------	--------------------------	-------------------------------------	---------------	--------------------------

Signed: Date: 15/7/19

Clerk of the Parish Meeting Chairman of the Parish Meeting

EXPLANATION OF APPLICATION SUFFIX

OL	Outline	LD	Lawful Development Certificate
FL	Full	PA	Prior Notification of Agricultural Development
RM	Reserved Matters	PD	Prior Notification of Demolition Works
LB	Listed Building Consent	PT	Prior Notification of Telecommunications Development
CA	Conservation Area Consent	HZ	Hazardous Substance Consent
AD	Advertisement Consent	DR	Variation or Removal of Condition Discharge of Condition

LPC Comments: There have been some amendments to the housing designs and layout, but these are insufficient, do not meet the recommendations of the Design Group and adversely affect the valued landscape. Serious concerns remain.

Please refer to the original comments submitted by LPC, as most of these still stand.

The major concern is the effect of housing being visible over the long views of the valued landscape especially as seen from Back Road. The site would also be visible from Balsham Road and across the wider landscape of the Granta Valley. Any compromise to the valued landscape by development up the slope would jeopardise the defence against speculative development, such as we have endured recently.

Layout and landscape impact

- The advice of the urban design group and landscape team appears to have been ignored - that there should be no more than 22 houses and that those on the western edge (closest to the open fields) should be bungalows, to minimise impact on the views from Back Road and across the wider valued landscape.
- In fact the number of houses has not been reduced and the houses along this edge now appear to be higher, 2-storey, dwellings.
- There appears to have been no attempt to "settle" the houses on the western edge into the contours of the hillside.
- These houses would be visible over the landscape and this is not acceptable
- The section plans appear contradictory, yet both still show proposed housing visible above hedges and hillside. Please note that the height of hedges is not permanent and any reduction, die back and loss of trees would result in housing having more impact.
- The major factor in having one appeal refused was the evaluation of the landscape and the effect of housing on that landscape. (see public enquiry report on the assessment of this landscape (Appeal Ref: APP/W0530/W/17/3179762, Land Off Back Road, Linton), Paras 15-38 of the decision are significant, and to quote the Inquiry decision -
Amongst other matters policy DP/3 of the Development Control Policies DPD (adopted 2007) states that development must not have an unacceptable adverse impact on the countryside, and landscape character. Policy NE/4 states that development will only be permitted where it respects and retains, or enhances, the local character and distinctiveness of the individual Landscape
The policy numbers might now be different, but the principles remain. This development will breach both of these policies.
- A revised Design and Access statement does not appear with the amendments, indicating that there has been no assessment of how the development will affect the landscape and National Character Area.
- This site will stretch development up the hill, outside of the village envelope (which is re-established as the LP is now in place) and the planning balance for development to meet housing numbers no longer over-rides local issues.

Section plans - Comments specifically in relation to the new street elevation and section drawings:

- Plots 17 and 18 are not included in the "left to right" elevation which stops at plot 16 and yet the topographical plan shows a further rise towards this end. In this view, the plots are shown as being taller than the hedgerow behind. This is the boundary hedge visible from the Icknield way between the bench and the water tower.
- The street elevations of plots 18, 19, 20 and 21 again show these buildings as taller than the hedgerow behind them. This is the boundary hedgerow to the western side of the site - up the hill.
- The section drawings then inconsistently show these buildings not only being lower than the boundary hedge, but also being lower than the field to the other side of the hedge.
- Attached are 3 views taken from the Icknield way. View 1 is taken from approximately the site of the section provided by the applicant. View 3 is taken from the top of the hill and View 2 is approximately half way between the two. The trees that are the boundary to the site are consistently visible in all these views, (as they are for the majority of the walk up the hill except in places where there is hedgerow to the right side of the path (as you walk up the hill)).
- From view 1: the green hedgerow does not continue beyond the site as shown in the applicant's section, the tree-line that surrounds the new part of the site is particularly patchy towards the top of the site meaning any building behind this point could be visible (the topographical plan shows a

continued rise in the land behind these trees), and the enormous hill that appears on the section drawings has been very much exaggerated.

- From view 2: the thinning of the hedge is visible (just!) in the centre of the picture, it is clearer in the close-up taken from the same spot.
- From view 3: existing buildings in Paynes Meadow are visible to the edge of the woods. From the colour of the roof in the close-up I think this is nos 24-27. These are visible to the naked eye from the top of the footpath. There is no doubt that new two story buildings along this boundary will be extremely visible from this part of the Icknield Way.

Hedges, Trees and landscaping

- The site depends upon the current trees and ancient hedging to screen the proposed houses. We note that many of these are in poor condition and with sparse foliage.
- Hedges that form boundaries of gardens cannot be adequately protected and there is a strong possibility that these will be reduced in height over time, losing the necessary screening. This particularly relevant for houses 18-21.
- The section plans appear to show houses visible above the current tree/hedge line, and thus visible across the valued landscape.

House designs

- There have been some changes, in response to comments, but the recommended bungalows at the western edge have been ignored.
- Having slate roofs at 30 degrees would reduce the height of individual houses and should be considered. That angle would still give good proportions - there is a fair amount of slate in the village from 19th century onwards, as a precedent. This angle would better suit the neo-Georgian style of the houses. (and reduce potential for permitted development of loft space that would impact on neighbours)
- If the pitch of slate was reduced to 22½ degrees the height would be reduced but large gables would emphasise their width. It would look much better to stay with a 'perfect' Georgian proportion, but with houses settled deeper into the landscape and contours.
- The houses appear to be small (50m² for a 2-bedroom flat) which appears inadequate for the needs of modern residents.
- We have seen recent discharge of conditions that have allowed wholly inappropriate materials to be used in highly visible and sensitive areas of the village. LPC need to be consulted on materials and discharge of conditions.

Parking and highways

- The parking on site might meet current standards, but current parking on Paynes Meadow is not sufficient for their own residents and visitors. Additional traffic will impact on road safety within the Chalklands estate.
- To meet parking space numbers, spaces are proposed to be created on Paynes Meadow, with loss of places for current occupants i.e. outside the red line of the application site.
- To form 3 parking bays from the current turning head, there is a loss of both the turning head (often used as 2 parking bays) and pavement, affecting pedestrian safety.
- It is not appropriate that parking from the proposed site should be situated on the current site, with turning heads for the current site now placed on the proposed site.
- Has sufficient provision been made for wide disabled parking spaces?

Drainage

- The site is located over a Principal Aquifer and within a Source Protection Zone, as such, surface water drainage and pollution of the water source are key issues.
- The Rossi-Long report 6.3 shows a map of surface water flood risk. The flooding potential of the site would not be on this map as it is currently open field and would not been part of a flooding assessment.
- The site might be in flood zone 1 for river flooding, but the Chalklands area is at risk from surface water flooding, which regularly happens. Building here would exacerbate that risk as green soakaway is replaced with hard surfacing.
- The drainage/flooding report has acknowledged the issue of surface water run-off and floods from the natural springs. The springs occur at the junctions of clay and underlying chalk and can appear in response to rainfall and changes in the level of the water table.

- The ground investigation report shows the make-up of the land - a lot of clay that is just about acceptable for shallow infiltration, but not good for deep soakage (note the failed infiltration tests at 2m depth).
- The drainage report is based on the porosity testing done at the end of November 2018. This is not ideal from a peak water table perspective. It was wetter in October and November than in December and January, after a long and very dry summer. We note that several tests still failed.
- 6.5 states that there has been no major flooding in the area of the site. This is because the water flows downhill into neighbouring gardens, down the Chalklands roads and Rivey Lane to flood lower down the slope and into the village. In 2001 in particular, these roads and Lanes flowed like rivers. Gardens near the cemetery can be flooded during modest rainfall
- There is chalk much closer to the surface in the SE corner where the proposed drainage ditch will be. The reports of damp and waterlogged gardens from the residents of nos 28, 29 and 30 would indicate that porosity is already inadequate in this area. There is evidence of sinkholes in Linton, near Symond's House, on the Grip, etc. The many potholes on Chalklands roads are probably due to the underlying water issues.
- We are not confident that a suitable solution to drainage issues has been found.
- The SUDs plans still include a ditch that does not discharge to a natural watercourse - an essential feature. When this overflows, it will drain onto Rivey Lane, a much used walking route. This is not practical. Otherwise it will drain to neighbouring gardens and houses.
- There appears to be no provision, as yet, for the maintenance of the ditch and other parts of the drainage scheme.
- The safety of the ditch is questioned - as it would be damp-to-wet most of the year this would not be a good place for children to play, and a good breeding ground for mosquitoes (Anopheles sp are still present - carrier of Fen Ague, a type of malaria)
- Any floodwater sent into main drains would add to the overloading of the current sewer/drain system - as happens currently towards the centre of the village.

Water and drains

- The availability of water appears to have been referred to Anglian Water, rather than to Cambridge water. There has therefore been no proper consultation
- Foul waste - the local water recycling facility might have capacity, but the main sewage piping system in the village (into which the sewers will feed) is already over loaded, leading to overflow and blockages within the village (Back Road, Symond's Lane, Balsham Road, etc)

Sustainability and connectivity

- Linton has recently had a number of infill developments, and OL permission given for up to 55 houses on one site and up to 42 on another. Recently another 6 flats have been proposed as re-development of a listed building, houses on the Van Centre site, plus several individual infill houses and expansion of current housing. The cumulative effects of this development along with recent and forthcoming housing should be taken into consideration regarding provision of infrastructure, facilities and services.
- The site is far from village facilities. The connectivity with the village has been lost as the path directly to Rivey Lane has been removed. Pedestrians will now access the short-cut over the open land at Paynes Meadow (belonging to LPC) to Chalklands affecting privacy of current housing, or through the ancient hedge at Paynes Meadow. We request that a formal route to Rivey Lane should be re-established, that can be suitably maintained.

Housing needs survey

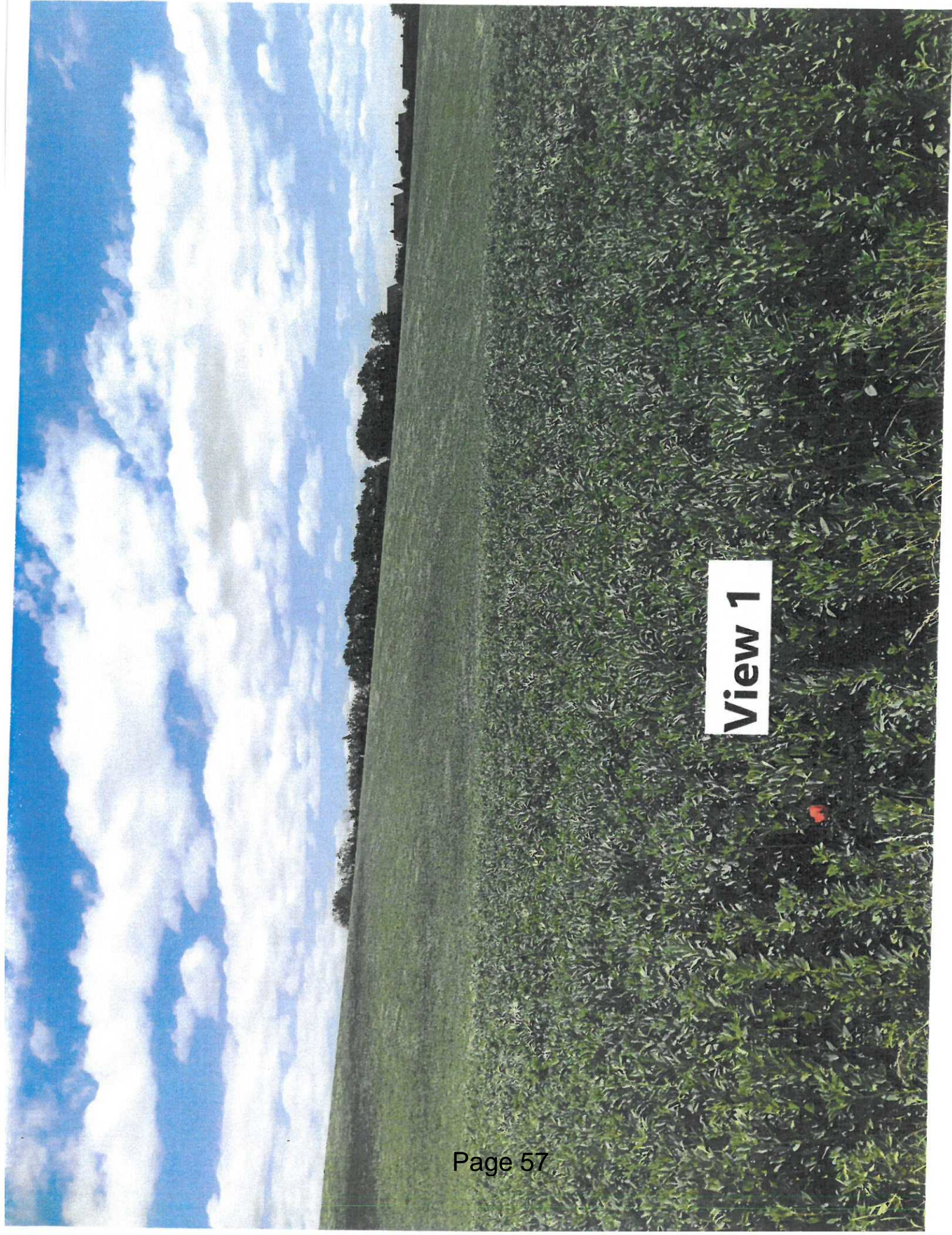
- A housing needs survey has been completed in response to this application - thank you.
- The demographics of Linton show that the elderly population is disproportionately high and set to increase. There are housing needs for the elderly, for their families to remain nearby to care for them. Bungalows and smaller homes (flats and maisonettes) are needed, which are not adequately reflected in the proposed housing mix, neither are there homes for the less able (we only have 3 Papworth homes in Linton)
- The housing to the west of the site have been recommended to be bungalows, to lessen impact on the valued landscape. The need for bungalows (including privately owned homes) is supported by the housing needs survey.

- We note that there is no report, despite this site being close to Rivey Wood with known Neolithic roundhouses, the cropmarks indicating Roman Farmsteads nearby, and the wider Historic Landscape of Back Road, Horseheath Road, Bartlow Road, Recreation Ground/LVC, Linton Heath, etc., with the inhumations, artefacts and Cursus.

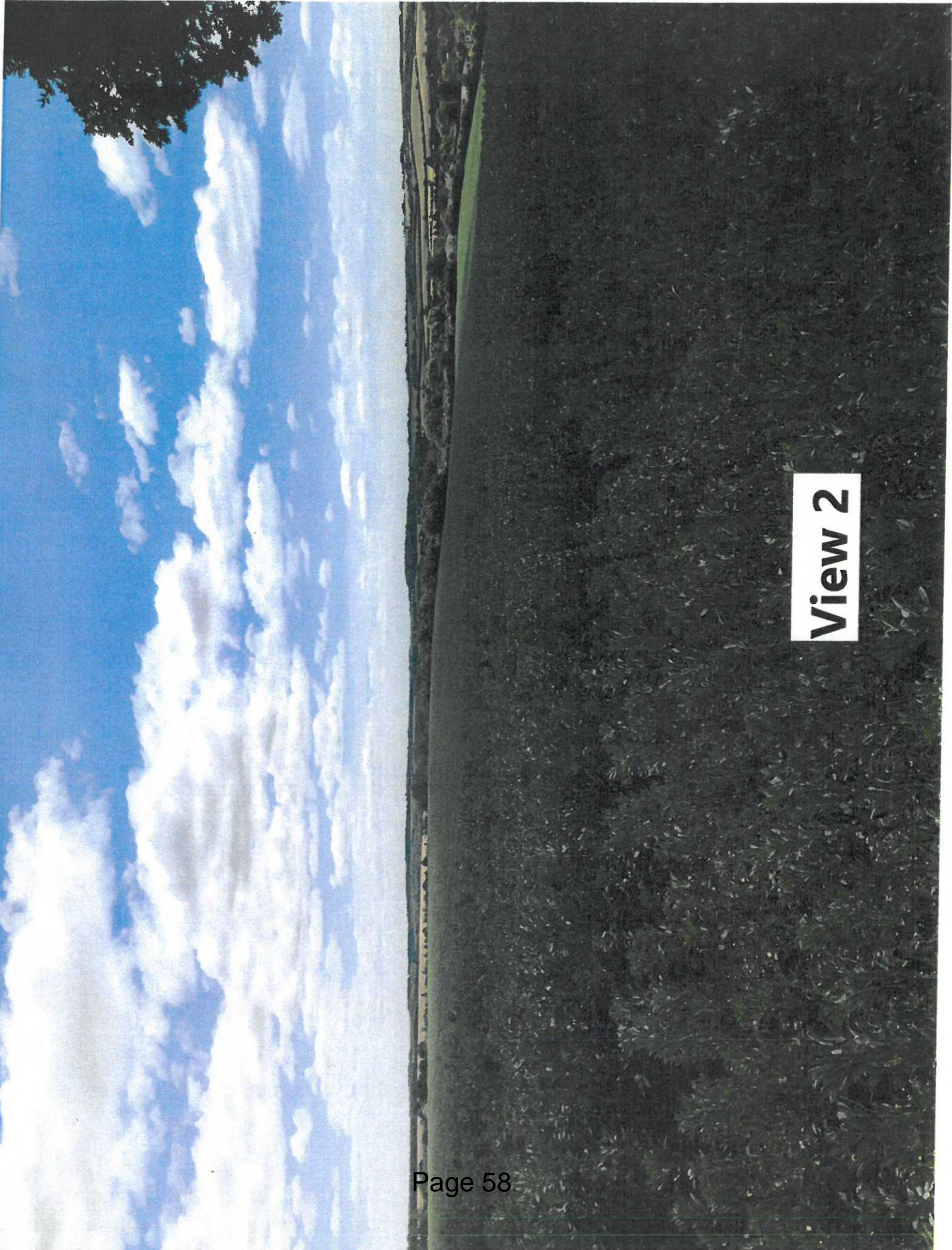
Conclusions

- The character of the village is that it nestles in the valley. Extending up the hillside will change that and give a precedent for more speculative and unsustainable development.
- The proposed new development does not respect, retain or enhance the local character and distinctiveness of the local landscape and the individual National Character Area in which it is located.
- The recent amendments do not meet the recommendations of the design group and the effect on the landscape has been worsened by the amendments.
- Whilst we appreciate the need for genuinely suitable and affordable homes in Linton, for Linton people, the adverse effects of these plans, as presented, outweigh the possible benefits.

LPC Decision: To continue to Object and refer to SCDC Full Planning Committee.



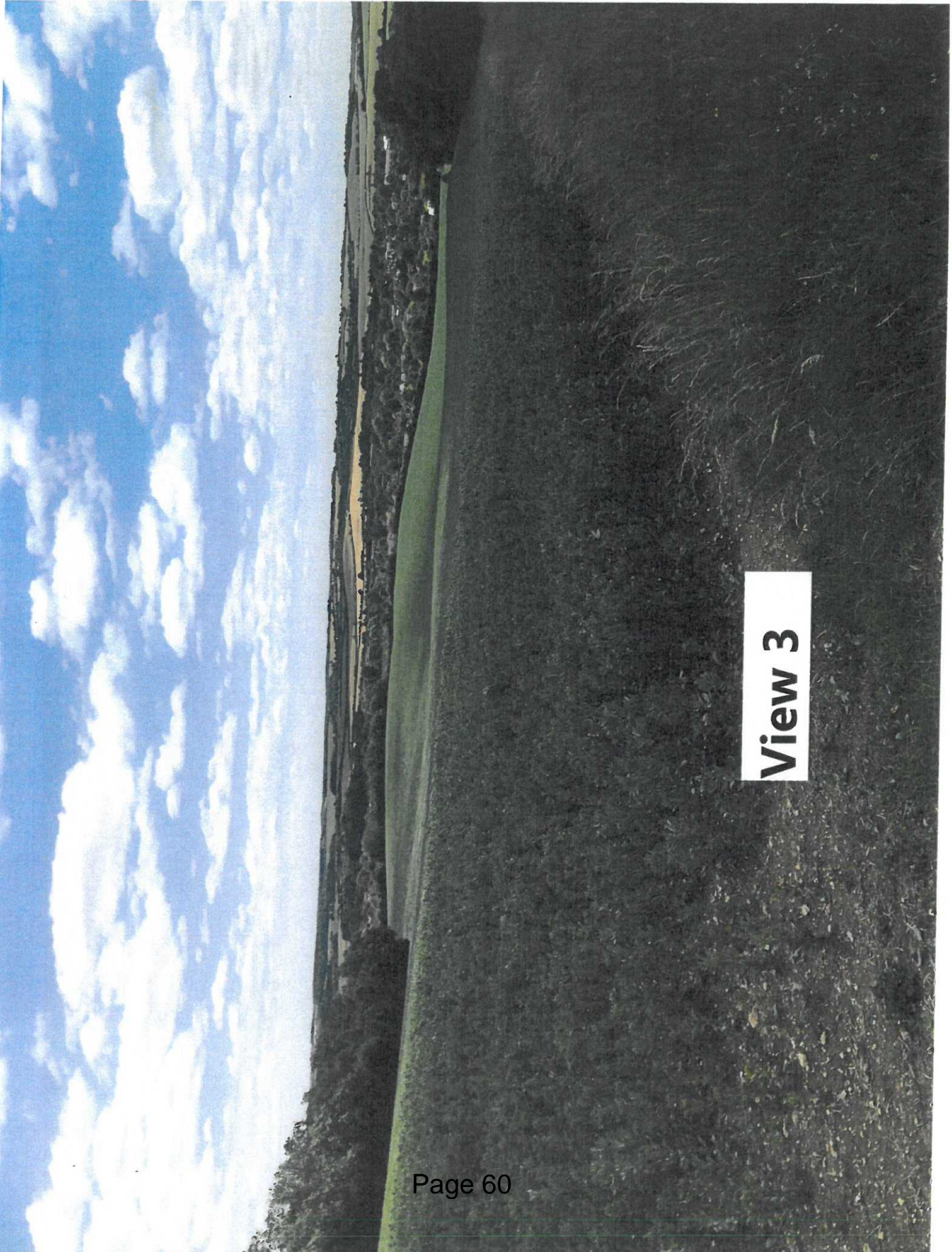
View 1



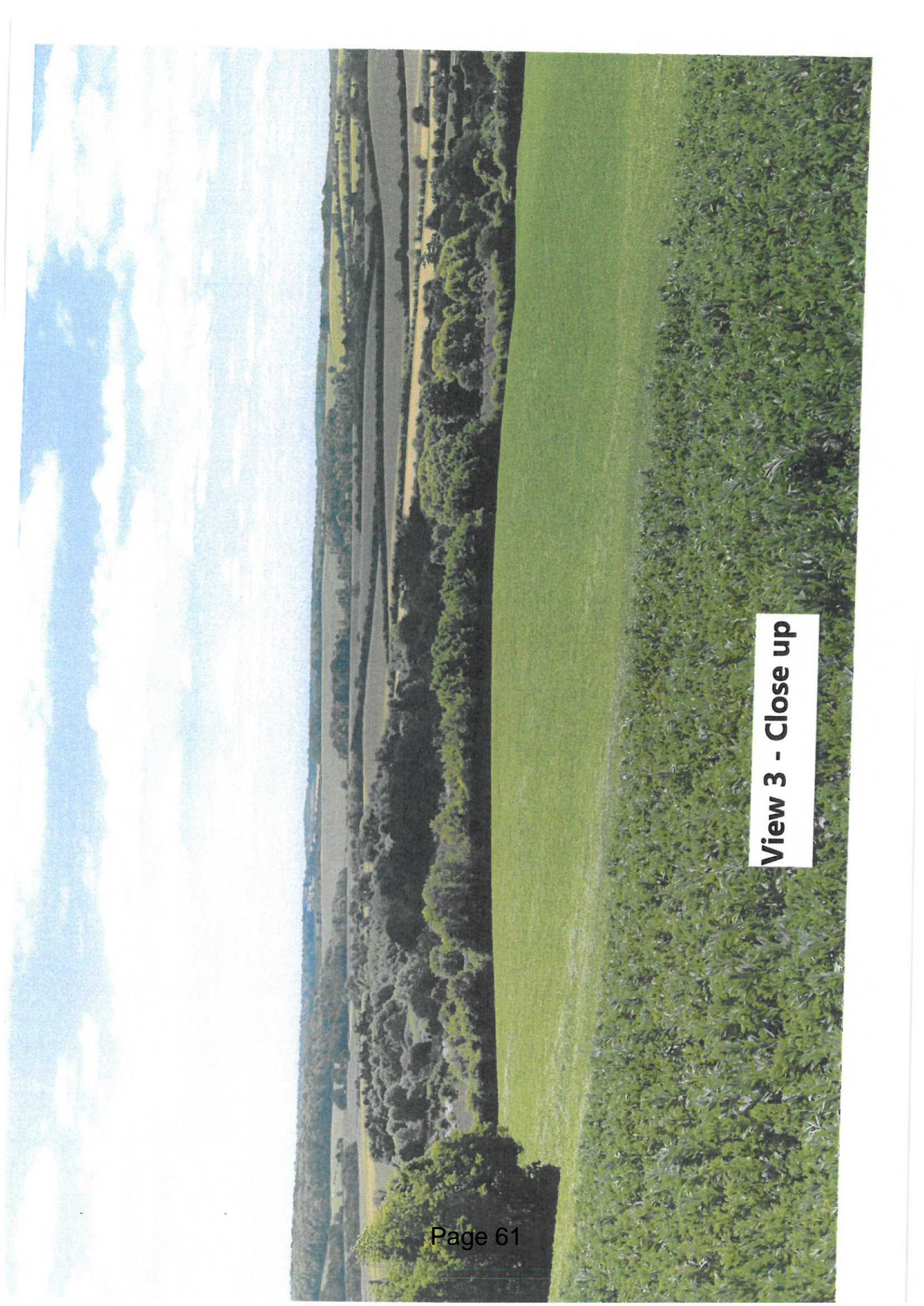
View 2



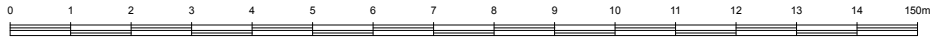
View 2 - close up



View 3



View 3 - Close up



FOR INTERNAL USE ONLY

Scale - 1:1250

Time of plot: 11:37

Date of plot: 21/11/2019



South
Cambridgeshire
District Council

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 11 December 2019
AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/1782/19/FL

Parish(es): Stapleford

Proposal: Demolition of existing outbuilding and construction of 3 bed detached dwelling, retention of existing public house, and alterations to the internal layout at ground and first floor

Site address: 9, Bar Lane, Stapleford, Cambridge, Cambridgeshire, CB22 5BJ

Applicant(s): Mr Steve Bell

Recommendation: Approval subject to conditions

Key material considerations: Principle of Development
Impact to Community Facilities
Design and Character
Highway Safety and Parking

Committee Site Visit: 13 August 2018

Departure Application: No

Presenting Officer: Aaron Sands, Senior Planning Officer

Application brought to Committee because: In the interests of the wider public interest, and in the interest of transparency and openness as the Council has considered a compulsory purchase of the pub, which was considered at scrutiny committee on the 13 June.

Date by which decision due: 30 July 2019

Executive Summary

1. The application proposes the erection of a single dwelling in the car park of the Tree pub an Asset of Community Value, following the demolition of existing letting rooms on the site. Internal works are proposed to the pub itself in order to retain the diversity of services the pub currently offers.
2. The application has previously been subject to a dismissed appeal on the basis of a dwelling and a replacement of the pub, notably on the basis that the services offered would be lost within the pub. For comparison, that application would have provided effectively a bar use only.

3. Officers consider that, on balance, the proposed development would not result in a material loss of a valued community facility, and while it would result in the loss of the pub car park, the scale of that area is not so significant that it would be materially harmful in terms of highway safety.

Planning History

4. S/1630/17/FL - Erection of a new Public House building along with a pair of residential dwellings following demolition of existing buildings on the site. Refused. 11/10/2017. Dismissed at Appeal. 03/07/2018. Appeal Decision Available as Appendix B.
5. S/2233/16/OL – Outline planning permission with all matters reserved for the demolition of the former public house and erection of two dwellings. Withdrawn. 15/11/2016.
6. S/2674/14/FL – Alterations and Conversion of Public House to Dwelling following Demolition of Existing Extension and Erection of New Dwelling following Demolition of Existing Outbuilding. Withdrawn. 20/07/2015.
7. S/0877/08/F – Erection of Timber Shelter. Approved. 09/07/2008.
8. S/1829/06/F – Conversion of Outbuilding into 2 Letting Bedrooms. Approved. 29/11/2006.
9. S/1812/00/F – Extension. Approved. 12/12/2000

Site Constraints

10. The application site comprises a public house, The Tree, a designated Asset of Community Value (AOCV), located within the Development Framework of Stapleford. To the immediate south of the Site is a Grade II Listed Building, with a further Grade II Listed Building beyond that, nos. 7 and 5 Bar Lane respectively. The surrounding area is predominantly residential in character, though there are some shops to the south and the primary school to the north along Bar Lane. There is a significant variation in design and appearance in the built form within the area.
11. The pub itself is set close to the road, with small pub gardens to the front and rear of the site, and with a parking area serving the pub to the northern side of the site, along with 2no. letting rooms in the north west corner.

Proposal

12. This application proposes the demolition of a pair of letting rooms within an outbuilding to The Tree and the erection of a single dwelling on the site of those outbuildings and on the pub car park, along with associated external alterations, and the alteration of part of the ground floor and part of the first floor of the pub to provide 2no. letting rooms.
13. The dwelling measures approximately 6.6m in height to the ridge, 4.4m in height to the eaves, 12.4m in overall depth and 10.4m in overall width, proposed in an L-shape. Parking for the dwelling is provided in front of the dwelling itself, with an area of parking for deliveries to the pub located between the dwelling and the pub.

Relevant Policy

14. National Guidance

National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (NPPG)

15. South Cambridgeshire Local Plan 2018

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/8 Rural Centres
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Water Efficiency
CC/5 Sustainable Show Home
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/14 Heritage Assets
H/8 Housing Density
H/9 Housing Mix
H/12 Residential Space Standards
SC/3 Protection of Village Services and Facilities
SC/6 Indoor Community Facilities
SC/7 Outdoor Play space, Informal Open Space, and New Developments
SC/9 Lighting Proposals
SC/10 Noise Pollution
SC/11 Land Contamination
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/10 Broadband

16. Supplementary Planning Documents (SPD)

Open Space in New Developments SPD – Adopted 2009
Landscape in New Developments SPD – Adopted 2010
Biodiversity SPD – Adopted 2009
District Design Guide SPD - Adopted 2010
Cambridgeshire Flood and Water SPD – Adopted 2016

Consultees

17. **Parish Council** – Strongly objects. The building and site are listed as an Asset of Community Value. The Parish Council questions the timing of the application, received one day before Scrutiny Committee. The three main issues with the application are;

- There is no disabled access.
- The car parking is very limited and will lead to congestion on an already busy road.
- The proposal would lead to a lack of commercial viability for the pub.

18. **Local Highway Authority (LHA)** – No objection subject to conditions requiring pedestrian visibility splays, that the access is constructed of a bound material and in such a manner to prevent surface water draining onto the highway and seeking to control the timing of muck away lorry movements. The dimensions of parking spaces should be shown. The new dwelling may create additional on-street parking demand. While this would not result in any significant adverse impact upon highway safety, there is potentially an impact to residential amenity which the LPA may wish to consider.
19. **Environmental Health Officer** – No objection subject to conditions restricting construction hours and burning of waste material on site.
20. **Drainage Officer** – No objection subject to a condition requiring a scheme for the disposals of foul and surface waters to be submitted to and approved by the Local Planning Authority.
21. **Ecology Officer** – No objections subject to conditions requiring appropriate mitigation in accordance with the submitted reports and a scheme of ecological enhancement to be provided. The report has identified roosts, but no further surveys are required. Natural England would likely require further survey information prior to the licence application, but no further surveys are required by the local planning authority.
22. **Historic Buildings Officer** – Objection on the basis of the scale of the new building and its impact on the setting of the listed buildings and the street scene. The building should be reduced in scale such that it does not visually compete with the listed buildings and pub. This should see a reduction in the height of the building and a consideration of scale.

Representations

23. 28no. objections received incorporating the following summarised material planning considerations;
 - The Tree is an Asset of Community Value.
 - The loss of car park will place great pressure on on-street parking in the area, which is already congested, particularly due to the school and the nearby shops.
 - The increased parking on the roads will make it unsafe for pedestrians and cyclists in the area.
 - The access to the dwelling is on a T-junction which will be unsafe for cars entering and leaving.
 - There is insufficient parking proposed for the dwelling and the pub.
 - The pub provides an important social meeting place within the village that would be lost.
 - There is no access for disabled visitors to the letting accommodation.
 - The pub garden and bin store to the rear will cause noise, disturbance and odour issues for properties to the rear of the pub.
 - The manager's accommodation is being downgraded and would not support any families to run the pub.
 - The development is not in keeping with the area, and the older properties surrounding the site.
 - The pub should be retained, not demolished or replaced.
 - The bin store cannot be accessed without moving people in the pub garden.
 - The proposed dwelling will be overbearing on neighbouring properties.

- The site is not of sufficient space to accommodate the dwelling and the density is out of keeping with the street scene.
 - The submitted bat report is out of date and incomplete.
 - The demolition of the letting rooms and the alterations to the pub will make it less viable to run as a pub.
 - The pub has been a successful commercial enterprise.
 - There is no justification for changing half the site into a residential use.
 - The proposed dwelling will adversely impact the setting of the listed buildings.
24. 2no. representations received incorporating the following summarised material planning considerations;
- The application does not sufficiently answer the previous reasons the appeal was dismissed.
 - The current proposal compromises the services offered by the pub to the extent that it is unlikely the business would be commercially viable through the loss of the ground floor accommodation.
 - The first floor letting accommodation create difficult access and prevent disabled access.
 - The loss of storage accommodation will limit the ability to provide food and catering services.
 - On-street parking is very limited in the area and the loss of the car park would exacerbate parking issues.
 - The car parking area provides both parking facilities and space for village functions, which would be lost.
 - There is limited access to the rear of the pub and deliveries would prove difficult.
 - The size of the manager's accommodation would prevent families choosing to run the pub.
 - A decision needs to be reached for this development as the site is becoming an eyesore and is deteriorating.
25. The following summarised matters have been raised that are not material planning considerations. Officer notes are *italicised where relevant for information*;
- Concern regarding compliance with building regulations. *Matters of building regulations are separate legislation and are therefore not material to this decision.*
 - Future intentions of the developer. *The application must be assessed on its own merits, and the future intentions of the developer with regard to any further development is not a material planning consideration.*

Planning Assessment

26. The key considerations in this application are;
- Principle of Residential Development
 - Impacts to Community Facilities
 - Design and Character
 - Heritage Assets
 - Highway Safety and Parking
 - Ecology and Protected Species
 - Residential Amenity
 - Other Matters

Principle of Residential Development

27. This section is aimed to consider the principle of residential development of the site itself in terms of location, use and amount. Matters in relation to the pub itself, such as its service offer and its capability to continue to operate, are dealt with in the section below.
28. The application site is located within the Development Framework of a Rural Centre, where residential development of any scale is supported in principle by policies S/7 and S/8. The proposed residential development represents an approximate density of 40 dwellings per hectare, considered to be appropriate in this central area of a Rural Centre, as one of the most sustainable villages within the district, and reflective of what is a higher density in the surroundings. The principle of residential development on the site, is therefore considered to be acceptable, and accord with policies S/7, S/8 and H/8.

Impacts to Community Facilities

29. The existing site comprises a pub which is registered as an AOCV. Given its status and the level of local objection to the proposal, it is clear that the pub is of significant local value as a community facility. The pub appears to have previously operated in a viable manner some years ago, and officers note a significant number of objections in relation to its value to the community and the previous contribution the pub made to the vitality of the village. As it stands, there are a number of elements to the pub, which offers;
- Bar and approximately 73m² of associated bar space
 - Kitchen
 - 2no. letting rooms in a separate building (both at the ground floor)
 - A 3-bed manager's flat
 - Pub garden
 - Parking and manoeuvring area providing approximately 5no. spaces
30. The application proposes the demolition of the letting rooms and internal alterations to the pub itself to facilitate the introduction of those rooms. The resultant offer of the pub would then amount to;
- Bar and approximately 65m² of associated bar space
 - Kitchen
 - 2no. letting rooms within the building (one at ground floor and one at first floor)
 - A 1-bed manager's flat
 - Pub garden
 - Tandem parking area providing 2no. spaces
31. Officers note the appeal previously dismissed (ref. S/1630/17/FL) included a replacement to the existing pub. For comparison, this offered;
- Bar and approximately 77m² of associated space
 - Pub garden
32. Policy SC/3 states that proposals will be resisted where the loss of a community or service facility that results in an unacceptable reduction in the level of provision in the locality. It is clear, both from the status as an AOCV and the level of representation submitted, that the pub is a valued community facility that has a high potential to contribute to the social amenity of the local population. Officers note there are other pubs in the surroundings within walking distance (namely the Rose and Three Horseshoes), and that are well situated within the village in general. That said,

officers understand they offer different services than The Tree, notably a lack of overnight accommodation, based on the details provided on respective websites. The comments of the planning statement, which have provided indication of alternative overnight accommodation within Stapleford.

33. On the whole, the application would result in the loss of a small area of the bar space, a reduction in the number of bedrooms available in the manager's flat, and the reduction of 3no. parking spaces. Officers do not consider the reduction in the bar space or parking would materially impact the function of the pub itself, given the small scale of the loss and as set out in the below comments in respect of highway safety and parking. A number of comments have objected to the alteration to the manager's accommodation, on the basis that it would not be attractive for families and limit prospective employees. In terms of the accommodation, officers note that, as internal alterations, the reduction in space would not be development, and could be carried out without any consent from the LPA. That said, as the works would be necessary to ensure the minimal loss of offer of the pub, a condition could be imposed that would require the works to be carried out by the developer.
34. The accommodation would be reduced in scale, but no evidence has been provided that demonstrates what the impacts would be, in any sense, in the pub attracting a manager. Officers also note this does not preclude a manager living off-site. While comments have been submitted indicating that this would reduce the attractiveness of the site for families, officers do not consider that to be a material consideration in itself. Officers consider the test to be whether the accommodation offered would make it impossible to attract a manager such that it would threaten the operation of the pub.
35. Assuming the works were to go ahead, given the controls that could be imposed, the predominant mix of the offer of the pub services would remain. The loss of those external areas is not considered significant, as the pub will still retain a garden of a similar scale and the wholly limited parking area does not provide a significant level of space in any event. In accordance with policy SC/3, the specific test to be considered is whether the works would lead to an *unacceptable reduction in the level of provision*, which does not preclude any change or works.
36. There remain alternative pubs in the surroundings which offer food and bar services. The proposed alterations would retain the letting accommodation, and officers note there is evidence of alternative accommodation. The manager's accommodation would be reduced in the space provided, but officers are not convinced that this would be of such a level that it would preclude attracting a manager, particularly as there is a very real prospect of alternative accommodation than just residing in the pub itself. While there is a reduction in external space, the garden remains, and the space lost, as predominantly a parking area that accommodates a very limited number of vehicles, is not considered to be materially harmful to the potential running of the pub.
37. On whole, therefore, officers consider the limited reduction in the services offered within the pub are acceptable, and the proposal would accord with policy SC/3.

Heritage Assets

38. In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard must be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposed dwelling is located to the north of the existing pub,

considered to be a non-designated heritage asset. To the south of that building is a pair of Grade II listed dwellings, both 1½ storey cottages presented side on to the road with the gable end immediately adjacent the footpath. A previous appeal (S/1630/17/FL) on the site was dismissed on the basis of the competition between what was proposed as a replacement to the pub and the listed buildings, particularly by virtue of the replacement's scale.

39. The historic buildings officer has raised an objection on the basis that the scale of the proposed dwelling would appear dominant in relation to the pub, considered to be a non-designated heritage asset. Officers note there was no objection to the previous application to the demolition of the pub, and this was not a matter raised as part of the appeal. Notwithstanding, the application has been revised since submission to reduce the ridge and eaves heights below the height of the pub adjacent.
40. In its amended form, officers consider the revised plans, reducing the height, coupled with the setback from the front elevation of the pub, reflect a more subservient design to the heritage assets in the street scene. The retention of the pub would provide a buffer to the listed buildings and retain their more immediate setting such that the general character of the surroundings would be maintained. Officers consider, both for heritage reasons and in terms of more general quality of design principles, that details should be required in respect of materials. Subject to that, however, the proposal would accord with policy NH/14.

Design and Character

41. There is a mix of forms of other dwellings within the area, including one, two and 1½ storey properties, with both render and brick being dominant facing materials. Properties are of a mix of styles, with a modern bungalow to the immediate north of the site though a number of traditional brick buildings in the locality which do include many common details such as the brick quoins and hipped or gabled roof forms.
42. The proposed design would reflect a number of these features, utilising a 1½ storey form, similar to the form of the listed buildings to the south, with the dormers, and their position in the roof reflective of those heritage assets. The use of a brick façade would be reflective of a number of dwellings in the street scene, and there are examples of slate roofs on a number of other properties in the street scene, including to the pub itself. While parking is to the front of the site, this is reflective of other properties in the immediate area, such that it is not considered to be materially harmful to the street scene.
43. Officers consider that appropriate conditions should require details of material, to ensure the specific materials are of an appropriate appearance that would reinforce the locally distinctive features of the area. In addition, it is appropriate to require details of the hard and soft landscaping within the site, to ensure that more sensitive materials are utilised particularly along the frontages that would further soften the dominance of parking along the frontage. Subject to such conditions, however, officers considered the proposal would accord with policies S/7 and HQ/1 in terms of design.

Highway Safety and Parking

44. Objections have been received on the basis of parking impacts and the discharge of cars onto the road from insufficient parking into the surroundings. The Local Highway Authority have raised no objections, subject to conditions. The existing car park on site appears to have a level of parking space that could accommodate at most some

5no. cars. The indicative standards require space for at approximately 12no. cars for the pub as it stands, and 11no. spaces following the works. It is proposed to accommodate 2no. spaces within the site, which would be tandem parking spaces.

45. As set out, there is limited parking within the site as it stands, and by comparison, the proposal would displace some 3no. spaces onto the wider highway network. Officers note there are substantial areas of Bar Lane and the surrounding network that are not restricted in terms of parking, and people could park on the road as it stands. As such it is likely that the operation of the pub would have already had some impact on parking in the area, but the level displacement in comparison is not considered significant. Comments have also raised concern that there would be significant cumulative impacts with the operation of the school nearby, as there is substantial congestion arising from that during drop-off/pick-up times. Officers consider the times in which those events occur, namely around 8.30am and 4pm, would be unlikely to coincide significantly with the times in which the pub is most heavily utilised, and therefore do not consider this would be a materially significant impact.
46. Officers note the application proposes specific provision for cycle storage, which is not currently provided for within the site, and this could be included by condition to promote alternative forms of transport. It is noted there are bus services that run close by, but officers do note some of these may be more limited in uptake given the timetables focus on daytime hours, as opposed to evening or night-time service.
47. In considering this matter, officers note the previous appeal was not dismissed on the basis of the lack of parking provision. The limited levels of parking as it stands within the site would mean that, while the proposal would not meet the indicative parking standards, this would not result in a significantly harmful impact to highway safety over and above the existing situation. In light of the lack of objection from the Local Highway Authority and the comments of the inspector in what was a proposal that included less parking provision, officers do not consider it would be possible to substantiate any harm on the basis of lack of parking.
48. Conditions would be necessary to ensure accesses are designed to an appropriate standard and maintained as such, to protect the long term safety of the highway, and officers consider a condition requiring parking areas to be retained for that purposes would be necessary in this instance given the limited parking within the site. In addition, conditions are required to ensure the cycle storage is provided within the site, to promote alternative forms of transport to the private car. Subject to those conditions, however, it is considered the proposal would accord with policies TI/2 and TI/3.

Ecology and Protected Species

49. The application has been accompanied by an ecological survey, as well as a further, more recent, survey. It has been identified that there are protected species that have utilised the site, namely bats, and that there is habitat within the site, though it appears not to be in use as of September 2019. The ecology officer has raised no objection to the proposal, noting the reports submitted are up-to-date and therefore reliable. They have suggested a number of conditions seeking ecological enhancement and mitigation measures, but also stated that a plan showing the location of bat boxes should be provided in advance of a decision, in order to ensure favourable conservation status and no net loss in habitat. In light of the position at the time of the appeal, in that the dismissal partly on ecology grounds was due to the lack of further surveys, officers consider this has now been satisfied.

50. The conditions suggested by the ecology officer would be necessary to ensure mitigation measures are appropriately imposed that would ensure works are carried out in a manner that would not materially harm protected species in the site. Noting the application provides full details, officers do not consider it is necessary to require a further plan showing the location of bat and bird boxes at this stage, as there is no objection raised on the capacity of the site to accommodate a satisfactory arrangement. It appears that there are plenty of potential locations that would be appropriate, and the ecology officer has raised no concerns that suitable positions could not be achieved. As such, it is not considered it is necessary to require this at this stage and could simply form part of the scheme of ecological enhancement that would be sought by condition. Officers also consider it appropriate to require that no lighting is provided within the site without the details first being approved by the local planning authority, to avoid lighting clashing with any ecological measures, such as bat and bird boxes. Subject to such conditions, however, the proposal is considered to accord with policy NH/4 in terms of the impacts to ecology and protected species.

Residential Amenity

51. Given the retention, and lawful use of the existing pub, with minimal external alterations, officers consider this element would not give rise to any material harm to neighbouring residential properties.

52. The position of the new dwelling is such that it is sufficiently distant from many properties not to result in a materially adverse impact to residential amenity. The two properties that may be most likely to be affected would be no. 17 Bar Lane to the north, and no. 5 Sternes Lane to the west. Officers could not identify any primary windows on the flank facing elevations that would serve habitable rooms and would be so adversely impacted by the development that it would lead to an unacceptable overbearing or overshadowing impact. Given the position of no. 17 in relation to the proposed dwelling, impacts would predominantly fall to the front garden area and to the roof of the bungalow, as opposed to the primary amenity space to the rear of the bungalow. There is screening to the rear of the site that would limit views of that neighbouring rear garden, and while officers note there are rooflights facing north, the orientation of the rear wing is such that it would overlook the roof of no. 17, with oblique views of other neighbouring land that would not be unexpected in more urban areas such as this and are not considered to be materially harmful.

53. To the west sits no. 5 Sternes Lane, which shares a back to back relationship with the proposed dwelling. No. 5 itself sits some 30m from the boundary, and officers note there is established planting that appears to fall within the control of this neighbour such that there would be screening in place. The district design guide SPD indicates that distances between the windows of properties should be approximately 25m, and this proposal would be well in excess of that, as well as at an oblique angle. That neighbouring property is reasonably sizeable, and even in the event that the vegetation was removed, officers consider that impacts in terms of overbearing and overshadowing from the dwelling would not be materially harmful, and would fall to a small section of the garden close to the boundary, away from what would be the primary amenity space closer to the dwelling. On the whole, therefore, the proposal is not considered to result in material harm to the amenity of neighbouring residential properties, in accordance with policy HQ/1.

54. Based on the submitted plans, the proposed dwelling is in excess of the required floor space to meet the minimum space standards. Bed 1 and Bed 3 are also in excess for the amount of space necessary for a double bedroom. While officers note Bed 2 falls below the required floor space for a double bedroom, it exceeds the space required

by a single bedroom, and as such, could readily be used for that purpose. Based on the details provided, therefore, the proposal would accord with policy H/12 and would provide suitable internal space to provide a good standard of living space for future residents. The external useable garden area measures approximately 42m². Officers consider this area to be more akin to an urban location, and as such the district design guide would require 50m². The district design guide is of some age, such that the weight that could be afforded to it is limited. While the space falls below the requirements, it is not so significant a reduction that it would preclude enjoyment of the external space, and any future occupant would be aware of the space on viewing the property. As such, it is considered there is sufficient external space, arranged in an appropriate layout, to provide a good level of amenity. The proposed accommodation is therefore considered to accord with the provisions of policy HQ/1 and H/12 in terms of the amenity of future occupants.

Other Matters

55. Comments have been received that have raised a lack of disabled access to the pub, particularly into the accommodation space. Officers note this matter would fall to building regulations (Part M) to be considered in detail, and that the provisions of the Equality Act 2010 would be a matter to be considered by the persons carrying out the works in any event. Officers note there remains a ground floor accommodation room that appears readily capable of being made accessible, and while there would be a first floor room, this does not preclude the requirements under separate legislation. Officers therefore consider this matter is sufficiently covered by that separate legislation.
56. Conditions are required in respect of renewable energy, water efficiency and broadband to improve the long term sustainability of the dwelling, in accordance with policies CC/3, CC/4 and TI/10 respectively.
57. Officers note no comments have been received from the contaminated land officer. Noting the site is surrounded by residential properties and does not appear to have been historically used for any form of contaminative purpose, officers consider a precautionary condition is appropriate to ensure that, if contamination is identified, works cease until a remediation strategy has been agreed, in accordance with policy SC/11.

Recommendation

Officers recommend that the Committee **Grants** Planning Permission subject to:

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

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

3. The works to the internal layout of the pub (The Tree, 9 Bar Lane, Stapleford, Cambridge, Cambridgeshire, CB22 5BJ) shown on drawing no. PL-2-01 rev E (GA Plans) shall be carried out prior to the use of the dwelling hereby permitted first commencing.
(Reason – This application is granted on the basis that the elements of the facility removed would be compensated by the inclusion within the pub. To ensure there would be no unacceptable reduction in the level of service provision in the locality, the works must be carried out to make the development acceptable, in accordance with policy SC/3 of the South Cambridgeshire Local Plan 2018.)
4. Prior to development of the dwelling hereby permitted proceeding above slab level, details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.)
5. Development shall not proceed above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The details shall also include all details of hard surfacing and boundary treatments, including materials and finishes.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018.)
6. All hard and soft landscape works approved under condition 5 shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018.)
7. Prior to development proceeding above slab level a scheme for the disposals of surface water and foul water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.
(Reason – To ensure the proposal would not lead to an unacceptable adverse impact to the water environment or result in a materially harmful increase by way of flooding from surface waters, in accordance with policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018.)
8. All ecological measures and/or works which directly affect the application site shall be carried out in strict accordance with the details contained in Section 4 of Bat Report V3.0 (MKA Ecology, August 2017). This includes obtaining an appropriate bat mitigation licence from Natural England. If any amendments are required to the

recommendations, the revised approach shall be submitted in writing to the Local Planning Authority and implemented in accordance with the agreed measures.
(Reason – To comply with the requirements of the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and adopted South Cambridgeshire District Council Local Plan Policy NH/4.)

9. Prior to development above slab level, a scheme of biodiversity enhancement demonstrating net ecological gain shall be supplied to the local planning authority for its written approval. The specification and location of ecological enhancement measures shall be provided. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.
(Reason – To meet the Conservation of Habitats and Species Regulations 2017, NPPF and the Adopted South Cambridgeshire District Council Local Plan Policy NH/4.)
10. Pedestrian visibility splays measuring 2m by 2m from the side of the access measured along the highway boundary shall be provided prior to occupation of the dwellings hereby permitted and thereafter kept free from obstructions above 0.6m in height above the level of the highway.
(Reason – To ensure pedestrian safety from the access in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018.)
11. The surface of the access to serve the dwellings hereby approved shall be constructed on a level that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.
(Reason – To prevent displacement of material and surface water onto the highway that might adversely impact its function or reduce its safety, in accordance with paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
12. All construction related deliveries to and from the site, and all muck-away movements shall not be carried out outside the hours of 09:30am to 14:30pm Monday to Friday.
(Reason – To ensure vehicle movements do not adversely impact the safe functioning of the highway during periods of high vehicular movement, in accordance with policy CC/6 of the South Cambridgeshire Local Plan 2018.)
13. The parking and manoeuvring areas shown on drawing no. PL-2-01 rev E (GA Plans) shall be provided prior to the occupation of the dwelling hereby permitted and shall thereafter be retained and used for no other purpose.
(Reason – To ensure parking is retained on the site to minimise the impacts of the loss of parking in the surroundings, in accordance with policy TI/3 of the South Cambridgeshire Local Plan 2018.)
14. The development hereby permitted shall not proceed above base course level until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the dwelling.
(Reason – In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2019 that seeks to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)

15. The dwelling hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

(Reason – To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the South Cambridgeshire Local Plan 2018.)

16. The dwellings hereby approved shall not be occupied until the dwelling has been provided with infrastructure, including sockets, cabling and connection points, sufficient to enable Wi-Fi, and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling, unless otherwise agreed in writing with the Local Planning Authority.

(Reason – To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.)

Informatives

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

Background Papers:

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

- [South Cambridgeshire Local Plan 2018](#)
- Planning File Ref: [S/1782/19/FL](#)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author:

Aaron Sands
Telephone Number:

Senior Planning Officer
01954 713237



Appeal Decision

Site visit made on 19 June 2018

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2018

Appeal Ref: APP/W0530/W/17/3188396

9 Bar Lane, Stapleford, CB22 5BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Bell against the decision of South Cambridgeshire District Council.
 - The application Ref S/1630/17/FL, dated 2 May 2017, was refused by notice dated 11 October 2017.
 - The development proposed is the erection of a new Public House building along with a pair of residential dwellings following demolition of existing buildings on the site.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development upon:
 - (a) The significance of Grade II listed Nos 5 and 7 Bar Lane, as derived from their setting;
 - (b) the availability of services and facilities of Stapleford;
 - (c) protected species;
 - (d) highway safety; and,
 - (e) the overall heritage and planning balance in light of the above considerations.

Reasons

Setting of heritage assets

3. The Tree is a two storey building which runs in parallel to the road, with a set back from the pavement edge. It dates from c1850 and has rendered elevations with a slate roof. To the side is a car park and to the rear of this area is a detached outbuilding with horizontal weatherboarding and pantile roof. The building has been extended and altered, including to the front and rear but I consider that it retains its historic character.
4. To the immediate south of the existing public house are 2 grade II listed buildings at Nos 5 and 7 Bar Lane. These are small single storey vernacular dwellings with attic level accommodation and are positioned gable end on to the road, to the pavement edge.

5. No 5 is a timber framed building with a painted rendered exterior with some decorative pargetting and a tiled mansard roof. While the listing description states that the building dates from c1750, the date '1601' is embossed into the render to the top of the gable and it appears to me that the building could indeed be of a greater age than as recorded in the description. No 7 forms a group with No 5, and is of a similar height, but with a pitched and pantile roof and with painted brickwork. The listing description notes that this building dates from the early 19th century.
6. The wider area comprises of a number of 19th century brick dwellings, with later 20th century developments, including a contemporary designed single storey dwelling adjacent to the northern boundary of the appeal site. Buildings along Bar Lane are typically small scale, being a maximum of 2-storeys in height. Modern developments, including dwellings along Forge Lane to the north of the site tend to be larger in scale than the earlier dwellings, while being 2-storey in height.
7. The significance of these listed buildings is derived from their historic and architectural interest as a modest and humble vernacular dwelling. I also agree with the heritage statement in terms of their evidential, historic, aesthetic and communal values. In particular the study identifies that in terms of aesthetic value, the attractive nature of the listed buildings strengthen the character and appearance of other undesignated assets within the vicinity and in terms of communal value whereby it is identified that "*the relationship of the two little cottages amongst a range of later and larger dwellings may well have a collective memory for residents of the village.*"
8. In terms of setting, this is defined by the National Planning Policy Framework (the Framework) as "*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*"
9. The appellant's heritage statement considers that the setting of Nos 5 and 7 is limited as they are small scale vernacular dwellings. However, within views in both directions along Bar Lane, these buildings benefit from being seen or experienced in combination with a number of historic buildings. I consider that in views looking south west along the road, the public house, as a 19th century building contributes positively to the setting of the listed buildings, as part of the relationship and experience along Bar Lane in terms of their aesthetic and communal values. Plate 9 within the heritage statement is, in my view, not representative of the contribution that The Tree makes to these assets. I acknowledge, however, that The Tree is not visible within views to the north east along Bar Lane due to its set back from the road behind the listed buildings.
10. The proposed replacement public house has been purposefully designed to emulate the form and positioning of the listed buildings, presenting its gable end to Bar Lane. It would have a similar set back to the existing building, but would be located further away from the boundary with No 7. However, it would much larger in scale as it would be 2-storey in height which would be around 3metres higher than the ridge of No 7. It would also have a wider gabled frontage to Bar Lane. I consider that it would be noticeably larger and

bulkier when viewed within the street scene and I consider that it would dominate within views both ways along Bar Lane and its roof would be seen 'looming over' the listed buildings.

11. I disagree with the appellant's claims that a greater separation of the appeal proposal from No 7, as well as its reorientation and eaves and roof pitching away would ensure that the proposed public house building would appear less dominant than the existing building. Although it is 2-storey in height, The Tree as existing does not dominate the listed buildings, rather it is of a modest scale which is illustrative of the evolution of buildings along Bar Lane and a more organic stepping of heights within the roofscape. An uplift of around 1.3metres in height from the existing building, would be significant and would undermine this relationship, causing harm.
12. I note that the height of the proposed public house and dwellings would be similar to modern development to the north at Forge Lane, however these dwellings are some distance from the listed buildings and would not justify such an increase in this location.
13. The overall effect would be a poorly designed building which would form a conspicuous addition and would dominate and detract from the humble vernacular qualities of the listed buildings causing harm to their architectural and historic interest as derived from their setting.
14. On this matter, I conclude that the proposals would cause harm to the significance of the grade II listed buildings, as derived from their setting. The development would conflict with Policy ET/6 of the South Cambridgeshire Development Control Policies Development Plan Document 2007 (DCP) which states that planning permission will not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building. I also consider that the development would conflict with paragraph 132 of the National Planning Policy Framework (the Framework) which gives great weight to the conservation of heritage assets and identifies that significance can be harmed by development within the setting of heritage assets. Due to the nature of the proposals, I would quantify that harm as less than substantial whereby paragraph 134 of the Framework requires that harm to be weighed against the public benefits of the proposals. I shall undertake this exercise, in my final main issue, below.

Services and Facilities

15. Policy SF/1 of the DCP states that planning permission will be refused for proposals which would result in the loss of a village service, including village pubs. This policy sets a number of criteria as part of the consideration of this, including its existing and potential contribution to social amenity, the future economic viability of the use including, in appropriate cases, financial information and the results of any efforts to market the premises for a minimum of 12 months at a realistic price.
16. Policy ET/6 states that the conversion, change of use or re-development of existing employment sites to non-employment uses within village frameworks should be resisted, again setting criteria requiring evidence that the site is not suitable or capable of being made suitable, and marketing evidence.

17. Paragraph 70 of the Framework guards against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs. It also seeks to ensure that established facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.
18. The Tree Public House is a longstanding community facility which comprises of a bar, with kitchen, chilled store, and toilet facilities, with managers accommodation above. There are also two letting bedrooms, located within the converted outbuilding, tied to the public house. The Tree closed to the general public in August 2013, following the sale of the premises by Greene King. It has remained closed since this time. It was listed as an Asset of Community Value on the 18th December 2013.
19. Stapleford is a large settlement which is located 4miles south of the city of Cambridge. It has a range of services and facilities, including two public houses. There is also a bed and breakfast within the village. Together with a range of other facilities within the neighbouring settlement of Great Shelford, it is identified as a Rural Centre within the South Cambridge Core Strategy 2007 (CS).
20. The appellant states that they are committed to delivering a community pub at the site, and the proposed replacement public house is in compliance with Policies SF/1 and ET/1 of the DCP and the Framework. However, I share the Council's concerns that based upon the particulars of the case, in real terms the proposals would represent a loss of service and facilities.
21. While the pub has remained closed for nearly a 5 year period, its use remains extant. Based on the evidence before me, the extant offer of The Tree relates to a bar area, food service and letting accommodation, as well as managers accommodation. The replacement public house would comprise of a bar over two floors and there would be a single accessible WC, as well as a small cellar/store area.
22. The proposals would not include the provision of dedicated managers accommodation, letting rooms or food service which in my view would represent a considerable change in the overall service provision of the site. Accordingly, the proposed facility would not represent a comparable offer to the permitted use of the site.
23. I accept that at present, the building is not providing a service for Stapleford as it has closed, but that in itself does not justify a significantly scaled back service provision. Crucially, no evidence has been submitted in respect of the viability of the extant use as part of justifying this change. There is no information given in respect of the total loss of letting accommodation and food provision and I note that no marketing of the site for a period of 12 months has taken place as per the requirements of the above mentioned policies. I simply have no basis to consider that the extant level of provision at the site would not be sustainable.
24. I also have concerns as to whether the proposed new public house would represent a viable and realistic level of service provision which would be sustainable in the longer term for the benefit of the community. While the bar area may have a similar floorspace to the existing property, this would be over 2 floors and would not be accessible for all. The facilities in respect of toilets

and storage would be limited and while the appellant indicates that a small kitchen could be introduced, it is unclear where this could go and how this would affect the bar area/number of covers, as well as what size this could be and the offer that this could provide. The lack of on-site accommodation for managers could also affect its future sustainability as a business.

25. Taking the above into consideration, I consider that the proposals, even with the provision of a new public house, would, on balance, represent a loss of services and facilities in Stapleford. The proposals would conflict with DCP Policy ET/6 as well as paragraph 70 of the Framework. Policy SP/1 also requires consideration of the overall benefit to the community of the proposal where this may outweigh any adverse effect on employment opportunities, I shall undertake this as part of my final main issue, later in my decision.

Protected Species

26. DCP Policy NE/6 states that Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species or priority species or habitat unless the impact can be adequately mitigated or compensated for by measures secured by planning conditions or obligations.
27. A bat survey, undertaken in 2014 revealed no evidence of roosting bats within the site, however, the Council's Ecology Officer raised concern regarding a lack of up-to-date survey and consent was refused on this basis. This has now been provided as part of the appeal proposals and a small roost of pipistrelle bats were found within the converted outbuilding.
28. The report makes a number of recommendations in respect of the roost, in terms of further seasonal survey work, a watching brief and Natural England licence, hand demolition and compensatory provision of a bat box and mortar gaps.
29. However, the survey undertaken is only basic and given the likelihood of bats as a protected species, the further survey work as recommended by the report should be provided prior to the determination of any application or appeal. As it stands, I do not have the level of detail sufficient to allow me to adequately assess whether the proposal would have an adverse effect on any protected species and, if so, whether such an adverse effect could be overcome by any of the proposed mitigation measures.
30. On this basis, and in adopting the precautionary principle enshrined in the Habitats Regulations, I am not satisfied that the development would provide adequate protection for protected species. The development would therefore conflict with DCP Policy NE/6, as well as Policies DP/1 and DP/3 which cite the need to protect biodiversity.

Highway Safety

31. At my site visit, I observed that Bar Lane is a relatively quiet public highway. On-street parking is not restricted and indeed many of the historic properties do not benefit from off-street parking. There are currently 5 parking spaces within the appeal site. While no copy has been provided, it is understood that the development plan sets out car and cycle parking standards citing a minimum of 1.5 spaces per dwelling and a maximum of 10 spaces for the public house.

32. The proposed dwellings would incorporate 2 off-street parking spaces per unit, to the front of the dwellings. A new access from Bar Lane would occupy a similar position to the existing access into the car park. In light of the extant situation, I do not consider it necessary to provide visibility splays, given that the proposals would result in a reduction of on-site parking provision.
33. No dedicated parking provision for the new public house is proposed. However, the site is located centrally within Stapleford in walking distance of a number of residential properties. The site also has good accessibility to public transport with regular bus services in proximity to the site.
34. I anticipate that the public house could give rise to some increase in on-street parking. However, given the prevailing highway conditions, the sites use, its size and its accessibility I find no harm in respect of highway safety. While Cherry Tree Avenue is located near to the appeal site, on the opposite side of Bar Lane, I can see no reason why this junction would be used to park vehicles, given the lack of restriction and congestion along Bar Lane.
35. On this matter, I conclude that there would be no harm to highway safety. The development would accord with DCP Policy DP/3 which states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact from traffic generated.

Planning and Heritage Balance

36. I have found harm to protected species, as well as in respect of the setting of heritage assets and in respect of a loss of services and facilities. Paragraph 134 of the Framework requires harm to heritage assets to be weighed against the public benefits of the proposal. In addition, in respect of services and facilities, DCP Policy SP/1 requires consideration of the overall benefit to the community of the proposal where this may outweigh any adverse effect on employment opportunities.
37. I note the benefits which relate to the provision of housing, its location and accessibility within the village. I have also found no harm in respect of highway safety.
38. However, as stated above, while I recognise that the public house has been closed since 2013, in light of the extant use of the site, lack of viability evidence and my conclusions regarding the downgrading of the overall level of service provision, the weight I can attach to the re-opening of a community pub in this location as a benefit is limited.
39. Moreover, while the reinstatement of a public house use would provide additional employment opportunities, this is likely to be less than opportunities afforded if The Tree were to commence operations as per the extant use. Any economic benefits arising from the construction of dwellings, would be time-limited.
40. Overall, taking the above into consideration, I therefore find that there would be insufficient public and community benefits to outweigh the identified harm. The development would therefore conflict with DCP Policy SP/1 and the Framework which gives great weight to the conservation of heritage assets.

41. Finally, at the time of the Council's decision, they considered that they had no 5-year housing land supply, however, based upon submissions received as part of the appeal process, the Council now consider they can demonstrate this.
42. Where there is no demonstrable housing land supply, paragraph 14 of the Framework requires granting permission unless specific policies in the Framework indicate development should be restricted. Footnote 9 appended to this makes clear that designated heritage assets as well as protected species is such an explicit policy. Given the conflict with those policies of the Framework identified above, the even if paragraph 14 were to apply, the proposals cannot be considered sustainable development for which the Framework presumes in favour.

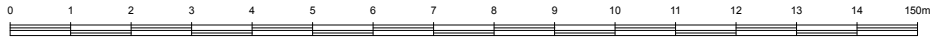
Conclusion

43. For the reasons given above, and having considered all other matters raised, the appeal should be dismissed.

C Searson

INSPECTOR

This page is left blank intentionally.



FOR INTERNAL USE ONLY

Scale - 1:1250

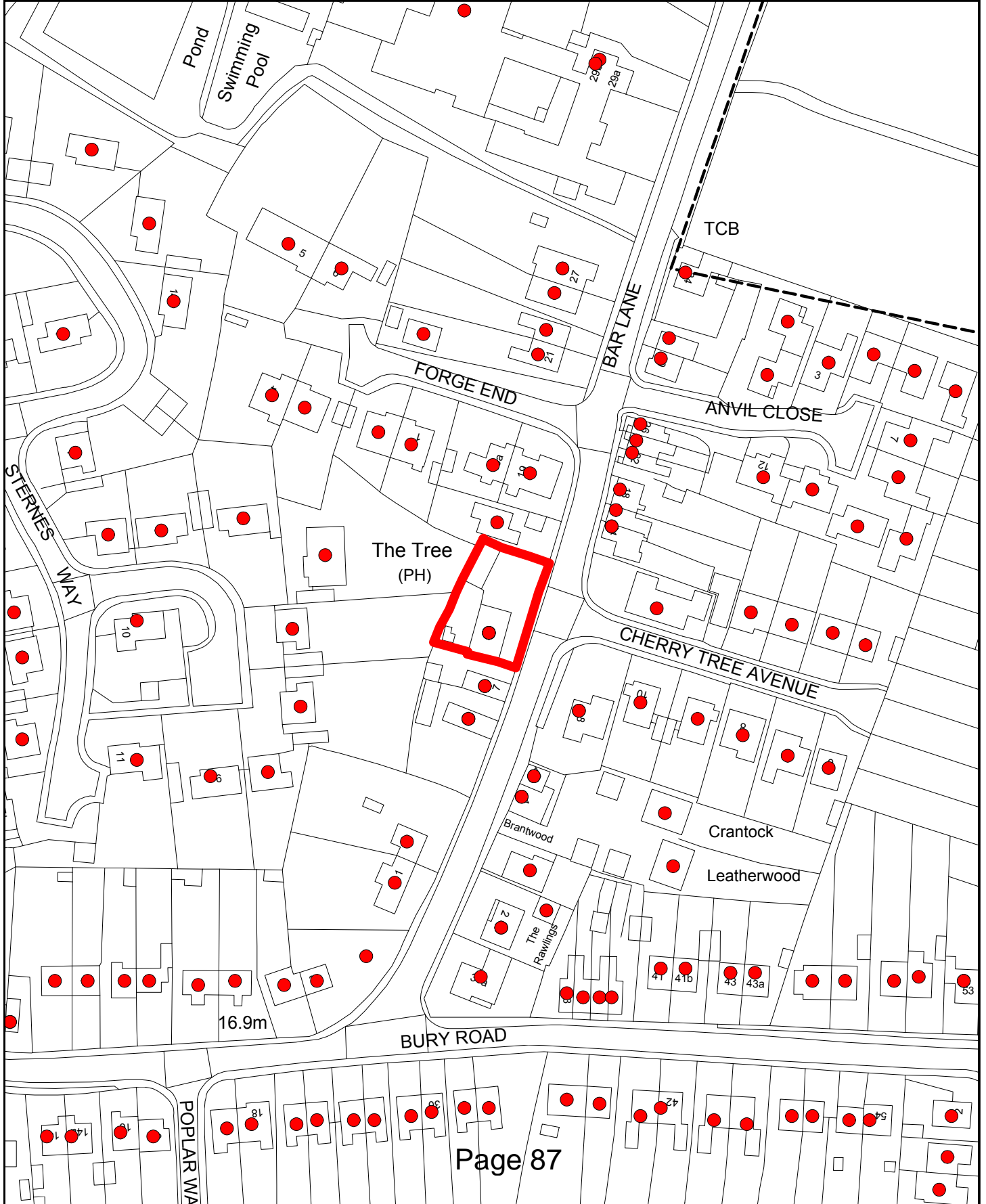
Time of plot: 11:33

Date of plot: 21/11/2019



South Cambridgeshire District Council

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 11 December 2019
AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/4298/18/FL

Parish(es): Willingham Parish

Proposal: Demolition of existing garage and outbuildings and erection of new children's nursery with associated infrastructure and landscaping.

Site address: Rear of 74, Rampton Road, Willingham, Cambridge, CB24 5JQ

Applicant(s): Ms Morrice

Recommendation: Refusal

Key material considerations: Principle of Development
Highway Safety
Impacts to Residential Amenity and Noise Impacts

Committee Site Visit: 11th December 2019

Departure Application: No

Presenting Officer: Aaron Sands, Senior Planning Officer

Application brought to Committee because: As a matter of public interest.

Date by which decision due: 31st May 2019

Executive Summary

1. The application site is located on the edge of, but outside the Development Framework. The principle of development in this location is considered to be on balance acceptable, as there is sufficient need that policies S/7 and TI/9 provide support. However, in considering the detailed design of the proposal, officers consider the development would result in an adverse impact to highway safety and the residential amenity of neighbouring residential properties that could not be mitigated. The application is therefore recommended for refusal.

Planning History

2. None Relevant

Site Constraints

3. The application site comprises the residential garden of no. 74, with that property and the proposed access located within the Development Framework and the remaining garden are located outside. The site is on the edge of Willingham, with properties generally being single dwellings fronting the road, with some variety in setback but with wholly limited penetrative development. Some 200m to the south of the site is a Public Right of Way (PROW), which runs concurrently with a designated award watercourse.

Proposal

4. The application proposes the erection of a new children's nursery (Use Class D1), following the demolition of the garage to the site of no. 74, in order to facilitate an access, along with parking and turning areas and associated landscaping.
5. The nursery building is proposed in an approximate 'T' shape, measuring approximately 16.1m in overall depth, 36.1m in overall width, 3.7m in height at the ridge and 2.2m in height at the eaves.

Relevant Policy

6. National Guidance

National Planning Policy Framework 2019 (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG)

Noise Policy Statement for England (NPSE)

7. South Cambridgeshire Local Plan 2018

S/1 Vision

S/2 Objectives of the Local Plan

S/3 Presumption in Favour of Sustainable Development

S/6 The Development Strategy to 2031

S/7 Development Frameworks

S/9 Minor Rural Centre

CC/1 Mitigation and Adaptation to Climate Change

CC/3 Renewable and Low Carbon Energy in New Developments

CC/4 Water Efficiency

CC/6 Construction Methods

CC/7 Water Quality

CC/8 Sustainable Drainage Systems

HQ/1 Design Principles

NH/2 Protecting and Enhancing Landscape Character

NH/4 Biodiversity

SC/9 Lighting Proposals

SC/10 Noise Pollution

SC/11 Contaminated Land

TI/2 Planning for Sustainable Travel

TI/3 Parking Provision

TI/8 Infrastructure and New Development

TI/9 Educational Facilities

8. Supplementary Planning Documents (SPD)

Cambridgeshire Flood and Water SPD – Adopted 2016

District Design Guide – Adopted 2010

Landscape in New Developments – Adopted 2010
Trees and Development Sites – Adopted 2009
Biodiversity – Adopted 2009

Consultees

9. **Parish Council** – No recommendation. Whilst the Parish Council supports additional nursery places within the village, it does have reservations about the site and traffic.
10. **Local Highway Authority (LHA)** – Objection. The access is unsatisfactory to serve the development be reason of its inadequate width, and the proposal would likely result in stopping and manoeuvring of vehicles on the highway, detrimental to highway safety.
11. **Environmental Health Officer (EHO)** – Objection. The proposal is extremely likely to cause a loss of amenity to nearby residents from noise from the passage of vehicles using the access.
12. **Landscape Officer** – Objection due to adverse effects on the landscape and on views and visual amenity. Recommended principles to be adopted to improve the landscaping and visual impact.
13. **County Transport Assessment Team** – Insufficient information provided to assess the proposed development.
14. **County Growth & Development Officer** – Recommend revisions to layout in accordance with Cambridgeshire County Council “Guide to the Location and Specification of New Build Nurseries and Pre-Schools”.
15. **Drainage Officer** – No objections subject to a condition requiring a detailed scheme for the disposal of foul and surface water.
16. **Ecology Officer** – No objection subject to a conditions requiring the submission of a construction ecological management plan, and a scheme for the enhancement of biodiversity.
17. **Tree Officer** – No objections subject to a condition requiring a detailed Arboricultural Method Statement and Tree Protection Strategy to be submitted to and approved by the Local Planning Authority.
18. **Contaminated Land Officer** – No objections subject to conditions requiring further contaminated land investigations and appropriate remediation and verification.

Representations

19. 16no. objections received incorporating the following summarised points;
 - The noise generated from children outside would adversely impact the residential amenity of neighbouring property, particularly as the nursery is a forest school, that specifically encourages children to be outside.
 - Noise levels shown in the noise impact assessment are indicated as being “noticeable and intrusive” and would prevent enjoyment of garden areas by neighbouring residents.
 - The noise mitigation measures would not be sufficient to protect neighbouring amenity.

- The proposal would result in general noise pollution, impacting the tranquillity of the local area.
 - There would be a loss of privacy from staff and children being able to look into neighbouring private rear gardens.
 - There are alternative locations where the nursery could be located that would be less impactful to neighbours.
 - There will be unacceptable traffic congestion and associated noise and pollution during drop-off and pick-up times.
 - The width of the entrance is not sufficient to allow vehicles to move freely and will lead to obstructions on the road.
 - Promoting alternative modes of transport is unlikely to be successful, as public transport connections are not close to the site and parents will drop children off on the way to work.
 - The existing footpath and cycle links to the centre of Willingham are lacking, and would not be attractive for children.
 - There is insufficient car parking provided to accommodate staff and drop-off and pick-ups and people will be forced to park on the road, restricting traffic flow.
 - There is no shortage of childcare/nursery places in Willingham.
 - There is insufficient evidence to support that there would be a future shortage, and Northstowe New Town.
 - Rampton Road is a busy thoroughfare where there are frequent accidents.
 - The site is outside the Development Framework.
 - The existing road floods during heavy rain, and if this is not resolved it will exacerbate access issues.
 - Insufficient information regarding whether the foul network would be able to cope with additional demands.
 - The applicant has not carried out public consultation with local residents.
 - There are insufficient details for managing waste collection.
20. The following matters have been raised that are not material planning considerations. Officer notes have been *italicised* where relevant for information.
- The developer's motivation for submitting the application.
 - Motivations of people who have made representations.
 - The submission of the application and subsequent amendments is causing distress.
 - Risk of fires from "campfire cooking".
 - The proposal would set a precedent.
 - The proposed accommodation, in terms of the internal space and facilities to serve users of the site. *This would be a matter covered by other legislation.*
 - The application does not mention signage for the nursery. *This would require a separate advertisement application.*
 - The design and access statement includes photos that have been labelled incorrectly.
 - Whether the applicants are local to the area.
 - Impacts to private views.
 - Impacts to property value.

Planning Assessment

21. The key considerations in this application are;
- Principle of Development
 - Design and Character
 - Highway Safety

- Parking Requirements
- Impacts to Residential Amenity and Noise Impacts
- Drainage
- Contaminated Land
- Ecology and Biodiversity

Principle of Development

22. The application site is located outside, but adjacent to, the Development Framework, where policy S/7 provides for certain forms of development. It would fall to a test of whether any other policies support the principle of the development in this location in this instance.
23. Policy TI/9 sets out the policy tests for new education facilities, including early years placements (EYP), and applies to such proposals anywhere within the district, not just those within the development framework. The applicant has provided details of alternative facilities in the area and information in respect of future need. Officers do not consider need should be limited to just Willingham, as there is every likelihood the site would be used by parents on their way to work, and residents of surrounding villages would likely utilise additional provision. The submitted details indicate that there are surrounding villages with a shortfall in provision that may benefit from this proposal, and officers note future growth in and around the area that might benefit from the proposal, such as Northstowe New Town.
24. Officers note the details provided in respect of other nurseries in the area and the services they offer, which indicates there is one other full time nursery, and one that provides term time cover. Officers note that neither appears to represent the same type of nursery as that proposed, as the application is explicitly for a forest school, and policy TI/9 provides some support for the increase in range of education provision. Details have been provided in respect of the benefits this type of EYP facility, and how they differ from other provisions, such that officers consider this proposal would be supported by that policy. The development is accessible, located along a main thoroughfare into Willingham, and the County Growth and Development Officer has raised no objection to the amended scheme.
25. Officers consider the principle of the development is therefore on balance acceptable and would accord with the spirit of policies S/7 and TI/9, in promoting the accessibility and range of services within villages to reinforce the wider sustainability of the village and surroundings.

Design and Character

26. This area of Willingham is an edge of village location, characterised by a linear, regular form of development of primarily residential dwellings, in a wide range of styles. Officers note some limited at depth development, though it appears there is a mix of uses, including agriculture, equine uses and residential outbuildings. There are a range of glasshouses in the surroundings, and officers note a PROW and a well established tree belt to the south.
27. The application proposes an at depth development, demolishing the existing garage to the side of the dwelling with an access to the side. While the limited at depth development is noted, officers also note the form of the proposed building would blend well with the verdant site, utilising natural facing materials and a low height that would reduce its visual prominence in the locality. The retention of the majority of the

well established trees in the site, as part of the forest school ethos, would provide further screening, better reflecting the prevalent character.

28. There would be a notable side access, which would clearly lead to something to the rear of the front dwelling. However, officers noted other properties in the area that had side accesses, such that this in itself would not create a notable departure from the area. The parking and manoeuvring area within the site would be screened from public views by vegetation and the existing physical development, such that it would not appear visually intrusive. On the whole, therefore, officers consider the proposed design would appropriately preserve the character of the area, in accordance with policies HQ/1 and NH/2.

Highway Safety

29. The application proposes to alter the existing access to provide parking along the frontage for the existing dwelling and a driveway to the side of the property, following the demolition of the existing garage, which would serve the parking and manoeuvring space to the rear. Rampton Road is a well provisioned and heavily trafficked thoroughfare into and out of Willingham. The road is reasonably straight, and with a 30mph speed limit.
30. The submitted transport technical note indicates that some 5 to 7 vehicle movements are expected to occur during the peak periods. Officers note that the County Transport Assessment Team have not commented on the revised details but consider there is a likelihood that users of the site would look to drop children off before the full peak. The details provide indicate approximately 29 vehicle movements in each peak, utilising the access.
31. The proposed access measures approximately 5m in width for 10m from the edge of the footpath, and would enable two cars to pass each other. However, the access then narrows to 3.7m where it passes no. 74, and would prevent 2 cars comfortably passing each other, though the 10m includes the beginning of a bend that may restrict a second car. Due to the form of the access, its length and the intervening screening and built form, officers consider it likely that there would not be such clear visibility between vehicles entering the site and those seeking to leave from closer to the nursery that they would be able to avoid all conflicts.
32. The result would be that vehicles would likely wait, and would queue on the highway, adding to the congestion along this stretch of the road. Officers note comments have been received that indicate there are existing congestion and traffic issues, and at the time of a number of site visits noted that a number of vehicles queued on the road, despite being well outside peak times.
33. The Local Highway Authority has objected on the basis of the width of the access being insufficient to enable unrestricted vehicle movements, and the limited visibility would result in rapid stopping movements. Vehicles seeking to enter the site are likely to be forced to stop either the access the pedestrian footpath if turning left or across the road if turning right. The intensity of use would be such that the proposal would lead to a deterioration of the efficiency of the highway as a traffic carrier, to the detriment of highway safety.
34. While the application has been accompanied by some indicative details in respect of a travel plan, officers consider that alternative forms of transport are unlikely to be attractive over the private car, as parents would most likely drop off and pick up children on the way to and from work. As such, officers have little comfort that there

could be measures to mitigate the high increase in the intensity of private cars using the access such that the development could be made safe.

35. On the whole, officers consider the insufficient width of the access, coupled with the substantial increase in the intensity of what would be predominantly private car movements along an already heavily trafficked road, would lead to an unacceptable impact to highway safety that could not be mitigated through conditions. The proposal would fail to provide a safe and suitable access to the site for all users, and would undermine the efficacy of the highway, increasing the scope for conflict between vehicles and other users of the highway. It would fail to accord with policy TI/2 and paragraphs 108 and 110 of the NPPF.

Parking Requirements

36. The proposal includes 10no. parking spaces overall, with 6no. spaces for staff and 4no. drop-off spaces, as well as an area of cycle storage. Policy TI/2 sets out indicative parking standards, requiring 1.5 spaces per 2 staff, which would be exceeded by the proposed provision.
37. In considering parking requirements, officers are mindful of the above identified harm in relation to the width of the access and the need to wait for vehicles to pass along its length, resulting in delay and limiting free flow of vehicles. It is considered this is likely to result in parking on the road as the time delay will mean parents feel they need to park along the unrestricted Rampton Road.
38. However, this is not a matter that arises from lack of parking specifically, but due to other impacts of the development. The proposal exceeds the required parking space requirements of by policy TI/2, and officers therefore consider the proposal would provide a suitable level of parking sufficient to meet the needs of the development. In light of the heavily trafficked road, it is considered a condition would be necessary to ensure the area was kept free for parking and manoeuvring at all times. Subject to that condition, it is considered the proposal would accord with policy TI/2 in terms of parking requirements.

Impacts to Residential Amenity and Noise Impacts

39. The application site is located in close proximity to a number of residential properties, notably nos. 70, 74 and 78 Rampton Road. Officers understand the applicant's father lives at no. 74, and the applicant therefore has control over that property. There is likely to be significant impact to that property, but, in discussion with the applicant, officers consider the impacts to no. 74 specifically could be dealt with by condition that ties the property to occupation by owners, employees or relatives of the business, who would be less affected by the impact due to the relationship with the operational matters.
40. In terms of overshadowing, overbearing or overlooking impacts, officers consider the buildings are of too low a scale, and appropriate boundary treatments would be required by condition, to result in an adverse impact to the residential amenity of surrounding property from those specific matters.
41. Nos. 70 and 78 are sited either side of the property, and officers note that both properties have objected on the basis of noise, particularly noise from the children outside the site. The EHO has raised an objection on the basis of noise impacts and amenity, and notes that the submitted report does not provide sufficient comfort in applying mitigation measures. In this instance, there are two specific sources of noise

to be considered, the noise from vehicle movements using the access, as well as the activity in the parking areas, and the noise from the operation of the nursery, namely from children playing outside.

42. Officers would wish to make clear the specific distinction at this point between noise impacts in terms of harm to health, and those that might give rise to a loss of amenity. The latter is more subjective and harms to amenity may arise at much lower levels, and the EHO has explicitly objected on the grounds of amenity impacts, as opposed to health impacts. Officers do not consider the proposal to be adverse in terms of its health impacts but have referred to standards that assess the impact of noise on health for completeness.
43. The EHO has noted that there is no specific good practice guidance as to how to assess and consider noise originating from nurseries. The noise assessment has been based on BS4142, which applies specifically to the assessment of industrial and commercial noise. However, while the practice has been effective in assessing such forms of noise, the EHO has specifically noted that the noise likely to arise from the proposed use would be variable, and the assessment therefore provides no comfort that noise could be appropriately mitigated from.
44. In addition, officers note that the submitted diagrams demonstrate a noise level of approximately 54dB at the first floor window of no. 70 to the north from the passage of vehicle movements. For comparison, the World Health Organisation (WHO) Noise Guidelines recommends not exceeding 55dB, as prolonged exposure of such levels leads to adverse health impacts. Noise generated from the proposal would be variable in its type and in the main points of origin throughout the day, alternating between vehicle movements and noise from children.
45. Table 2 of the submitted noise assessment has provided indicative level of noise intrusiveness based on the levels included within the NPPG. Noise becomes noticeable and intrusive at 46dB at sensitive receptors, which would include residential buildings. Noise that that level would represent the Lowest Observed Adverse Effect Level (LOAEL) in accordance with the NPSE and the point at which health and behavioural impacts may be observed. At 51dB, noise becomes noticeable and disruptive, and falls into the Significant Observed Adverse Effect Level (SOAEL). The NPPG (para. 005 ref. ID: 30-005-20190722) indicates that, at LOAEL, effects should be mitigated and reduced, and at SOAEL, effects should be avoided.
46. With regards to the impact of noise from the traffic, officers would note, as set out above, that the access is not of sufficient width to accommodate free-flow of traffic. There is limited parking and manoeuvring space, which would require waiting, and the point of narrowing is the closest area to neighbouring property, particularly no. 70 to the north, given the tie that would be required to no. 74. The transport assessment indicates that much of the vehicle movements would take place outside typical rush hours, and officers consider this likely to be prior to 8am as parents drop children off on their way to work. The EHO considers it likely that there would be a spike in vehicle movements as parents arrive, and officers agree that this is likely to be the case. While officers consider there is a likely noise levels would be reduced by the existing built form of no. 70, vehicle movements would still be high intensity, and outside of typical rush hour where such noise could reasonably be expected. It would be closer to neighbouring property, and at a very different point of origin in comparison to the road noise.
47. As a forest school, by its very nature children would spend the majority of time outdoors, where there would be significantly less mitigation from built form than if

children where predominantly indoors. The EHO has noted that, in assessing noise from children, there is no recognised standard that could be applied (i.e. such as there would be for assessing noise from industrial processes), and as such it is not certain what, if any, impact noise mitigation measures would have. Officers also note that noise from children explicitly cannot be the subject of noise complaints, and as such there are not other legislative regimes in place that would enable the council to respond to impacts.

48. Unmitigated, officers note the noise assessment indicates the noise level generated would be noticeable and intrusive, and as children would predominantly be outside, officers consider this would likely be the more common levels of noise generated. While the noise report predicts a 5dB reduction through the use of fencing, the EHO has serious concerns with the potential that has to satisfactorily mitigate the impacts. The submitted noise assessment has done its best to assess the proposal, but the lack of recognised appropriate methodology to assess such noise impacts, and the uncertainty around the efficacy of noise mitigation measures does not overcome concerns that there would be an impact to amenity of neighbouring property.
49. In conclusion, the significant alteration in the type, level and position of the noise that would be spread throughout the day, would result in an adverse impact to the residential amenity of neighbouring residential properties with no comfort that satisfactory mitigation could come forward. The proposal is therefore contrary to policies HQ/1 and SC/10.

Drainage

50. The application site is located in Flood Zone 1, at the lowest risk of flooding, and while there are areas of identified as being at risk of surface water flooding in the surroundings, there are no significant areas within or immediately adjacent to the site that would be likely materially impacted. The drainage officer has raised no objection to the proposal, that considers a condition could adequately deal with the provision of drainage infrastructure. Officers note the application indicates the proposed development would utilise sustainable drainage systems and seek to connect to the mains sewer and consider there is ready opportunity for these elements to be included to a satisfactory level within the site, but consider, in light of the increase in areas of hardstanding, details should be required by condition, to ensure the development would adequately protect the water environment in accordance with policies CC/7 and CC/8.

Contaminated Land

51. The proposed use of the site would be considered a sensitive use, particularly in light of the nature of the school, where it would be expected that children would interact with the land, potentially including digging or close interaction with soils. The contaminated land officer notes the historic uses of the site, including a garage and outbuildings and considers there is some risk that the site could be contaminated such that further works are required. They recommend this could be dealt with by condition, with appropriate remediation and verification being carried out in the event contamination is identified. As the risk of contamination is low, officers consider a condition could appropriately deal with this matter, in accordance with policy SC/11.

Ecology and Biodiversity

52. The application has been accompanied by a Preliminary Ecological Appraisal (PEA) that has been reviewed by the ecology officer, who raises no objections subject to

conditions. The report suggests there are ecological constraints within the site, such that the recommendations within the PEA are not considered sufficiently detailed to ensure no adverse impacts would arise from the carrying out of the development. However, it is considered that appropriate methods could be readily achieved, and a construction ecological management plan could be required by condition.

53. There is ready opportunity within the site to provide biodiversity enhancements, both in the building and amongst the trees being maintained. A condition would also be necessary to ensure a scheme of biodiversity enhancement is submitted. Subject to those conditions, the proposal would accord with policy NH/4.

Recommendation

Officers recommend that the Committee **refuse** planning permission for the following reasons:

Reasons:

1. While there is space to enable limited passing of cars at the very entrance to the site, there is limited longer visibility along the access serving the proposed nursery and the access is of insufficient width along a significant portion of its length to allow vehicles to freely pass each other. Vehicles would therefore be forced to make rapid stops once they identify there would be insufficient space, including within the highway itself. The proposal would therefore lead to a detrimental impact to highway safety through increased unsafe interactions between all users of the highway. It would be contrary to policy TI/2 of the South Cambridgeshire Local Plan 2018 and the provisions of the National Planning Policy Framework, notably paragraphs 108 and 110.
2. While the application has been accompanied by a noise assessment, there are no recognised standards appropriate for measuring the impacts of noise from a nursery. The proposal would result in a substantial change in the form and position of prevalent noise sources and a significant increase in the level of activity within the site. While a recognised standard has been adapted in the assessment of the proposal, there is no comfort the mitigation measures recommended would result in any material change in the level of noise generated from the proposal. The development would therefore result in an adverse impact to the residential amenity of surrounding dwellings, contrary to policies HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018 and the provisions of the National Planning Policy Framework, notably paragraphs 170 and 180.

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 Plan 2018
- Planning File Ref: [S/4298/18/FL](#)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author:

Aaron Sands
Telephone Number:

Senior Planning Officer
01957 713237

This page is left blank intentionally.



FOR INTERNAL USE ONLY

Scale - 1:1250

Time of plot: 12:55

Date of plot: 24/10/2019



South
Cambridgeshire
District Council

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 8



REPORT TO: Planning Committee

02 December 2019

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases as at 02 December 2019. Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently at the end of October 2019, 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) **Cottenham - Smithy Fen:**

Work continues at 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. Investigation now complete and prosecution files relating to ten (10) plots, which are still in breach of the notice have been submitted to the council's legal team for summons.

Cambridge Magistrates Court are now currently processing the application for Summons. All cases have now been heard and where breaches were identified Cambridge Magistrates levied fines totalling £72,566.57p – A further inspection and survey of the site has now been carried out on the 26th June 2018 which revealed that 12 plots are currently in breach of planning control. Further prosecutions will now be considered /carried out in addition to two further breaches of Condition Notices issued and one prosecution in the High Court for breaching the current site Injunction. A further application to the High Court for an Injunction is to be made at the earliest opportunity. Barrister identified; detailed chronology compiled next steps agreed - Work in progress 04 November 2019 further site visit and aerial photographs.

(b) **Whaddon – 9A Bridge Street**

Without planning permission, the erection of a six-metre-high pole for CCTV equipment. Enforcement Notice SCD-ENF-094/17/A was issued with a compliance date of 25th November 2017 to remove the pole and CCTV equipment. The notice has not been complied with and a file was submitted to the Councils Legal office to issue a Summons. The date of the summons was set for 10am 15th March 2018 however the accused did not attend, and the Court issued a Warrant for his arrest. Case continues - No further information at this time – Legal office have liaised with the Court and have been informed that the Arrest Warrant is live and waiting to be executed by Police. Referred to Legal as Police have no current knowledge of the Warrant – No further details are available at this time. Councils Legal and Planning department to review next steps including Injunctive action to remove unauthorised Pole and CCTV camera. Report to be submitted to Planning Committee seeking approval for direct action – Costings now obtained, and it is proposed to take direct action for the removal of the unauthorised pole and cctv equipment.

(c) **19 Bandon Road Girton**

Not built in accordance with approved drawings relating to visibility splays Breach of Condition Notice issued 22 February 2018 with 28-day compliance period. Despite compliance discussions with the builder works still not carried out. Prosecution file has been raised, waiting issue of summons, still with legal Legal case officer now allocated waiting for further information as to timing

(d) **Burwash Manor Farm**

Without planning permission, the erection of children's play equipment within land designated as Green Belt. A retrospective planning application, reference S/3494/18/FL had been refused. The size, scale and height of the development is contrary to paragraph 144 of the National Planning Policy Framework

(NPPF) 2019. The enforcement notice issued requires the owners to cease the use of the play equipment specifically the adventure tower and remove the play equipment from the land. The compliance period is one (1) month from the date it takes effect on the 21 May 2019 – A Planning Appeal has been submitted to the Inspectorate on the 20th May 2019 – Date to be advised

(e) **Cottage Nursery, Cardinals Green, Horseheath**

Without planning permission (Advert Consent) displaying advertising signs measuring 6ft x 4ft for Cardinal Barns Kitchen and Blooms @ the Barn. On the junction of Howards Lane and the A1307 and a further smaller sign at the entrance to the nursery advertising Caravan Site which is approximately 1 metre square. Although the owner of Cottage Nursery was informed of the breach and asked to remove them by the 14 March 2019. The owner of the site failed to remove the signs and when interviewed under caution stated that “Do what you want I am not going to remove them” As a result of a criminal offence being committed by displaying unauthorised signs a prosecution file has been raised.

Investigation summary

- 6 Enforcement Investigations for October 2019 reflect a decrease in the number of cases investigated when compared to the same period in 2018. Sixty-two (62) cases in total for the October period versus Seventy-nine (79) cases in 2018.

The year to date comparison 2019 versus 2018 revealed a reduction of 54 cases less for the same period.

A review of the eighty-one (81) cases closed in October 2019 revealed that 35 cases were found not to be in breach of planning control or were permitted development, 17 cases complied, and 10 cases were not expedient to enforce. The remaining 19 cases were as a result of awaiting further instruction, retrospective planning applications submitted, Express Consent Granted, referred to County Council or Environmental Health.

It should be noted that whilst investigations carried out so far this year are less than 2018, they exceed the 2017 results for the same period – Plus 25 cases.

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: Alistair Funge Acting Principal Enforcement Officer

Telephone: (01954) 713092

Enforcement Cases Received and Closed

Month – 2019	Received	Closed
July 2019	68	56
August 2019	68	65
September 2019	41	33
October 2019	62	81
1st Qtr. 2019	135	134
2nd Qtr. 2019	146	155
3rd Qtr. 2019	177	154
1st Qtr. 2018	161	148
2nd Qtr. 2018	156	167
3rd Qtr. 2018	176	160
4th Qtr. 2018	177	176
1st Qtr. 2017	122	122
2nd Qtr. 2017	157	165
3rd Qtr. 2017	148	118
4th Qtr. 2017	175	158
2019 - YTD	537	437
2018 - YTD	670	651
2017 - YTD	602	563
2016 - YTD	565	563
2015 - YTD	511	527
2014 -YTD	504	476

2018/2019

This page is left blank intentionally.

Notices Served and Issued

1. Notices Served

Type of Notice	Period	Calendar Year to date
	October 2019	2019
Enforcement	0	7
Stop Notice	0	0
Temporary Stop Notice	0	1
Breach of Condition	2	18
S215 – Amenity Notice	2	4
Planning Contravention Notice	0	2
Injunctions	0	1
High Hedge Remedial Notice	0	1

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
SCD-ENF-494-19 Fail to remove exercise equipment & hard standing within time limit	Bassingbourn	Brook Orchard Farm	Breach of Condition Notice
SCD-ENF-414-19 Unauthorised change of use of land from agricultural to residential	Little Gransden	74 Main Road	Section 215 Amenity Notice
SCD-ENF-300-19 Parking spaces not constructed prior to occupation of new dwelling	Great Chishill	14 Colts Croft	Breach of Condition Notice

3. Case Information

Fifty (50) of the Sixty-two (62) cases opened during October were closed within the same period which represents an 81% closure rate.

Appendix 2

A breakdown of the cases investigated during October 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.
One (1) case was investigated.

Medium Priority -Activities that cause harm (e.g. adverse effects on residential amenity and conservation areas, breaches of conditions)
Fifty-Seven (57) 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)
Four (4) cases were investigated.

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

Adverts	x 01
Amenity	x 03
Breach of Condition	x 16
Breach of Planning Control	x 02
Built in Accordance	x 06
Change of Use	x 02
Conservation	x 01
High Hedge	x 00
Conditions	x 00
Listed Building	x 03
Other	x 09
Unauthorised Development	x 14
Unauthorised Demolition	x 02
Permitted Development	x 03
Monitoring	x 00
<u>Total Cases reported</u>	<u>62</u>

Agenda Item 9



REPORT TO: Planning Committee

11th December 2019

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 3rd December 2019. 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

Contact Officer: Stephen Kelly Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

Telephone Number: 01954 713350

Report Author: Ian Papworth Technical Support Officer (Appeals)

Telephone Number: 01954 713406

This page is left blank intentionally.

Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/0751/19/FL	1 Park Lane, Castle Camps, CB21 4SS	Proposed New front porch.	Allowed	07/11/2019	Refused
S/0326/19/FL	2 Church Lane, Barton	Replace the external weatherboard cladding on 3 sides of the property and replacement of ground floor window frame on the south- west side	Dismissed	07/11/2019	Refused
S/3649/18/OL	8 The Green, Rampton	Application for outline planning permission with all matters reserved except for access for 2 dwellings	Dismissed	12/11/2019	Non- Determination
S/0766/19/FL	Land at Oakdene, Station Road, Longstanton, Cambridge, Cambridgeshire, CB24 3DS	Erection of a single self- build dwelling, garage, remodelled access and associated infrastructure	Dismissed	11/11/2019	Refused
S/0601/19/FL	Brickyard Farm, Lower Road, Croydon	Change of use of redundant building to a dwelling to include associated operational development and landscaping	Allowed	18/11/2019	Refused

Appendix 1

S/3485/18/RM	Barrington Cement Plant, Haslingfield Road, Barrington, Cambridge, Cambridgeshire, CB22 7RQ	Application for approval of reserved matters for appearance, landscaping, layout and scale under planning permission S/0057/17/VC for development of 220 residential units	Allowed	29/11/2019	Non- Determination
--------------	--	---	---------	------------	-----------------------

Appeals Received

Reference	Address	Details	Date Appeal lodged
S/1823/19/FL	136-138 High Street, Harston	Erection of detached 1.5 storey 2 bedroom dwellinghouse and new access onto New Road	06/11/2019
S/1265/19/FL	173, Acre Road, Carlton, Newmarket, Cambridgeshire, CB8 9LF	Erection of single storey dwelling following demolition of existing outbuilding and associated works	14/11/2019
S/2645/19/FL	Chestnut Tree Farm, 95 Meldreth Road, Whaddon, Royston, Cambridgeshire, SG8 5RS	Conversion of out building into a one bedroom apartment	14/11/2019
S/2282/19/FL	12 Elms Avenue, Gt Shelford	Retrospective permission for lightweight polycarbonate sheet as lean-to covering to side elevation	18/11/2019
S/1269/19/FL	Haelen Field Farm, Twenty Pence Road, Cottenham	Outline planning permission with all matters reserved for a single dwelling (resubmission of S/0115/19/OL)	22/11/2019
S/3106/19/FL	Carefields, Button End, Harston	Siting of an additional 3 Mobile Homes and associated Hardstanding as resubmission of planning permission S/0868/19/FL	02/12/2019

This page is left blank intentionally.

Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
NONE				

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
S/3873/17/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	TBC
S/1625/18/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	TBC
ENF/0587/17	Mr Barry Arliss	Riverview Farm, Overcote Road, Over	Enforcement	TBC
S/0868/19/FL	John Hedges - C/O WS Planning & Architecture	Carefield, Button End Harston	Planning Decision	TBC
S/0913/19/VC	Mr J Hart	Apple Acre Park, London Road, Fowlmere	Non determination	TBC
S/3106/19/FL	Mr John Hedges	Carefield, Button End Harston	Planning Decision	TBC

This page is left blank intentionally.