

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500

f: 01954 713149

www.scambs.gov.uk



5 October 2020

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

Quorum: 3

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

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held as a **Virtual meeting - Online** on **Wednesday, 14 October 2020 at 10.00 a.m.** **A weblink to enable members of the press and public to listen to the proceedings will be published on the page of the Council's website containing the online version of the agenda, normally, at least 24 hours before the meeting.**

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
1. Chair's announcements	
2. Apologies Apologies received from Councillor Heylings. To receive apologies	

for absence from other committee members.

3. **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.

4. **Minutes of Previous Meetings**

1 - 18

To authorise the Chair to sign, as correct records, the Minutes of the meetings held on 22 July 2020, 26 August 2020 and 9 September 2020.

5. **S/4207/19/RM - Cottenham (Land North East of Rampton Road)**

19 - 100

Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/2876/16/OL for a residential development comprising 154 dwellings including access.

6. **S/4243/19/FL - Orchard Park (Land to the West of Neal Drive)**

101 - 164

Erection of two new private residential blocks with linking central element comprising 138 student rooms and associated facilities (Resubmission of application S/3983/18/FL)

7. **20/02881/FUL - Whittlesford (Factory, 84 Duxford Road)**

165 - 192

Demolition of existing factory premises and the construction of 7 No. dwellings and associated infrastructure, including access, parking, landscaping and ancillary work (Re-submission of S/0029/19/FL)

8. **S/3215/19/DC - Longstanton (The Retreat, Fews Lane)**

193 - 212

Discharge of conditions 4 (Foul Water Drainage) and 5 (Surface Water Drainage) of planning permission S/2937/16/FL

Appendix A is attached to the online version of this agenda. Those reading a paper copy of the agenda, please type into your web

browser the following case sensitive password and press enter:

<https://bit.ly/34rtPkf>

Then scroll down to the Longstanton item.

- | | | |
|------------|--|------------------|
| 9. | S/0150/20/FL - Swavesey (11 Home Close) | 213 - 220 |
| | Two-storey side extension | |
| 10. | 20/02217/FUL - Cottenham (8 Mill Field) | 221 - 226 |
| | Change of use of land to form part of residential curtilage and the erection of a double garage. | |
| 11. | 20/03308/CL2PD - Cambourne (51 Brookfield Way) | 227 - 230 |
| | Lawful certificate for a proposed single storey side extension to both sides of detached house | |
| 12. | Enforcement Report | 231 - 240 |
| 13. | Appeals against Planning Decisions and Enforcement Action | 241 - 248 |

GUIDANCE NOTES FOR MEMBERS OF THE PUBLIC FOR REMOTE MEETINGS

Members of the public are welcome to view the live stream of this meeting, except during the consideration of exempt or confidential items, by following the link to be published on the Council's website.

Any person who participates in the meeting in accordance with the Council's procedure rules, is deemed to have consented to being recorded and to the use of those images (where participating via video conference) and/or sound recordings for webcast purposes. When speaking, members of the public should not disclose any personal information of any individual as this might infringe on the rights of that individual and breach the Data Protection Act.

For more information about this meeting please contact democratic.services@scambs.gov.uk

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 Joint Director of Planning and Economic Development.

- (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, 22 July 2020 at 10.00 a.m.

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

Councillors: Anna Bradnam
Peter Fane
Judith Rippeth
Heather Williams
Nick Wright

Dr. Martin Cahn
Dr. Tumi Hawkins
Deborah Roberts
Richard Williams

Officers in attendance for all or part of the meeting:

Christopher Carter (Delivery Manager - Strategic Sites), Miriam Hill (Trees Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Luke Simpson (Senior Planning Officer) and Andrew Thompson (Principal Planning Officer - Strategic Sites)

1. Chair's Announcements

For the benefit of members of the public viewing the live webcast of the meeting, the Chair introduced Committee members and officers in attendance.

He explained that this meeting of the Planning Committee was being held virtually and asked for patience bearing in mind the challenges posed by the technology in use and by the new meeting skills required.

The Chair confirmed that the Planning Committee would continue with the practice of recording votes unless a resolution could be reached by affirmation. He explained the process he would follow in a virtual meetings environment.

He confirmed that the meeting was quorate but informed members of the public that, if a Committee member was absent for any part of the presentation of or debate about an agenda item then that member would not be allowed to vote on that item.

2. Apologies

There were no Apologies for Absence.

3. Declarations of Interest

There were no declarations of interest.

4. Minutes of a Previous Meeting

The Committee authorised the Chair to sign, as a correct record, the Minutes of

the meeting held on 10 June 2020.

5. S/4532/19/FL - Impington (The Meadows Community Centre, 1 St Catharines Road) ** Withdrawn from this agenda **

The Delivery Manager (Strategic Sites) explained that this was a cross-boundary planning application and that the original intention had been to present it to the Planning Committees at both South Cambridgeshire District Council and Cambridge City Council.

However, upon Councillor John Batchelor's proposal, seconded by Councillor Pippa Heylings, and by affirmation, the Committee **withdrew this application from the agenda** noting that a report would shortly be presented for determination by a Joint Committee consisting of Councillors from Cambridge City Council and South Cambridgeshire District Council,

6. S/2011/14/OL - Longstanton / Oakington (Land to the East of the B1050 and Longstanton West of the Cambridgeshire Guided Busway (CGB) and North of Oakington)

The planning case officer explained the factors prompting the proposal to re-prioritise the Planning Obligations set out in the Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

Members noted that the Fire and Rescue Service was no longer seeking money for the provision of a fire station in Northstowe. They also noted, and expressed concern about, the lack of consultation with the community about the re-prioritisation, and the ongoing search for a suitable location for a burial ground.

By affirmation, the Committee authorised officers to vary the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 to revise triggers ensuring delivery of the re-prioritised infrastructure set out at Appendix 2 to the report from the Joint Director of Planning and Economic Development and that the proposed elements thus falling outside the cost cap would need to be delivered through alternative funding. The Committee also varied the Section 106 Agreement to reflect the approved delivery strategy, specifically:

- Revision of Part 8 Clause 1.1(a) to deliver the Western Sports Hub reverting from 2,000 dwellings across Phase 1 and Phase 2 to 3,300 dwellings across Phase 2. This would deliver this element in accordance with the approved Phase 2 Phasing Strategy.
- Revision of Part 8 Clause 1.2 The trigger for the town park to 1,500 dwellings across Phase 2. The play equipment within the town park would be delivered and be available for use by residents at the existing trigger. It would also be necessary to ensure that any damage to the play equipment be kept under review during the construction process and appropriate maintenance be undertaken as appropriate. This is in accordance with the Healthy Living Youth and Play Strategy.

- Payment of about £3.2 million (with indexation) being brought forward from 2,500 dwellings across Phases 1 and 2 to 450 occupations within Phase 2 so that this reflects the delivery and completion of the Education Campus.

7. **S/0123/20/FL - Willingham (130 Rampton Road)**

The planning case officer made a detailed presentation, and pointed out a formatting error that had resulted in two separate Conditions being merged into Condition 2 set out in the report from the Joint Director of Planning and Economic Development. The second part of that Condition – relating to the annex – should have a separate number and the reason should be to protect the amenity of nearby residents. The applicants were Mr. and Mrs. Webster, and not South Cambridgeshire District Council as stated in the report.

Members noted the existence of an extant planning permission on site, and the status of nearby development,

Daniel Fulton (objector), Lee Bevens (the applicants' agent) and Councillor Harris (Willingham Parish Council) addressed the meeting.

The Member debate focussed on the following points

- The site was outside the village framework
- The existence of planning harm
- Relevant policies in the South Cambridgeshire Local Plan 2018
- The height and bulk of the proposed property

Councillor Pippa Heylings proposed that Condition 19 be expanded to relate also to visual and neighbour amenity. This was seconded by Councillor Anna Bradnam and, upon a roll call being taken, the Committee accepted the amendment by eight votes to one with two abstentions.

(Councillors John Batchelor, Bradnam, Cahn, Fane, Hawkins, Heylings, Rippeth, and Heather Williams voted in favour. Councillor Roberts voted against. Councillors Richard Williams and Wright abstained.)

Following a further short debate, Councillor Deborah Roberts proposed that the application be deferred. This was seconded by Councillor Richard Williams and, by eight votes to three, the Committee **deferred** the application to allow the Senior Planning Lawyer to consider the legal arguments made, and verdict reached, in the case of *Mansell v Tonbridge and Malling Borough Council* and thus be able to advise the Committee fully, and to enable Planning officers to explore the feasibility of conducting a Member site visit.

(Councillors Bradnam, Hawkins, Heylings, Rippeth, Roberts, Heather Williams, Richard Williams, and Wright voted for deferral. Councillors John Batchelor, Cahn and Fane voted against.)

8. **TPO 0002 (1978) - Caxton (Land at Bourn Road)**

The Trees Officer outlined the purpose of the proposal which was to continue to preserve two trees of value from the trees originally covered by Tree Preservation Order 0002 of 1978.

By affirmation, the Committee **approved** the issue and service of a provisional Tree Preservation Order on land at Bourn Road, Caxton as set out in the report from the Joint Director of Planning and Economic Development.

9. Enforcement Report

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

The Meeting ended at 12.55 p.m.

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 26 August 2020 at 10.00 a.m.

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

Councillors: Anna Bradnam Dr. Martin Cahn
Peter Fane Dr. Tumi Hawkins
Deborah Roberts Richard Williams
Eileen Wilson (substitute) Nick Wright

Officers in attendance for all or part of the meeting:

Fiona Bradley (Interim Team Leader, Development Management),
Christopher Carter (Delivery Manager - Strategic Sites), Alistair Funge
(Planning Enforcement Officer), Stephen Reid (Senior Planning Lawyer),
Jane Rodens (Senior Planner) and Ian Senior (Democratic Services Officer)

Councillor Geoff Harvey was in attendance, by invitation.

1. Chair's announcements

For the benefit of members of the public viewing the live webcast of the meeting, the Chair introduced Committee members and officers in attendance.

He explained that this meeting of the Planning Committee was being held virtually and asked for patience bearing in mind the challenges posed by the technology in use and by the new meeting skills required.

The Chair confirmed that the Planning Committee would continue with the practice of recording votes unless a resolution could be reached by affirmation. He explained the process he would follow in a virtual meetings environment.

He confirmed that the meeting was quorate but informed members of the public that, if a Committee member was absent for any part of the presentation of or debate about an agenda item then that member would not be allowed to vote on that item.

2. Apologies

Councillors Judith Rippeth and Heather Williams sent Apologies for Absence.
Councillor Eileen substituted for Councillor Rippeth.

3. Declarations of Interest

Councillor Anna Bradnam declared a non-pecuniary interest in Minutes 8 and 9 (20/01463/HFUL and 20/01464/LBC - Little Wilbraham (5 Primrose Farm Road) by virtue of being friends with the applicant and a colleague of Councillor Dr. Claire

Daunton. Councillor Bradnam confirmed that she had not discussed this application with either of them, and was considering the matter afresh.

Councillor Dr. Martin Cahn declared a non-pecuniary interest in Minute 5 (S/4191/19/FL - Orchard Park (Western Side Of Land Parcel COM4, Neal Drive) because he had taken part, where appropriate, in meetings between Orchard Park Community Council and the developer where this application had been discussed. His wife was a member of the Planning Committee at Histon and Impington Parish Council, where this application had also been discussed. Councillor Cahn was considering the matter afresh.

Councillor Pippa Heylings declared a non-pecuniary interest in Minute 5 (S/4191/19/FL - Orchard Park (Western Side Of Land Parcel COM4, Neal Drive) because she had taken part, where appropriate, in meetings between Orchard Park Community Council and the developer where this application had been discussed. Councillor Heylings was considering the matter afresh.

Councillor Eileen Wilson declared a non-pecuniary interest in Minute 6 (S/4451/19/FL - Rampton (Land at the rear of 5 High Street) because she had discussed the application with Ward colleague Councillor Neil Gough. Councillor Wilson was considering the matter afresh and reminded those present that her Ward of Cottenham included the Parish of Rampton.

4. Minutes of Previous Meetings

By affirmation, the Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 25 June 2020 subject to an amendment to show that Councillor Richard Williams was absent from the meeting for part of Item 8 only, and was present, not absent, for Items 9, 10 and 11.

By affirmation, the Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 8 July 2020.

5. S/4191/19/FL - Orchard Park (Western Side Of Land Parcel COM4, Neal Drive)

The presenting officer made a detailed presentation focussing on, among other things

- Land ownership
- Visibility splays
- The pedestrian link
- Proposed additional wording in Condition 5
- Viability, and an alternative planning obligation
- Reference to 'Appeal A' as summarised in the report
- Landscaping
- Travel plan
- Car parking

The Senior Planning Lawyer expanded on the question of viability. Although this was a long-term investment, there remained a £2.8 million deficit requiring the

Committee to identify its priorities. Cambridgeshire County Council was forward funding a cycleway along Histon Road. However, the developer was not able to contribute both to that project and to community facilities. The Senior Planning Lawyer therefore had drafted two alternative planning obligations under Section 106 of the Town and Country Planning Act 1990.

Members noted that, were they to opt for a financial contribution to community facilities instead of the cycleway, then Cambridgeshire County Council as Local Highways Authority would object to the application.

Paul Watson (applicant's agent), Councillor Chan (Orchard Park Community Council), and Councillor Martin Cahn (a local Member) addressed the meeting.

Councillor Pippa Heylings (a local Member) proposed an amendment and addition as set out in 2 (a) and (b) of the Committee decision below. This was seconded by Councillor Anna Bradnam and, upon a vote being conducted by roll call, the Committee approved both the amended Condition and additional Informative by eight votes to one with one abstention.

(Councillors John Batchelor, Bradnam, Cahn, Fane, Hawkins, Heylings, Wilson and Wright voted in favour. Councillor Roberts voted against. Councillor Richard Williams abstained.)

During the ensuing debate, Members focussed on the following

- Density
- Viability
- The absence of affordable housing
- Orientation of the building
- Design
- Impact on the existing community and implications for future community cohesion
- Housing mix
- Car parking, including in the context of South Cambridgeshire District Council's aspiration of meeting its carbon zero target

The Senior Planning Lawyer emphasised the importance of considering the current application on its merits, and not being influenced by other factors, including the indication that the appeal against refusal of a previous application could be withdrawn.

By affirmation, the Committee gave officers **delegated authority to approve the application**, subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing
 - a. A 15-year clawback mechanism in relation to affordable housing
 - b. Implementation and maintenance of a car club scheme
 - c. Developer Contributions towards community facilities (but

excluding the cycleway contribution sought by Cambridgeshire County Council)

2. The Conditions and Informatives set out in the report, subject to

(a) Condition 5 being re-worded as follows

The pedestrian link on land within the Applicant's ownership, between Neal Drive and Chieftain Way, as shown on the approved Site Plan OP/170/2 Rev 1 shall be constructed and made available for public use prior to first occupation of the approved development. The pedestrian link within the Applicant's ownership, shall thereafter be retained in accordance with the approved plans and shall remain accessible to the general public at all times unless otherwise agreed in writing with the Local Planning Authority. The pedestrian link within the Applicant's ownership shall be maintained to a standard sufficient for public use as proposed.

(b) An additional Informative *that would satisfy the concerns raised by the landscape officer that the details submitted in relation to the soft and hard landscaping (as required by Condition 6) shall provide a high-quality landscape that overcomes the objections raised.*

final wording to be agreed by officers in consultation with the Chair and Vice-Chair of the Planning Committee.

6. S/4451/19/FL - Rampton (Land at the rear of 5 High Street)

Mr. Gadsby (objector) addressed the meeting.

Councillor Eileen Wilson (a local Member) highlighted the scarce amenities in Rampton giving rise to a high dependancy on private motor vehicles.

Other Committee members made points based on the following

- Viability
- The minimal impact on Listed Buildings and the Conservation Area
- Local opinion
- The South Cambridgeshire Local Plan 2018 and revised National Planning Policy Framework

The Delivery Manager (Strategic Sites) read out a statement from Councillor Neil Gough (the other local Member).

By eight votes to one, the Committee refused the application for the following reasons:

1. Principle of Development

The full planning application was located within the Development Framework of Rampton identified by Policy S/11 of the South

Cambridgeshire Local Plan 2018 as an Infill Village within the adopted Local Plan. The Policy stated that residential development would be permitted in the village where there were two dwellings. If there were to be more than two dwellings, then they must be of very exceptional circumstance.

This development by virtue of its poor design, would create harm to the Rampton Conservation Area where it is situated, have a poor relationship with the neighbouring properties and harm their amenity.

Therefore, this was not a development of very exceptional circumstance and not in conformity with Policy S/11, S/7 and S/2 of the adopted South Cambridgeshire Local Plan 2018.

2. Impact on heritage assets

This application had been refused due to the less than significant harm that would be caused to the Rampton Conservation Area. The dwellings were not reflective of the character of the Conservation Area, the level of development was too intense for this site and their design did not reflect the historic core of the Conservation Area, nor did the dwellings reflect the previous uses of the site as a farm yard. The visibility of the buildings from around the site would remove the current openness which was a unique feature of this yard to such an extent that would cause harm to the character of the Conservation Area.

The public benefit stated by the supporting information was not acceptable as it did not provide sufficient justification for development within the Conservation Area. The proposal was not in conformity with Policy NH/14 of the South Cambridgeshire Local Plan 2018, the National Planning Policy Framework (NPPF), Planning (Listed Buildings and Conservation Areas) Act 1990 and the Rampton Conservation Area Appraisal.

3. Character and Design of the Development

Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018 stated that development within the district must be reflective of the character of the area in which it was located, create a legible and place-responsive design, that created a sense of place and identity. Parking within the development should be well integrated.

This application would harm the Conservation Area as it was not reflective of the character of its surroundings. It would be visible from important views into the site and mainly The Green. Within the site the U-shaped development would create a cul-de-sac which was not a character of the Conservation Area.

When entering the site, parking being proposed would be dominant, which could be viewed from outside the site.

The application was not in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and the NPPF, both of which required a

high standard of development reflective of the surrounding area.

4. Residential Amenity

Within Plot 1 bedroom four was smaller than the requirement in Policy H/12 of the adopted South Cambridgeshire Local Plan 2018. Plots 3 and 4 did not meet the requirement of creating a residential garden that was 15 metres from the rear elevation of the development to the rear common boundary, as stated in the District Design Guide.

The proposal would therefore cause harm to the future residents of the site and the amenity of the neighbouring properties. This application was not in conformity with Policies HQ/1, H/12 of the adopted South Cambridgeshire Local Plan 2018, the District Design Guide and the NPPF.

(Councillors John Batchelor, Bradnam. Cahn, Haswkins, Heylings, Richard Williams, Wilson and Wright voted to refuse the application. Councillor Fane voted to approve it. Councillor Roberts did not vote.)

7. 20/01463/HFUL - Little Wilbraham (5 Primrose Farm Road)

In response to Councillor Pippa Heylings, the Delivery Manager (Strategic Sites) said that the Planning Committee and Local Planning Authority had to strike a balance between their support for energy efficiency measures and their statutory duty to protect heritage assets.

By affirmation, the Committee **approved** the application subject to the Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development.

(Councillor Deborah Roberts was not present for part of this item and did not vote.)

8. 20/01464/LBC - Little Wilbraham (5 Primrose Farm Road)

In response to Councillor Pippa Heylings, the Delivery Manager (Strategic Sites) said that the Planning Committee and Local Planning Authority had to strike a balance between their support for energy efficiency measures and their statutory duty to protect heritage assets.

By affirmation, the Committee approved the application subject to the Conditions set out in the report from the Joint Director of Planning and Economic Development.

(Councillor Deborah Roberts was not present for part of this item and did not vote.)

9. Enforcement Report

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

10. Appeals against Planning Decisions and Enforcement Action

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

The Meeting ended at 2.50 p.m.

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South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 9 September 2020 at 10.00 a.m.

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

Councillors: Anna Bradnam Dr. Martin Cahn
Geoff Harvey (substitute) Dr. Tumi Hawkins
Judith Rippeth Deborah Roberts
Heather Williams Richard Williams
Nick Wright

Officers in attendance for all or part of the meeting:

Christopher Carter (Delivery Manager - Strategic Sites), Sumaya Nakamya (Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Michael Sexton (Senior Planning Officer) and Luke Simpson (Senior Planning Officer)

Councillor Dr. Ian Sollom was in attendance, by invitation.

1. Chair's announcements

For the benefit of members of the public viewing the live webcast of the meeting, the Chair introduced Committee members and officers in attendance.

He explained that this meeting of the Planning Committee was being held virtually and asked for patience bearing in mind the challenges posed by the technology in use and by the new meeting skills required.

The Chair confirmed that the Planning Committee would continue with the practice of recording votes unless a resolution could be reached by affirmation. He explained the process he would follow in a virtual meetings environment.

He confirmed that the meeting was quorate but informed members of the public that, if a Committee member was absent for any part of the presentation of or debate about an agenda item then that member would not be allowed to vote on that item.

2. Apologies

Councillor Peter Fane sent Apologies for Absence. Councillor Geoff Harvey acted as substitute.

3. Declarations of Interest

Councillor Anna Bradnam declared a Non-Pecuniary interest in Minute 12 (S/0009/20/FL - Waterbeach (Recreation Ground, Cambridge Road)). Councillor

Bradnam was aware of this application as a local Member for Milton and Waterbeach Ward, but had not contributed to any discussion locally in a prejudicial manner, and was considering the matter afresh.

Councillor Dr. Martin Cahn declared a Non-Pecuniary interest in Minute 6 (S/4295/19/FL - Impington (Impington Village College, New Road)). Councillor Cahn's two children had been students at Impington Village College, and he himself had formerly been a member of the Parents Committee there. Councillor Cahn had attended a presentation about the project, and his wife was a member of the Planning Committee at Histon and Impington Parish Council.

Councillor Pippa Heylings declared a Non-Pecuniary interest in Minute 6 (S/4295/19/FL - Impington (Impington Village College, New Road)). Councillor Heylings had been present at meetings between the project management team, developers, and Council officers, but was considering the application afresh.

Councillor Judith Rippeth

- declared a Non-Pecuniary Interest in Minute 6 (S/4295/19/FL - Impington (Impington Village College, New Road)). Councillor Rippeth has a daughter in Year 10 with an EHCP (Education Health Care Plan). That daughter might, in the future, benefit from the second building (P.8) rather than the free school for children with Autism Spectrum Condition.
- Regarding Minute 12 (S/0009/20/FL - Waterbeach (Recreation Ground, Cambridge Road)) reminded those present that she was a Ward Member for Milton and Waterbeach.

In the interests of clarity, Councillor Heather Williams pointed out that one of the appeals received at Minute 15 (Appendix 2 to the agenda report) related to a site within the Mordens Ward, for which she was the local Member. The report was for information only and did not require the Committee to make a decision.

4. Minutes of a Previous Meeting

The Committee authorised the Chair to sign, as a correct record, the minutes of the Extraordinary meeting held on 13 May 2019 subject to the correction of a spelling mistake under the heading 'Social and Community Infrastructure' where "trailor" should say "trailer".

5. Accidental additional consultation periods

The Delivery Manager (Strategic Sites) informed the Committee that it had come to the attention of officers that, due to a technical issue with the IT system used by the planning service, there were several planning applications included on the current agenda where an additional consultation period had been started in error.

Officers had therefore made a judgement as to which of those applications were likely to generate additional representations during the additional consultation periods (requiring deferral) and which were less likely to do so and capable of being subject to a Committee resolution to make a decision so long as no new material comments were received during the additional consultation periods.

Following a Member discussion, it was agreed that the words "...new material..." should be omitted from any resolution to make a decision.

Councillor Heather Williams proposed an amendment saying that all eight planning applications should be deferred. This was seconded by Councillor Deborah Roberts but, upon a vote being conducted by roll call, the amendment was lost by seven votes to four. Councillors Roberts, Heather Williams, Richard Williams, and Wright voted to defer all eight applications.

Councillor John Batchelor proposed that Item 6 – S/4207/19/RM – Cottenham (Land North East of Rampton Road) – be deferred. This was seconded by Councillor Anna Bradnam and, upon a vote being taken by roll call, the motion was **approved** by seven votes to four, with Councillors Roberts, Heather Williams, Richard Williams, and Wright voting against.

Councillor John Batchelor proposed that Item 8 – S/3215/19/DC – Longstanton (The Retreat, Fews Lane) – be deferred. This was seconded by Councillor Anna Bradnam and, upon a vote being taken by roll call, the motion was **approved** by seven votes to four, with Councillors Roberts, Heather Williams, Richard Williams, and Wright voting against.

6. S/4295/19/FL - Impington (Impington Village College, New Road)

Ryan Kelsall (supporting the application), Councillor Denis Payne (Histon & Impington Parish Council) and County Councillor David Jenkins addressed the meeting.

The Committee welcomed the application and, in particular, the design and matching of materials with those from which the original college building had been constructed. Public consultation had been good, and issues such as drainage and respect for the character of the area had been addressed. The Committee considered that the proposal's benefit outweighing any perceived planning harm to the Green Belt.

The Committee **resolved to give officers delegated powers to approve** the application subject to

1. no issues being raised during the additional consultation period;
2. referral of the application to the Secretary of State as a departure from the Development Plan;
3. the Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development, with an additional Condition requiring the submission of details as to the form, construction, and appearance of the flue, an additional Informative strongly encouraging 'Green Excellence' in terms of energy and other matters. but deletion of Condition ai(v) as this duplicated Condition y.

7. S/4207/19/RM - Cottenham (Land North East of Rampton Road)

Members noted that Councillor John Batchelor had earlier proposed that this application be deferred. This proposal had been seconded by Councillor Anna Bradnam and, upon a vote being taken by roll call, the motion had been **approved** by seven votes to four.

(Councillors John Batchelor, Bradnam, Cahn, Harvey, Hawkins, Heylings, and Rippeth voted for deferral. Councillors Roberts, Heather Williams, Richard Williams, and Wright voted against.)

8. S/4057/19/OL - Harston (Tanner and Hall Ltd, Station Road)

John Cosgrove (objector speaking on behalf of the neighbours), Andrew Adams (applicant), Councillor Niall O'Byrne (Harston Parish Council) and Councillor Ian Sollom (a local Member) addressed the meeting.

During the ensuing debate, Members made the following points

- While noting the viability argument, there was no exceptional reason for allowing this site in the Green Belt to be developed unless 100% affordable housing could be secured
- The housing would be subjected to unacceptable noise and shock from the nearby railway line
- Distance to the bus stop was too great
- There was no sense of place-making

By ten votes to nil with one abstention, the Committee **resolved to give officers delegated authority to refuse** the application for the reasons set out in the report from the Joint Director of Planning and Economic Development, subject to no issues being raised during the additional consultation period.

(Councillor Dr. Tumi Hawkins abstained.)

9. S/3215/19/DC - Longstanton (The Retreat, Fews Lane)

Members noted that Councillor John Batchelor had earlier proposed that this application be deferred. This proposal had been seconded by Councillor Anna Bradnam and, upon a vote being taken by roll call, the motion had been **approved** by seven votes to four.

(Councillors John Batchelor, Bradnam, Cahn, Harvey, Hawkins, Heylings, and Rippeth voted for deferral. Councillors Roberts, Heather Williams, Richard Williams, and Wright voted against.)

10. S/0123/20/FL - Willingham (130 Rampton Road)

Members attended a COVID-Safe site visit on 8 September 2020.

Daniel Fulton (objector), Anna Webster (applicant) and Councillor Neil Harris

(Willingham Parish Council) addressed the meeting.

Prior to the meeting, Committee members had received copies of correspondence between Mr Fulton (Fews Lane Consortium) and the Senior Planning Lawyer in relation to this application.

By seven votes to three with one abstention, the Committee **approved** the application subject to

1. Officers correcting an administrative error in labelling the elevation drawings; and
2. The Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development.

(Councillors John Batchelor, Cahn, Hawkins, Heylings, Rippeth, Richard Williams, and Wright voted in favour. Councillors Bradnam, Roberts and Heather Williams voted against. Councillor Harvey abstained.)

Council Standing Order no. 9 - Duration of Meetings

During the following item (20/02195/FUL - Cambourne (South Cambridgeshire Hall,6010, Cambourne Business Park)), Councillor John Batchelor proposed that the meeting should continue beyond the four hour mark. This was seconded by Councillor Anna Bradnam and **approved** by affirmation.

(Councillor Deborah Roberts was not present.)

11. 20/02195/FUL - Cambourne (South Cambridgeshire Hall,6010, Cambourne Business Park)

Alex Wingate and Paul Ingle from the Project Team addressed the meeting.

Councillor Pippa Heylings welcomed the proposal as 'transformational' and said it proved leadership in terms of producing energy and saving money.

Following a short debate, and by affirmation, the Committee **approved** the application subject to the Conditions set out in the update report from the Joint Director of Planning and Economic Development, and an additional Condition requiring inverter detail as set out in the Officer presentation.

12. S/0009/20/FL - Waterbeach (Recreation Ground, Cambridge Road)

The Committee accepted that the proposal would result in the pavilion having a larger footprint and, potentially, impacting on more nearby residents. However, the design was considered to be good.

By affirmation, the Committee **approved** the application subject to the Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development, including a Condition requiring appropriate screening.

(Councillor Deborah Roberts was not present.)

13. 20/01085/HFUL - Great Wilbraham (2 Butt Lane)

Paul Lewis (objector) addressed the meeting. A major concern was that of neighbours being overlooked from windows in the proposed extension. Members discussed whether the applicant could be required or encouraged to mitigate this concern by installing obscured glass where appropriate. Officers pointed out that the positioning of the windows exceeded the Council's guidelines. They agreed to convey to the applicant concerns about overlooking but concluded that imposing a Condition or attaching an Informative would not be reasonable.

Following further discussion and by seven votes to three, the Committee **resolved to grant officers delegated authority to approve** the application, subject to

1. no issues being raised during the additional consultation period; including on the amended red line boundary; and during which Certificate B is due; and
2. the Conditions set out in the report from the Joint Director of Planning and Economic Development.

(Councillors John Batchelor, Bradnam, Cahn, Harvey, Hawkins, Heylings and Rippeth voted in favour. Councillors Heather Williams, Richard Williams, and Wright voted against. Councillor Roberts was not present.)

14. Enforcement Report

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

15. Appeals against Planning Decisions and Enforcement Action

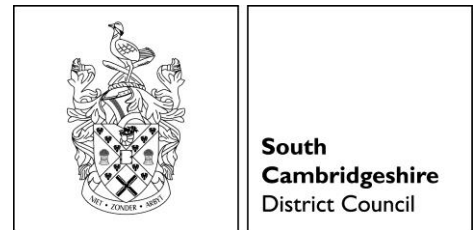
The Committee **received and noted** a report on appeals against planning decisions and enforcement action.

The Delivery Manager (Strategic Sites) undertook to circulate to Members the appeal decision relating to 22 Cambridge Road, Foxton. This appeal had been allowed, and the enforcement notice quashed.

The Committee noted that the appeals relating to planning applications S/0768/18/FL and S/3983/18/FL, both at Western Side of Land Parcel COM4 Neal Drive, Orchard Park, had been withdrawn.

The Meeting ended at 4.05 p.m.

Agenda Item 5



14 October 2020

Report to: South Cambridgeshire District
Council Planning Committee

Joint Director of Planning and Economic Development

Lead Officer:

S/4207/19/RM – Land North East Of Rampton Road Cottenham

Proposal: Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/2876/16/OL for a residential development comprising 154 dwellings including access

Applicant: This Land

Key material considerations: Compliance with the Outline Planning Permission
Housing Provision (including affordable housing)
Open Space Provision
Reserved Matters:
Layout
Scale
Appearance
Landscaping
Biodiversity
Flood Risk and Drainage
Highway Safety, Management of Roads and Parking
Residential Amenity
Heritage Assets
Other matters

Date of Member site visit: None

Is it a Departure Application?: Yes (advertised 10 January 2020)

Decision due by: 16 October 2020 (extension of time agreed)

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

Officer Recommendation: Approval

Presenting officer: Michael Sexton

Executive Summary

1. Outline planning permission was granted at appeal on 10 May 2018 for residential development comprising 154 dwellings including matters of access with all other matters reserved.
2. A recent non-material amendment application updated the description of the outline consent to "...development comprising up to 154 dwellings..." (reference S/2876/16/NMA1).
3. As amended, the reserved matters application proposes the development of 147 dwellings.
4. The referendum on the Cottenham Neighbourhood Plan was due to take place on 26 March 2020. This was suspended due to the COVID-19 pandemic. Guidance published by central government in April 2020 indicates that no neighbourhood plan referendums can take place before May 2021.
5. Under National Planning Practice Guidance, 'new' paragraph 107 sets out changes that have been introduced to neighbourhood planning in response to the coronavirus (COVID-19) pandemic. The result of this guidance is that the Cottenham Neighbourhood Plan can be given significant weight in decision-making, so far as the plan is material to the application.
6. The proposed development would result in some conflict with policy COH/1-1(a.c) of the Cottenham Neighbourhood Plan by virtue of the introduction of a built form of development into a currently undeveloped and relatively open area of the countryside and village edge where a vista towards All Saints Church, Cottenham has been identified on Rampton Road.
7. The proposed development would also result in some minor conflict with policy COH/1-5 of the Cottenham Neighbourhood Plan in terms of scale (height) of the proposed dwellings. There would be limited areas of the development where the larger heights of the proposed properties would be evident when read in conjunction with existing properties in the immediate area, specifically the southern portion of the site (i.e. Plots 1 to 17).
8. The conflict identified with policies in the Cottenham Neighbourhood Plan and the extent of that identified harm must be weighed against the benefits and positive design responses of the scheme.
9. The site is a relatively spacious and low-density development, appropriate to its rural edge of village location, placing a large central green at the heart of the new development. Being a slightly more 'detached' development from the main village, the site is afforded the opportunity to both respond positively to the design characteristics of the existing village while also creating its own legibility and architectural pattern.
10. The proposed development provides a high quality and spacious development which incorporates a variety of bespoke house types that has a contemporary

appearance which aims to create a 21st century identity for the site, while drawing on design characteristics and architectural details from the existing village. The dwellings have well designed elevations which are generally well positioned and responsive to their location within the site, with the use of subtle variations between forms, elevational detailing, and materials to further enhance the aesthetics of the site.

11. The development incorporates large amounts of soft landscaping and additional tree planting, which are well integrated within the site. Les King Wood, the north-western boundary of the site and a designated Local Green Space, is to be significantly enhanced and made more accessible.
12. Although not required by condition on the outline consent, 124 of the 147 properties (84%) would meet or exceed national space standards. The 23 units which would not meet or exceed these standards, all of which are market units (house type B), only fail slightly on the basis of a slightly smaller level of built in storage than is required (rather than falling short on habitable areas such as bedrooms).
13. 113 of the 147 properties (77%), including all affordable units, would be built to accessible and adaptable dwellings M4(2) standard, beyond the 5% requirement of policy H/9(4) of the Local Plan.
14. Each property is afforded a generous area of private amenity space (in some cases a communal area), which meet or generally exceed the recommendations of the Council's District Design Guide.
15. The elements above, together with the spacious layout of the site and good level of separation between properties, result in the development providing a very high-quality level of amenity to the future occupiers of the site.
16. Taken collectively, these factors (and those detailed throughout this report) would accord with policy requirements from both the Cottenham Neighbourhood Plan and the South Cambridgeshire Local Plan along with guidance from the Cottenham Village Design Statement and District Council's District Design Guide Supplementary Planning Documents.
17. Furthermore, the development of the site would result in the provision of 147 dwellings towards the Council's 5-year housing land supply and the erection of 59 affordable units to help meet an identified local need.
18. Officers consider the reserved matters including the layout, scale, appearance and associated landscaping to be acceptable and that the benefits and positive design responses of the scheme outweigh the limited harm identified and the associated conflict with elements of the Cottenham Neighbourhood Plan. The proposal would provide a high-quality scheme which would make a positive contribution to the local and wider context of the site and the character of the area, responsive to its edge of village location, providing a good level of amenity to the future occupiers of the site.

19. The scheme has therefore been recommended for approval subject to planning conditions.

Relevant planning history

20. Pre-application Enquiry PRE/0319/19 – Reserved matters application following outline consent for 154 dwellings (including Design Workshop).
21. S/2876/16/NMA1 – Non material amendment on application S/2876/16/OL for description of development to include the words "up to", so that the description reads "Outline Planning Application for residential development comprising up to 154 dwellings including matters of access with all other matters reserved" – Approved.
22. S/3551/17/OL – Outline Planning Application for residential development comprising 125 dwellings including matters of access with all other matters reserved – Withdrawn.
23. S/2876/16/OL – Outline Planning Application for residential development comprising 154 dwellings including matters of access with all other matters reserved – Appeal Allowed.
24. S/2828/16/E1 – Screening Opinion – Have No Objection To.

Planning policies

National Guidance

25. National Planning Policy Framework 2019
National Planning Practice Guidance 2018
National Design Guide 2019

South Cambridgeshire Local Plan 2018

26. 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/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/6 – Construction Methods
CC/7 – Water Quality
CC/8 – Sustainable Drainage Systems
CC/9 – Managing Flood Risk
HQ/1 – Design Principles
HQ/2 – Public Art and New Development
NH/2 – Protecting and Enhancing Landscape Character
NH/3 – Protecting Agricultural Land

NH/4 – Biodiversity
NH/12 – Local Green Space
NH/14 – Heritage Assets
H/8 – Housing Density
H/9 – Housing Mix
H/10 – Affordable Housing
H/12 – Residential Space Standards
SC/2 – Health Impact Assessment
SC/6 – Indoor Community Facilities
SC/7 – Outdoor Play Space, Informal Open Space and New Developments
SC/8 – Protection of Existing Recreation Areas, Allotments and Community Orchards
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

Cottenham Neighbourhood Plan Referendum Version (February 2020)

27. COH/1-1 – Landscape Character
COH/1-2 – Heritage Assets
COH/1-5 – Village Character
COH/1-7 – Local Green Space
COH/2-1 – Development Framework
COH/2-2 – Large Site Design
COH/4-1 – Recreation & Sports Hub
COH/4-4 – Sports Facilities

South Cambridgeshire Supplementary Planning Documents (SPD):

28. Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Affordable Housing SPD – Adopted March 2010
District Design Guide SPD - Adopted March 2010
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
Open Space in New Developments SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Cottenham Village Design Statement SPD – Adopted November 2007

Consultation

29. Cottenham Parish Council – Objection.

See Appendix 1 for a full copy of the comments received from Cottenham Parish Council on 06 August 2020 to the amended proposal.

The comments of Cottenham Parish Council received on 06 August 2020 are summarised as follows:

We have identified below a number of ways in which the proposition has deteriorated since the refusal of the original application and on which the Appeal Inspector, when granting outline permission wrote:

"19 With control that exists in relation to scale, layout, appearance and landscaping I have no doubt that a well-designed permeable housing development that has proper regard to the guidance contained within the supplementary planning document, 'Cottenham Village Design Statement', and which complements the village could be achieved."

The policies in Cottenham's Neighbourhood Plan, which includes extracts from Cottenham's Village Design Statement, can be given significant weight in decision-making, so far as the plan is material to the application.

The developer is attempting to squeeze around 150 houses into a site some 2 hectares smaller than that for which outline permission was obtained; a constraint that has prevented the developer from living up to the Appeal Inspector's aspiration, expressed in paragraph 19 of his report.

We have identified thirteen flaws that exacerbate the challenge and support a refusal of this application and proposed some mitigations that could make the application more compliant with the NP.

Application Boundary(1)

Although not mandatory, it is usual for the red line boundary, substance and planning conditions attached to a successful appeal for outline planning permission to be closely aligned with those in a subsequent application for approval of Reserved Matters on the same site. Within the context of the original red line boundary, the Appeal Inspector stressed the importance of the Cottenham Village Design Statement in paragraph 19.

This application is for essentially the same number - 154 - of houses that were refused by SCDC under S/2876/16/OL on a red line site that was over 2 hectares larger in area than that proposed here.

The constricted red line site puts pressure on house location, protection of a key vista in Cottenham's Neighbourhood Plan (which also featured in SCDC's initial refusal of outline permission here) and arrangements for safe management of

surface water, especially along the edge of Les King Wood, which became protected Local Green Space in Cottenham's Neighbourhood Plan.

Application Boundary(2)

The Appeal Inspector included, within condition 4, P16021-003E (a site masterplan), albeit "only in respect of those matters not reserved for later approval." It is inconceivable that the Appeal Inspector, in coming to conclusion 19 above was not influenced by the layout shown in P16021-003D/E.

The restrained red line site also reduces the land available for retention as public open space adjacent to the existing sports pitches at the Recreation Ground - as shown, albeit not very clearly, in the appeal drawing P16021-003D/E which included the masterplan in the original refused application - and a much larger contiguous public open space.

Cottenham Village Design Statement

Although the Appeal Inspector gave minimal weight to either the then unadopted SCDC Local Plan or pre-examination Cottenham Neighbourhood Plan, he gave substantial weight to Cottenham's Village Design Statement (paragraph 19)

The proposed design and layout of the site demonstrates little regard to the policies of the Village Design Statement and even less to the policies in the more recent Cottenham Neighbourhood Plan (which now carries significant weight), which draws many "village design" principles from the Supplementary Planning Document.

The proposed design and layout appear to give too much weight to the urban "look and feel" proposed by SCDC's District Design Guide.

The village-oriented policies of the Cottenham Neighbourhood Plan (COH/1-5) should pre-empt those of the more urban-focused District Design Guide, especially as the Appeal Inspector paid no regard to the latter.

Cambridgeshire County Council

Cambridgeshire County Council retains a strong financial interest in the site and its development. This Land, CCC's wholly-owned subsidiary and the applicant here, has - excluding Les King Wood - only acquired some 8.76 hectares of the original 10.81 hectare red line appeal site, leaving over 2 hectares in the ownership of the County Council, presumably as a base for expanding the Primary School in Lambs Lane. Safety issues arising from that expansion necessitate an alternative site entrance and, a need to retain freehold land to trade against leased land to be "re-possessed". County Councillors on the SCDC Planning Committee have complex conflicts of interest between these various proposals.

There have been reports on the difficulties faced by Planning Authority decision-makers attempting to make proper determinations when faced by intense lobbying, pressures to correct 5-year land supply deficiencies, and conflicts of interest with other public roles. In this case, any County Councillor must be aware of the financial pressures on the County Council which have forced them to assume the role of a speculative developer in order to convert the capital value of land-holdings into future income to repay debt and maintain services. Some may also be involved with provision of education services or overly concerned to maintain SCDC's 5-year land supply.

Layout

The proposed layout is not dissimilar to that originally proposed in the refused S/2876/16/OL application which had fewer houses along the perimeter of Les King Wood and even had a relatively non-invasive route for a rear access to the putative Primary School expansion and, albeit only in the Design & Access storybook, a footway to the Community Facilities and Lambs Lane. That layout, the only one available to the Appeal Inspector, could have been refined, parties willing, into an acceptable layout and solution if some houses were removed from the southern extreme of the site.

The constrained red line site puts pressure on house location and prevents linking the application site to the rear of the expanded Primary School without cutting through playing fields, creating a safety hazard for young people enjoying sport and wasting invaluable sport space by avoidable road development.

Vista

The proposal blocks vista 2 to our Grade I Listed Building identified in policy COH/1-1a in Cottenham's pre-referendum Neighbourhood Plan.

The restrained red line site puts pressure on house location and protection of a key vista in Cottenham's Neighbourhood Plan (which also featured in SCDC's refusal of outline permission).

Design & Layout

The design and layout conflicts with Cottenham's Village Design Statement and policy COH/1-5a, b, c, and d which is a derivative of it, intended specifically to apply lessons learned from previous new build projects in Cottenham in order to conserve the character of the village as explained in the Neighbourhood Plan and the E8 and E12 Evidence Papers prepared in its support.

In the south of the site, the second tier of 11 houses (street scene 4 - a run of five near-identical houses, each with unusually steep pitches on garage roofs followed by another run of five near-identical houses with unusually steep pitches on both house and garage roofs followed by a singleton), are uncharacteristic of Cottenham designs (NP policy COH/1-5b,c), and prevent a

larger area being available for public open space contiguous with the existing sports facilities (NP policies COH/4-1 and COH/4-4).

These tall houses, being out of character and close to established ones are a particular concern when they become even more overbearing when their relative height is increased by the inevitably higher datum of the new properties as a result of land recovered from site groundworks being re-distributed around the site.

Around Ramphill Farm, 3 blocks totalling 10 maisonettes (street scene 2) and the redundant stub "road to nowhere", which are also out of character with Cottenham village character (NP policy COH/1-5b,c), and prevent a better configuration of public open space (NP policies COH/4-1 and COH/4-4), especially when the adjacent County Council hectare becomes available if/when the Primary School expands onto Parish Council leased land.

The restrained red line site puts pressure on house location, protection of a key vista in Cottenham's Neighbourhood Plan and site layout, which although improved from previous attempts, retains too many areas of "sameness" by having too many near-identical house designs (ridge heights, plot widths, building lines and site positions)

Les King Wood

Although rejected as Local Green Space in the adopted SCDC Local Plan due to it being disconnected from the village at the time, recent developments, especially the Gladman / Redrow site on the opposite side of Rampton Road and its recent connection via a bridleway to Broad Lane, have brought it into a well-connected position in the village's green infrastructure. Cottenham's Neighbourhood Plan includes most of it as Local Green Space. The wood is already Public Open Space in all but name and this development proposal risks compromising its availability by locating a substantial SUDS within its boundary.

The smaller red line site puts pressure on house location, protection of a key vista in Cottenham's Neighbourhood Plan and arrangements for safe management of surface water, especially along the edge of Les King Wood, which became Local Green Space in Cottenham's Neighbourhood Plan.

Drainage

The runoff from the sandy-clayey site is proposed ultimately to use the adjacent Catchwater Drain which is connected to the IDB's Queenholme Pumping Station. However, the design calculation seems to have been misled by "local authorities" (Surface Water Drainage Strategy Addendum); contradicting the Appeal Inspector's condition 16 by instructing the engineers to use only impermeable land in the run-off calculation despite knowing that the permeable land does not support infiltration.

The design itself is necessarily complex to manage even these lesser flows and will be almost impossible to maintain given the nature of the soil as is well

known to users of Les King Wood or the 3rd Field. There is insufficient space to install adequate surface water retention and release capacity to slow run-off flows down to the 1.1 litres per second per hectare required by the IDB's system without seriously compromising Les King Wood.

There is no agreement with the IDB to accept that run-off into a system that may already be compromised by the uncontrolled Northstowe outflows. An effective design may require much more of Les King Wood - now Local Green Space in Cottenham's Neighbourhood Plan - to be consumed by the Sustainable Urban Drainage System.

The constrained red line site puts pressure on house location and arrangements for safe management of surface water, especially along the edge of Les King Wood, which became Local Green Space in Cottenham's Neighbourhood Plan. Currently there are serious doubts over the adequacy of the design - both in capability and maintainability, risk involved should the site be abandoned when only partly developed with an incomplete and or ineffective SUDS, and, in the long run, the SUDS becoming ineffective due to clogging by the sandy/clayey soil or in the absence of a long-term maintainer.

Planning conditions previously imposed on Brenda Gautrey Way, Tenison Manor, Racecourse View and others have not been adequately enforced undermining local trust in the enforcement regime.

Potential New Primary School Access

Access Road from Rampton Road to the proposed rearward extension of Cottenham Primary School. It has recently been confirmed by Cambridgeshire County Council that their intention is to extend the site rearward into land which is currently leased by Cottenham Parish Council, potentially reducing the amount of land available for sport.

In addition, because of safety concerns over increased traffic an expansion would bring to Lambs Lane, This Land has been required to show a "stub" road headed towards the potential extension despite such stub roads normally being objected to by County Highways unless there is a clear purpose and onward connection.

It is notable that 1 hectare of the reduction in site area arises from Cambridgeshire County Council's retention of 1 hectare that potentially links the application site and the land leased to Cottenham Parish Council. This Land misleadingly (Design & Access addendum p25) shows how a full-size 11 v 11 football pitch might be integrated into this 1 hectare into Cottenham's sports provision without showing the effects of the intersecting road.

Withholding the 1 hectare achieves several things - at a cost. It underwrites the possibility that the application site can be connected to the future Primary School extension, subject to planning permission, and might also form the basis of the required "land swap" should part of the leased 3rd Field be taken for the school extension. However a full 5.1 metre road plus footways and fences etc.

as insisted on by County Highways for the Recreation Ground access road upgrade, would encroach considerably onto the land available for the required 11v11 pitch, as would the FA's stipulated additional 3 metre "respect" space along the touchlines. The indicative layout shown on page 25 of the Design & Access addendum statement is misleading by implying there would be space for such a 11 v 11 pitch. The road, in this position would necessarily cross land designated as Local Green Space.

Sports Field

Reconfiguring sports fields is an expensive proposition, made even more expensive if intensification of use (all-weather surfaces, flood-lighting) is necessary due to reduced area being available to serve a larger population. As Cottenham grows and the constraints on space proposed by this development, an all-weather multi-use area will be needed close to the pavilion (to avoid surfaces being contaminated with mud). The proposed Public Open Space in the south of the development is not large enough to support, say a 11v11 and a 3-court netball arena, both of which are necessary additions supported by s106 funding agreements.

The restrained red line site puts pressure on house location and reduces the land available for retention as public open space adjacent to the existing sports pitches at the Recreation ground - as shown, albeit not very clearly, in the appeal drawing P16021-003D/E which reflected the masterplan in the original refused application.

Boundary Treatments

This Land is proposing to remove a considerable amount of established hedgerow, replacing it with close-boarded fencing to secure the site perimeter, in conflict with policy NH/4 in SCDC's adopted Local Plan and the commitment in the biodiversity enhancement strategy (page 9) to retain this hedgerow throughout the development.

The restrained red line site puts pressure on environmental protection in conflict with Local Plan policy NH/4.

Public Open Space

Status of the POS it is not clear how much Public Open Space will be retained on-site and how and on what basis this will be maintained and available for public use.

Les King Wood which has been regarded as part of Cottenham's public open space since its inception in 2000. Inclusion in Cottenham's Neighbourhood Plan as Local Green Space and recent connection via bridleway to Broad Lane elevated its local importance.

The land towards Rampton Road, identified as possible POS is too small for effective use in an all-weather upgrade for more intensive use.

The restrained red line site puts pressure on house location and reduces the land available for retention as public open space, especially adjacent to the existing Sports pitches at the Recreation ground.

Proposed Mitigation

- A considerable reduction in the number of houses being proposed adjacent to the existing playing fields and some relocated nearer to Les King Wood without compromising the key vista.
- Early engagement with the County Council to secure a non-invasive access route to a school extension and shorten the walking distance into the village by the necessary land exchanges or permissions.
- The issues of potential conflict of interest arising from either County or District Council priorities can, given the substantial change in "red line area", only be properly dealt with by referral to a neutral Planning Inspector following SCDC refusal of this application and a presumed appeal by the applicant.
- Removal of the second tier of 11 houses, which are uncharacteristic of Cottenham designs, to conserve village character (NP policy COH/1-5b,c), and facilitate a larger area being available for public open space contiguous with the existing sports facilities (NP policies COH/4-1 and COH/4-4).
- Removal of 3 blocks totalling 10 maisonettes (street scene 2) and the redundant stub "road to nowhere", which are also out of character with Cottenham designs, to conserve village character (NP policy COH/1-5b,c), and facilitate a better configuration of public open space (NP policies COH/4-1 and COH/4-4), especially when the adjacent County Council hectare becomes available if/when the Primary School expands onto Parish Council leased land.
- Relocation or removal of up to 20 houses (street scene 6), which are out of character with Cottenham designs requiring more variety of ridge height and building line, to conserve village character (NP policy COH/1-5b,c), and restore the vista (NP policy COH/1-1a vista 2) through to the Grade I listed All Saints Church and allow more space, albeit with some tree loss, for proper drainage systems (NP policy COH/2-2e) without destroying Les King Wood - a Local Green Space (NP policy COH/1-7, SCDC policy NH/14).
- The boundary treatment around the site should be secure against informal pedestrian access and based, wherever possible on existing hedgerow to protect a wildlife "habitat of principal importance" for commuting bats, birds and invertebrates (SCDC policy NH/4).
- The design of the surface water management system should be independently assessed to give confidence to Cottenham Parish Council and the community.
- The adequacy and ownership status of the Public Open Space near the Sports Pavilion must be verified (NP policies COH/4-1 and COH/4-4 and supporting Evidence Paper E4).

Further comments were received from Cottenham Parish Council on 06 September 2020. A full copy of these comments can be found in Appendix 2 while additional points to those above are summarised as follows:

Disappointing to see defence of a “21st Century” approach to design as a rebuttal of the recently-examined Cottenham Neighbourhood Plan.

Officers presenting the proposal as complaint after the applicant has only made a few colour changes here and there, even shrugging off requests by colleagues for surface water management conditions as inappropriate despite these being applied to RM applications by both Persimmon and Redrow in recent times.

More attention should be given to the following key mitigations:

- Reduction in the number of houses proposed adjacent to the existing playing fields; 147 remaining the target quantum when 120 is nearer to an acceptable mark when 2 hectares has been lost from the developable area of the site.
- The imposition of the condition suggested by the SCDC Sustainable Drainage Engineer design of surface water management system should be independently assessed to give confidence to Cottenham Parish Council and the community; (NP policies (COH/2-2e,f,g). Recent flooding in Cottenham was, in part, caused by lack of maintenance of the surface water management scheme in the 20-year old Tenison Manor and Brenda Gautrey Way developments.

30. **Cllr Wotherspoon**

As the county councillor for Cottenham I would like to highlight the observation made by Camcycle.

Recent government guidance on encouraging active travel, as well as the National Design Guide, promotes convenient bicycle storage close to front doors, preferably closer than the car parking for each house, to help nudge making cycling the first choice for short trips. So I am glad to see that you have dealt with cycle parking by condition (g).

Obviously LTN (local transport note) 1/20 only came out very recently (but before determination of this application), and I should like to see it followed in this instance, especially because the cycle path from Cottenham to Rampton is the principal link from Cottenham to the Busway (and ultimately to Northstowe). I know the appeal inspector specified, in his condition 4, that drawing P16021-003E [which is Appendix E of the revised Transport Assessment] should be one of the approved plans, “but only in respect of those matters not reserved for later approval”. Doesn’t the actual design of the accesses fall within the definition of “layout”, with respect to being one of the reserved matters currently under determination? The only details about the two accesses shown in that drawing are that the visibility splays should have a radius of 10m. The actual cross sections are not given, and I would have thought that it would not be out

of order to require, at this stage, submission of detailed drawings showing provision of access arrangements complying with LTN 1/20.

31. **Affordable Housing Officer** – Support.

Affordable Housing

The number of residential dwellings in the amended application has reduced from 154 to 147. This subsequently has reduced the number of affordable units to 59 from 62. This is acceptable.

Housing Mix

The reduction in the number of affordable units means that 2 x 2 bed flats & 1 x 2 bed house has been removed from the original application. This is acceptable.

All the affordable homes will be built to M4(2) standards on this scheme.

The applicant has confirmed that the tenure split will be 70/30% split in favour of Affordable rent.

All affordable housing units meet or exceed the Governments Technical Housing Standards.

Clustering

The layout presented shows clusters of affordable housing varying from 4 to 12 dwellings per cluster and are well distributed among the market housing.

The applicant has provided further information on the individual tenure of each affordable unit. I can confirm we approve of the placement of the individual tenures.

Design & Appearance of Affordable Housing

The scheme adheres to SCDC Affordable SPD 2010, with regard, to its requirements that the affordable housing is not distinguishable from market housing by its external appearance.

Additional S106 Agreement Obligations

The following are obligations expected on this scheme that were agreed in the S106 – 21 March 2018 and are not mentioned above.

- The rental level for any individual Affordable Dwelling should not exceed the Local Housing Allowance Level (or equivalent benefit level) or 80% of Market Rent, whichever is lowest.
- A Local Lettings Plan for this scheme is to be agreed between the Registered Provider & Local Authority. This will detail a local connection priority for Cottenham residents and a suitable cascade mechanism thereafter for bordering villages and finally any village within South

Cambridgeshire.

32. **Anglian Water** – No objection

Assets

Request wording provided is included on any decision regarding Anglian Water Assets.

Wastewater Treatment

The foul drainage from this development is in the catchment of N/A Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Our initial assessment indicates that this development lies beyond the range at which detectable noise and odour from the water recycling centre operation would normally be anticipated.

Used Water Network

We have reviewed the applicant's submitted foul drainage strategy and flood risk documentation and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage.

Surface Water Disposal

We have reviewed the applicant's submitted surface water drainage information (Drainage Strategy) and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge.

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

Request adequate provision be made for fire hydrants through Section 106 agreement or planning condition.

34. **Camcycle** – Objection.

The proposed two access points interrupt the shared-use pavement and do not provide suitable crossing points that are usable by people cycling.

The applicants should submit revised drawings showing access points onto Rampton Road with crossings that are in compliance with Local Transport Note 1/20 and Policy TI/2 for cycling along the Rampton Road shared-use pathway.

Details of cycle parking for all the dwellings need to be submitted as well.

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

A condition was placed on the outline consent requiring investigation for potential contamination; no further comment is required for this Reserved Matters application.

36. **Designing Out Crime Officer** – No objection.

This appears to be an appropriate layout in relation to crime prevention and the fear of crime providing reasonable levels of natural surveillance from neighbour's properties with many of the homes facing each other and some overlooking the public open space and LEAP.

Do have the following comments for consideration as the application progresses:

- External Lighting – our recommendation is that all adopted and un-adopted roads, private roads, shared drives and parking areas, should be lit with columns to BS5489:1 2013.
- Would like to see what crime prevention measures will be proposed/adopted in relation to building security, cycle and bin store security and boundary treatments.

37. **Ecology Officer** – No objection.

Ecological Enhancement Scheme

The applicant has submitted an updated Biodiversity Management Strategy which now includes linear biodiversity features. It confirms that there will be a net gain in linear biodiversity which is welcomed. The applicant also submitted an email which provided confirmation of how the habitats highlighted by my colleague were assessed as in poor condition. The applicant has used the Environment Bank Biodiversity Calculator not the DEFRA Metric 2.0 as assumed. The Environment Bank calculator uses a different set of habitat assumption than DEFRA 2.0 and therefore according to the calculator used the assumptions are correct.

Lastly the aspiration to develop a woodland in 'good condition' has been accepted and the calculation adjusted. The site will still provide a net gain in biodiversity which is welcomed. Although this is not at the 10% provision that we should be aiming for, the retention and further management of the wooded areas will provide a great source of biodiversity in the future and therefore it should be looked on favourably.

The application can therefore be supported in terms of ecology and biodiversity. The amended Biodiversity Enhancement Strategy should be secured through condition. In addition an ecological mitigation and enhancement compliance report, a strategy regarding ash dieback, and details of sensitive external

lighting design will also need to be secured by condition if consent is granted.

Otter and Water Vole Report

The report confirms that there will be no works within 25m of the drain as Les King Wood will be retained and protected during works. As water vole burrows are usually found within 5m of watercourse edges, and due to existing footpaths being used for recreational access, no further surveys are required. The precautionary measures detailed are acceptable and should be secured by condition if consent is granted.

Precautionary Method of Works

Revised drawing no. C130395-04-01 Rev A in Ecological Precautionary Methodology Rev C (Middlemarch Environmental, March 2020) shows the entirety of the woodland and north-east corner as a red i.e. high risk area. The report confirms that the woodland will be retained during works. The area will be protected with barrier fencing as set out in Section 4. I have no objection to the approach proposed which will need to be strictly followed.

Woodland Management Plan

Woodland will now to retained and protected as stated in the plan. The suggestion for a strategy for ash dieback to be conditioned is acceptable in this instance. A strategy regarding ash dieback and details of sensitive external lighting design will also need to be secured by condition if consent is granted.

- 38. **Environment Agency** – No formal comment to offer.
- 39. **Environmental Health Officer** – None received.
- 40. **Historic Buildings Officer** – No comment to make.
- 41. **Historic Environment Team (Archaeology)** – No objection.

As the red line boundary has changed from the outline planning consent, recommend an archaeological condition to secure a programme of archaeological work which has been secured in accordance with a written scheme of investigation (WSI).

- 42. **Landscape Officer** – No objection.

Recommend Woodland Management Plan 06 Rev C & Biodiversity Enhancement Strategy 05 D be included as approved documents.

Insufficient soft landscape details submitted on landscape masterplan; soft landscape to be conditioned.

Recommend details of boundary treatment, lighting and cycle storage areas be conditioned.

43. Lead Local Flood Authority – No objection.

The documents submitted demonstrate that surface water from the proposed development can be managed through the use of permeable paving, detention basins, bio-retention areas, a balancing pond and a below ground attenuation tank. This will restrict surface water to a rate of 3.5 l/s during all events up to and including a 1 in 100 year event plus a 40% allowance for climate change before it discharges into the Catch Water Drain to the north-west of the site, which is managed by the Old West Internal Drainage Board (IDB).

The LLFA is supportive of the use of permeable paving, detention basins, balancing ponds and bio-retention areas as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment which is of particular importance when discharging into a watercourse.

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

Recommend the following conditions:

- Surface water drainage scheme for the site (based on sustainable drainage principles and upon the principles within the agreed Surface Water Drainage Strategy Addendum prepared by Gyoury Self Partnership (ref: 14288PL-DRN Ad Revision B) dated 12 March 2020.
- Details for the long-term maintenance arrangements for the surface water drainage system.

Suggest informatives for IDB consent and pollution control.

44. Local Highways Authority – No objection.

Request drawing number 1005.0002.009 Rev D be submitted as a standalone drawing and not appendix E of the Transport Assessment to enable this drawing to be included within the approved drawings.

Recommend conditions for:

- Arrangements for future management and maintenance of streets within the development.
- Pedestrian visibility splays.

The Local Highway Authority will not seek to adopt the proposed development until the required information has been submitted and approved by the Local Highway Authority the proposed swales will need to be managed by either the Parish Council or another body with a successor. The Highway Authority will not accept the use of a Management Company to maintain apparatus that directly relates to the drainage of surface water.

45. **Natural England** – No comments to make.

46. **Old West Internal Drainage Board** – Objection.

This application is outside of the Old West Internal Drainage District but the site will discharge into one of the Board's Main Drains.

The proposed flow rate stated in the flood risk assessment is based on the total site area which it should only take into account the impermeable areas to calculate the flow rate.

Therefore, based on the above reason, the Board objects to this application.

47. **Public Health England** – No comments to make.

48. **Sport England** – No objection.

49. **Sustainability Officer** – No objection.

The applicant provides an Energy Strategy which states that a fabric first approach will be delivered for this development, including the use of the following measures in all dwellings:

- Energy-efficient building fabric and insulation to all heat loss floors, walls and roofs
- High-efficiency double-glazed windows throughout
- Good air-tightness result
- Efficient-building services including high-efficiency heating systems
- Low-energy lighting throughout

Improved fabric and the use of Air Source Heat Pump Technology should ensure the development reduces carbon emissions by 11.96%, of which 10.14% is achieved via the installation of a low/zero carbon technology. This makes the proposed development compliant with Local Plan Policy CC/3.

Water Efficiency

The applicant suggests that water reductions will be achieved via the installation of a number of low flow fixtures and fittings. The applicant has provided the flow rates for these along with Building Regulations Part G water calculations which demonstrates that dwellings should use no more than 109.71 litres per person per day.

This should ensure the development is compliant with the requirements of Local Plan Policy CC/4

Condition

Recommends a condition that the approved renewable/low carbon energy technologies (as set out in the Energy Statement and/or as shown on the approved plans) shall be fully installed and operational prior to the occupation of

the development and thereafter maintained in accordance with a maintenance program.

50. **Sustainable Drainage Engineer** – No objection.

Because the strategy has changed since the report referenced in relation to condition 16 of outline planning permission S/2876/16/OL, the following conditions are required:

- Surface water drainage scheme for the site (based on sustainable drainage principles and in accordance with South Cambridgeshire District Council local plan policies, and upon the principles within the agreed Surface Water Drainage Strategy Addendum prepared by Gyoury Self Partnership (ref: 14288PL-DRN Ad Revision B) dated 13.05.2020.
- Details for the long-term maintenance arrangements for the surface water drainage system.

51. **Transport Assessment Team** – No objection.

52. **Trees Officer** – No objection

Woodland Management Plan (Ref: RT-MME-130395-06; dated March 2020) - This is ideal management plan for a woodland of this scale, age and character. It is outstanding that the woodland will be kept in its present dimensions for future Cottenham residents to enjoy. This can be listed as an approved document.

Detailed soft landscape plans by condition.

53. **Urban Design Officer** – Support.

Design Officers are supportive of changes introduced to the scheme following the last consultation. The scheme is considered to accord with the design objectives set out in the 'Cottenham Village Design Statement' (2007), 'Cottenham Neighbourhood Plan' (Referendum Version February 2020), 'South Cambridgeshire District Design Guide' (2010), Policy HQ/1 of the 'South Cambridgeshire Local Plan' (2018) and Paragraphs 127 & 130 of the 'National Planning Policy Framework' (2019).

Density

The reduction in the number of dwellings has resulted in a drop in density, i.e. a reduction from 24.5 dph (outline consented scheme) to 22.8 dph. The site layout consists of primarily detached and semi-detached dwellings that responds well to the context of the site, e.g. the row of dwellings, mostly detached dwellings, is set back from Les King Wood and are accessed off block paving next to a well-designed landscaped area, this layout approach respects the site's edge-of-village character. All properties meet the minimum private amenity space standards set out in the 'South Cambridgeshire District Design Guide' (2010). These lead to Design Officers' judgement that the proposed number of dwellings is appropriate for the site.

Visual impact

The applicant has provided sufficient information explaining how the proposed scheme would accord with the design objectives set out in Policy COH/1-1: 'Landscape character' of the 'Cottenham Neighbourhood Plan' regarding viewpoints 2 and 7 in Figure 6. The proposed layout has taken into account the existing vistas that contribute to the character and attractiveness of Cottenham, ensuring that Les King Wood is protected with proposed buildings sufficiently offset from it, upholding the long views Eastwards along the woodland edge towards the Grade 1 listed All Saint Church. Similarly, there is separation and openness across the King George V Fields north towards the Les King Wood with the development edge set back/green corridor into the heart of the development and proposed tree planting to retain the 'big sky' Fen Edge Character.

Trees are provided to the front gardens of Plots 96 to 106 and Plots 113 to 127. It is considered that these would help enhance views towards north when viewed from the recreation grounds from the south.

Appearance

The proposed street scenes drawing shows a variety of bespoke house types that has a contemporary appearance which aims to create a 21st century identity for the site. The dwellings generally have well designed elevations are generally well positioned. There are subtle variations between elevational treatment. The roof pitch is considered appropriate for the proposed dwellings and reflect some of the roof pitches of existing dwellings in Cottenham, together with the well-proportioned fenestrations, the buildings would help contribute to refreshing the architectural pattern. It is considered the architecture would enrich the fen-edge character of Cottenham, and the scheme is generally in compliance with Policy COH/1-5: 'Village character – new build' of the 'Cottenham Neighbourhood Plan' and the design objectives set out in Policy B/1 of 'Cottenham Village Design Statement' (2007) which encourages high-quality contemporary architecture.

Parking arrangement

A variety of parking arrangement is provided for the development. Most parking spaces are positioned next to the dwellings to minimise visual impact on the streetscene. Whilst there are areas of frontage parking, these are limited and they are generally positioned away from the front elevations of the dwellings, and are interspersed with planting to soften the impact on the streetscene and to minimise impact on residential amenity. I do not object to the parking courts provided for the apartments as they are generally well overlooked and incorporates planting

Suggested Conditions

Recommend conditions for 1) materials, including surface finishes; 2) boundary treatments; 3) details of all windows, doors, surrounds, heads, cills, eaves, verges, soffits and fascia; 4) window and door recess; 5) details of substation and pumping station; 6) removal of trees; 7) boundary walls fronting street to be of brick construction; and 8) bin and cycle store details.

Representations from members of the public

54. Eight representations have been received raising objection to the proposed development. Full redacted versions of these comments can be found on the Council's website. In summary the following concerns have been raised:
- Bus service: Citi 8 passes twice a day, the service for the rest of Cottenham is more frequent, nearest bus stop is Lambs Lane.
 - Drainage and flooding issues.
 - Heavy construction traffic will increase the damage to already poor roads.
 - Highway safety.
 - Loss of amenity to the local community: recreation ground needs to increase in size and not be reduced with this number of housing being built on and around recreation ground (far better and sustainable for the sports clubs if they are all in one place).
 - Loss of light.
 - Loss of privacy.
 - Materials out of keeping: plots 12 & 56 as Gatehouses treated with aluminium cladding, conflicting with the Cottenham Village Design Statement (in Guideline B/6) requests new developments to "maintain and strengthen the visual cohesion of the village", "respect local characteristics and context of the particular site", and to use materials "that are appropriate to Cottenham".
 - New houses disproportionately higher and overbearing that existing Rampton Road (new is 9.3m, existing is approx.8.3m measured by counting brick courses).
 - Outline application promised footpath and cycleway connection to Lambs Lane via recreation ground. These are absent from the RM application.
 - Protection for boundary walls.
 - Route of construction traffic.
 - Separation distance is far from appropriate (section 2.5 of Design and Access Statement).
 - Steeply pitched roofs, increasing height and out of character.
 - Traffic generation.
 - Type of housing proposed aren't in keeping (those behind existing Rampton Road properties are the worst possible design).
 - Wildlife impact.

The site and its surroundings

55. The site is located outside of the development framework boundary of Cottenham and in the countryside. The site abuts the development framework boundary on a portion of its southern boundary. The nearest listed building is Tower Mill, Rampton Road, a Grade II tower windmill (now a water tower) located approximately 170 metres south of the site. The western edge of Cottenham conservation area is more than 500 metres from the southern and eastern boundaries of the site. To the east of the site is a Local Green Space which extends across areas of Cottenham recreation ground and adjacent fields. The site lies within Flood Zone 1 (low risk).
56. The site is situated to the west of the village and forms an irregular parcel of agricultural land and woodland that measures approximately 14.76 hectares in area. The western boundary of the site abuts Rampton Road and elements of existing residential development and farm buildings. The northern boundary of the site is defined by the Catch Water Drain and contains Les King Wood, a community planted memorial woodland. The eastern boundary of the site abuts the recreation ground and open fields while the southern boundary abuts an area of allotments. The topography of the site is relatively flat with ground levels falling towards the north-western boundary of the site into Les King Wood.

The proposal

57. This application seeks approval of matters reserved for appearance, landscaping, layout, and scale following outline planning permission S/2876/16/OL for residential development comprising 154 dwellings including matters of access with all other matters reserved.
58. A non-material amendment application was submitted to the Local Planning Authority in June 2020, reference S/2876/16/NMA1. The application sought an amendment to the development description of the outline consent to include the words "up to", so that the description reads "Outline Planning Application for residential development comprising up to 154 dwellings including matters of access with all other matters reserved".
59. The non-material amendment application was approved on 24 July 2020.
60. As amended, the reserved matters application proposes the development of 147 dwellings.

Planning Assessment

61. The application comprises the submission of the matters for approval that were reserved when outline planning permission for the development of the site was granted. Those matters that were reserved are set out in condition 1 of outline consent S/2876/16/OL and form:
 - Details of the layout of the site.
 - Details of the scale of buildings.

- Details of the appearance of buildings.
- Details of landscaping.

62. The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides a definition of what each of the above matters means in practice:

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

“scale” means the height, width and length of each building proposed within the development in relation to its surroundings.

“appearance” means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

“landscaping” means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes; (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.

Cottenham Neighbourhood Plan

63. The referendum on the Cottenham Neighbourhood Plan was due to take place on 26 March 2020. This was suspended due to the COVID-19 pandemic. Guidance published by central government in April 2020 indicates that no neighbourhood plan referendums can take place before May 2021 and the one for the Cottenham Neighbourhood Plan will be delayed until this time.
64. The District Council’s decision statement on the receipt of the Examiner’s Report and its decision to proceed to referendum (January 2020), including a statement of satisfaction that the ‘For Referendum’ version of the Neighbourhood Plan, meets the Basic Conditions and is legally compliant.
65. Under the NPPG, ‘new’ paragraph 107 sets out changes that have been introduced to neighbourhood planning in response to the coronavirus (COVID-19) pandemic. Relevant extracts for the purposes of determining this Reserved Matters application are as follows:

“What changes have been introduced to neighbourhood planning in response to the coronavirus (COVID-19) pandemic?”

The government has been clear that all members of society are required to adhere to guidance to help combat the spread of coronavirus (COVID-

19). The guidance has implications for neighbourhood planning including: the referendum process; decision-making; oral representations for examinations; and public consultation. This planning guidance supersedes any relevant aspects of current guidance on neighbourhood planning, including in paragraphs 007, 056, 057, 061 and 081 until further notice.

Referendums: All neighbourhood planning referendums that have been recently cancelled, or are scheduled to take place, between 16 March 2020 and 5 May 2021 are postponed in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 until 6 May 2021.

Decision-making: Where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making, so far as the plan is material to the application.

(Paragraph: 107 Reference ID: 41-107-20200513 Revision date: 13 05 2020)

66. The Cottenham Neighbourhood Plan Referendum Version (February 2020) is therefore afforded significant weight in the assessment and determination of this Reserved Matters application.

Principle of Development

67. The principle of residential development comprising 154 dwellings was established on the site under outline planning consent S/2876/16/OL.
68. Condition 4 of the outline consent, the approved plans condition, listed drawing numbers G5586.012 (Site Location Plan), G5586.013 (Planning Application Boundary) and P16021-003E (Proposed Access Arrangement) but only in respect of those matters not reserved for later approval.
69. A recent non-material amendment application updated the description of the outline consent to "...development comprising up to 154 dwellings..." (reference S/2876/16/NMA1). The application, as amended, seeks consent for 147 dwellings on the site which falls within the established principle of development on the site.
70. Officers also have regard to the policies of the Cottenham Neighbourhood Plan in respect of the principle of development.
71. Policy COH/2-1 of the Cottenham Neighbourhood Plan identifies a development framework (as shown on figure 15 of the Plan) and states that new development will be concentrated within the identified development framework. Figure 15 shows Cottenham's Extended Development Framework, which has utilised the

site boundary of the outline consent to establish a new development framework boundary.

72. The principle of development would therefore accord with policy COH/2-1 of the Cottenham Neighbourhood Plan.
73. The key issues to consider in the determination of this application are therefore compliance with the outline planning permission, housing provision (including affordable housing), the reserved matters (layout, scale, appearance, landscaping), biodiversity, flood risk and drainage, highway safety, parking and management of roads, residential amenity, heritage assets and other matters.

Compliance with the Outline Planning Permission

74. The application boundary for the reserved matters application is smaller than that of the outline consent (see appendix 3 for an extract from the Design and Access Statement which illustrates the change). Officers note that Cottenham Parish Council raises concern to this reduction.
75. The application site at outline stage comprised approximately 16.90 hectares. The application site at the reserved matters stage comprises approximately 14.76 hectares, with an area of slightly more than 2 hectares no longer part of the development proposals.
76. Section 2.4 of the Design and Access Statement (appendix 3) provides the following explanation for the change:

The reason for the difference in boundary from that given at the time of the outline consent to the reserved matters application is because after the outline consent for 154 units was granted the current land owner, Cambridgeshire County Council (CCC) decided to retain some of the land to be used for the future school extension and also retain land that would be leased to Cottenham Parish Council (CPC). The retained land to be leased to CPC was required due to an existing lease arrangement which meant CCC or successor in title would have to reprovide land to CPC should any of their existing land be allocated for development.
77. The application boundary for the reserved matters application falls entirely within the boundary of the outline consent; therefore, the development remains in compliance with the outline permission.
78. Several conditions were imposed on the decision for the outline consent which require compliance at the reserved matters stage.
79. Condition 5 of the outline consent requires a detailed Precautionary Working Methodology relating to protected species and important habitats to be provided with the Reserved Matters application for approval.
80. The reserved matters application includes the submission of an Ecological Precautionary Working Methodology, which has been subject to formal

consultation with the Council's Ecology Officer and, as amended, has been found acceptable.

81. Condition 6 of the outline consent requires as part of any reserved matters application, details of the housing mix (including both market and affordable housing) to be provided in accordance with local planning policy or demonstration that the housing mix meets local need.
82. The reserved matters application has provided details of the housing mix for both market and affordable housing, which are assessed in detail later in this report, and have been found acceptable.
83. Condition 7 of the outline consent requires that any reserved matters application that provides for the development of land currently laid out as playing pitches shall include proposals for the provision of an equivalent area of playing pitches within the appeal site.
84. The layout of the reserved matters application does not provide for the development of land currently laid out as playing pitches, impacted in part by the reduction of the application boundary; re-provision of playing pitches within the site is therefore not required.
85. The application therefore complies with conditions 5, 6 and 7 of the outline consent.

Housing Provision

86. The reserved matters application proposes the erection of 147 residential dwellings. The Section 106 agreement secured at outline stage requires that 40% of the dwellings shall be constructed for affordable housing. The application therefore provides for 88 market dwellings and 59 affordable dwellings (40%).

Housing Density

87. Policy H/8 of the Local Plan details that housing developments will achieve an average net density of 30 dwellings per hectare in Rural Centre villages but that the net density on a site may vary from this figure where justified by the character of the locality, the scale of the development, or other local circumstances.
88. The site measures approximately 14.76 hectares in area. The provision of 147 dwellings across this area would equate to a density of approximately 10 dwellings per hectare. However, this area includes Les King Wood which accounts for approximately 6 hectares of the site and would not form part of the developable area. When considering the site without Les King Wood (i.e. an area of approximately 8.76 hectares), the density would equate to approximately 17 dwellings per hectare.

89. As a comparison, the outline site had a total area of approximately 16.9 hectares. The consented 154 dwellings would equate to a density of approximately 9 dwellings per hectare or 14 dwellings per hectare excluding the area of Les King Wood.
90. Officers also note that within the supporting Design and Access Statement a density of approximately 22 dwellings per hectare has been stated for the development of 154 units across a 'net developable area' of 7.05 hectares (a net area established by removal of woodland, central green, and area of open space from gross site area).
91. The density of development on the site would fall below the requirement of an average net density of 30 dwellings per hectare. However, the density has already been accepted through the outline planning permission, notwithstanding the reduction in site area at reserved matters stage, and is thus considered acceptable, particularly considering the more sensitive rural edge of the village location.
92. The proposal would therefore comply with Policy H/8 of the Local Plan.
93. Officers also have regard to the policies of the Cottenham Neighbourhood Plan in respect of the density of development.
94. Policy COH/2-1 of the Cottenham Neighbourhood Plan states that development proposals within the development framework which reflect the character and appearance of the village through their location, design, density and scale will be supported.
95. For the reasons noted above, the density of development is considered acceptable and would accord with policy COH/2-1 of the Cottenham Neighbourhood Plan.

Market Housing Mix

96. Policy H/9(1) of the Local Plan states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people, those seeking starter homes, people wishing to build their own homes, people seeking private rented sector housing, and people with disabilities. The market homes in developments of 10 or more homes will consist of (a) at least 30% 1 or 2 bedroom homes, (b) at least 30% 3 bedroom homes, (c) at least 30% 4 or more bedroom homes, (d) with a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
97. The application proposes the development of 88 market dwellings in the form of 26x2-bedroom properties (30%), 27x3-bedroom properties (31%), 32x4-bedroom properties and 3x5-bedroom properties (39%).

98. Officers are satisfied that the proposed development would provide for an appropriate market mix of housing on the site, noting that the mix would accord with policy H/9 of the Local Plan.
99. Policy H/9(4) of the Local Plan states that 5% of homes in a development should be built to the accessible and adaptable dwellings M4(2) standard rounding down to the nearest whole property. This provision shall be split evenly between the affordable and market homes in a development rounding to the nearest whole number.
100. Officers acknowledge that 54 of the 88 market houses (61%) will be built to accessible and adaptable dwellings M4(2) standard, beyond the requirements of policy H/9(4) of the Local Plan.

Affordable Housing

101. Policy H/10 of the Local Plan states that all developments of 11 dwellings or more will provide affordable housing (a) to provide that 40% of the homes on site will be affordable, (b) to address evidence of housing need; an agreed mix of affordable house tenures will be determined by local circumstances at the time of granting planning permission and (c) in small groups or clusters distributed through the site
102. The application proposes the development of 59 affordable properties in the form of 22x1-bedroom properties, 29x2-bedroom, 6x3-bedroom properties and 2x4-bedroom across a tenure split of 70/30 in favour of affordable rent.
103. The Council's Affordable Housing Team has confirmed their support for the mix, tenure and layout of affordable housing proposed.
104. The layout of the affordable properties in relation to 'clustering' and distribution within the site is considered later in this report (paragraphs 132 to 138).
105. Officers consider the provision of affordable housing to be acceptable.
106. Officers acknowledge that all 59 affordable properties on the site will be built to accessible and adaptable dwellings M4(2) standard, beyond the sites required 5% of homes as detailed in policy H/9 of the Local Plan.

Residential Space Standards

107. 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.
108. Given that the outline planning consent did not require the dwellings to be built to meet the residential space standards and this matter does not fall under the definition of the reserved matters for layout, appearance or scale, the development would not need to accord with national space standards.

109. However, officers acknowledge that 124 of the 147 properties within the development would meet or exceed national space standards (84% of the development). The 23 units which would not meet or exceed these standards, all of which are market units (house type B), only fail slightly of these standards on the basis of a slightly smaller level of built in storage than is required (rather than habitable areas such as bedrooms).
110. The proposal would not therefore accord with policy H/12 of the Local Plan, but there are material circumstances to justify the departure in this instance as the policy cannot be enforced.

Open Space Provision

111. The Sixth Schedule of the Section 106 for the development requires the following areas of open space to be delivered on site, based on the number of dwellings of each type (by bedrooms) provided on the site:
- 1,197 sqm Informal Play Space.
 - 1,316 sqm Informal Open Space.
112. The Section 106 also secures the provision of a Local Equipped Area of Play (LEAP), which is stated in the 'Definitions' to mean a landscaped and equipped play area of no less than 500 square metres comprising at least 9 items of play equipment.
113. Within the Section 106, The Second Schedule, Part II LEAP requires a Local Equipped Area of Play Scheme to be agreed, including details of layout, design, management, and maintenance.
114. The application is supported by a Land Use Plan which sets out areas of open space within the site including Les King Wood (approximately 63,745 sqm), a LEAP (approximately 2,119 sqm), two Green Walks (approximately 1,097 sqm) and a field (approximately 16,512 sqm). A Detailed LEAP Proposal plan has also been submitted showing 9 pieces of play equipment.
115. Officers are satisfied that the minimum open space requirements of the Section 106 have been met, noting that these areas exceed the minimum requirements.
116. The Parish Council raise concern in the final point of their 13 point objection that the status of the Public Open Space it is not clear how much Public Open Space will be retained on-site and how and on what basis this will be maintained and available for public use.
117. The Section 106 agreement ensures that appropriate management, public access and maintenance arrangements for the LEAP and 'Other On-Site Public Open Space' will be secured.

Reserved Matters

Layout

118. The layout of the site has been designed to provide a low-density and spacious development, placing a large central green at the heart of the new development. The layout is partly informed by the two points of access from Rampton Road established at outline stage and the shape of the application boundary adjacent to the existing recreation ground and open areas. The scheme identifies and responds to key development frontages onto the public realm including Rampton Road, Les King Wood, the recreation space and open land and the opportunity for an area of the site potentially be made available for future recreational use as part of an extended recreation ground.
119. The Design and Access Statement details that the site has several settings with distinctly different contexts to different site boundaries, which are further enhanced by architectural language and the use of external materials. This approach seeks to ensure the delivery of a collection of character areas which contribute towards providing a highly legible development which both responds to the design characteristics of the village while also creating its own legibility and architectural pattern.
120. The four character areas are defined as 1) the woodland edge, a relatively informal and spacious layout of properties; 2) the Rampton Road Gateway, a landscaped gateway into the development on approach from the west providing a transition between the fenland and built environment; 3) the central green, the heart of the development with a large green space incorporating the LEAP; and 4) Rampton Road South, the area opposite existing residential properties of Rampton Road and an opportunity to reflect and reinforce the character of Rampton Road.
121. The development incorporates ten house types spread across the 147 units in a variety of forms across detached properties, semi-detached properties and maisonettes. The layout of the site seeks to locate different house types next to each other and where groups of the same house types are in clusters, their external finish is varied to avoid groups of identical housing (policy COH/1-5(b)). Dwellings are positioned close to public footpaths and frontages allowing for larger sized rear private gardens and amenity space. Where the site does contain a lengthy row of properties slight variations in their siting provide an additional degree of interest in street scene views (along with their varied appearance), to minimise a repetitious form and layout (policy COH/1-5(c) and (e)). Dwellings are orientated to respond positively to the spaces and routes around them, providing active frontages and passive surveillance.
122. The layout also takes advantage of the opportunity to respond to the presence of Les King Wood, which spans the north-western boundary of the site, by creating positive frontages into the woodland area. Here, properties are sited in an even more spacious arrangement with a looser, more rural form to address the village edge and existing landscape. Properties are largely orientated with their principle front elevations facing the woodland, creating a positive and

active frontage with the woodland beyond. The layout also incorporates a more informal and rural road layout rather than the more traditional arrangements of a public highway with footpaths either side. Four additional pedestrian footpath links are proposed to Les King Wood creating increased permeability and engagement with the sites rural edge.

123. Through the design of streets, open spaces, and gaps between properties the layout creates new views towards the countryside along the eastern boundary of the site (policy COH/1-5(g)). Direct vistas towards Les King Wood to the north-west of the site are also made possible along with glimpsed views between properties and a spacious siting of properties along this boundary. The layout of the site orientates properties to face the countryside while appropriate boundary treatments (details reserved by condition 10 of the outline consent) would allow for residents to take advantage of the views towards the surrounding countryside and recreational areas.
124. Although reserved by condition, the Landscape Masterplan does start to convey what the edge treatments are likely to be. The layout predominately orientates the new homes to have their fronts facing outwards and as such would likely have an open or low-level front boundary. There are properties on the eastern edge of the site that will need to balance boundary treatments with the need for security, but these details are yet to be designed and could potentially include hedge planting.
125. Off-road parking is largely provided for each property on the site on private driveways and in most cases also in garages or car ports. Typically, parking is incorporated between properties with minimal parking to the front of buildings, integrating parking into the development in a convenient and accessible manner that does not dominate the development and its surroundings (policy COH/1-5(f)). Officers acknowledge that there are some areas of frontage parking (for example Plots 18-27), but these areas represent a small proportion of the site as a whole and use landscape features to mitigate their impact. There are also three examples of courtyard parking, but again this accounts for a relatively small proportion of the site and are integrated into the site rather than appearing as overly obtrusive areas.
126. In terms of movement and permeability the layout of the site establishes a formal street hierarchy through the provision of a primary 'loop' road and pathway between the two points of access, with several secondary roads and pathways along with tertiary pathways (private driveways) stemming from it (policy COH/2-2(a)). The primary and secondary streets are provided to adoptable standards, providing pedestrian footpaths, while the tertiary pathways are provided in the form of more rural and private driveways in response to their location on the rural edges of the site. As noted above, four additional pedestrian footpath links are proposed to Les King Wood creating increased permeability and linking recreational facilities across the site and its wider context. Again, while boundary treatment details are reserved by condition, much of the eastern boundary of the site will remain relatively open and allow ease of access onto the adjacent recreation space and open areas.

127. Les King Wood itself is set to be enhanced and made more accessible as part of the development and a Woodland Management Plan has been submitted in support of the application. Officers note that Appendix E: Open Spaces of the Cottenham Neighbourhood Plan details that Fen Reeves, Les King Wood and the Tenison Manor tree belts will be conserved and made more accessible to residents.
128. In terms of open space, as noted above, the development incorporates a large central green space which contains the LEAP. Two green walks are also incorporated into the development, providing green lungs into the built form of the development and enhanced views out towards the countryside as well as providing permeability and ease of movement. A large field is left unoccupied in the southern portion of the site and one which adjoins the existing recreation ground, a positive layout response to any future expansion of the recreation space (policy COH/2-2(c)).
129. Collectively, the design elements detailed above are considered to contribute towards a positive design and layout response to conserve the fen-edge landscape character of Cottenham and ensuring that the layout, form and urban design of the site takes account of the surrounding urban and natural landscapes, (policy COH/1-5(a) and policy COH/2-2(b)).
130. The application has been reviewed extensively in consultation with the Council's Urban Design Officer and while generally supportive of the scheme and its layout throughout, opportunities have been taken to further enhance the scheme. These changes have included reduced driveway lengths to discourage parking overspill, extended garden areas, the relocation of a parking courtyard to reduce the visual impact of parking on the street scene and a reconfiguration of the arrangements of what is now plots 128 to 137.
131. The overall layout of the development is considered, in consultation with specialist officers, to be of a high-quality design which would make positive contribution to the local and wider context of the site in accordance with policy HQ/1 of the Local Plan.
132. Officers also consider that the layout of the site is responsive to policies COH/1-5 and COH/2-2 of the Cottenham Neighbourhood Plan and the Cottenham Village Design Statement SPD.

Affordable Housing Distribution

133. In terms of the layout of the 59 affordable units, both policy H/10 of the Local Plan and the Affordable Housing SPD require affordable homes to be in small groups or clusters distributed through the site; small groups or clusters will typically be of 6 to 8 units.
134. The layout of the site creates several separate groups of affordable units:
- Plots 18-27: a group of 10 shared ownership units comprising three sets of maisonettes.

- Plots 36-43: a group of 8 shared ownership units comprising four sets of semi-detached properties.
 - Plots 48-53: a group of 6 rented units comprising three pairs of semi-detached properties.
 - Plots 81-84: a group of 4 rented units comprising a set of maisonettes.
 - Plots 96-100: a group of 5 rented units comprising one detached property a pair of semi-detached properties and one set of maisonettes.
 - Plots 101-103 & 104: a group of 4 rented units comprising one detached property, a pair of semi-detached properties and one semi-detached property.
 - Plots 107-110 & 111-112: a group of 6 rented units comprising two sets of maisonettes
 - Plots 118-127: a group of 10 rented units comprising three pairs of semi-detached properties and a set of maisonettes.
 - Plots 132-137: a group of 6 rented units comprising a pair of semi-detached properties and a set of maisonettes.
135. The layout presents clusters of affordable housing which vary from 4 to 10 properties per cluster which are well distributed among the market housing. Although a cluster of 10 units, which occurs in two instances across the site, slightly exceeds the guidance of 6 to 8 units, these figures are a guide and when taken in the context of a development of 147 dwellings where all of the affordable properties are well integrated with the market units the slightly higher clustering is considered acceptable.
136. Officers acknowledge that there are instances where these groups back on to one another (i.e. Plots 101-103 & 104 and Plots 107-110 & 111-112), However, where this occurs the groups are served by different access roads which mitigates the potential for them to be perceived as a larger and more significant cluster.
137. An affordable housing tenure plan has been submitted illustrating the tenure type of each affordable unit which is considered acceptable.
138. The layout of the affordable units, including their tenure, is supported by the Council's Affordable Housing Officer.
139. Officers consider that the distribution of the affordable units would accord with policy H/10 of the Local Plan, the Affordable Housing SPD and policy COH/2-2(d) of the Cottenham Neighbourhood Plan.

Vista

140. Policy COH/1-1 of the Cottenham Neighbourhood Plan deals with landscape character and details that, as appropriate to their scale and location, development proposals should take account of nine identified vistas that contribute to the character and attractiveness of Cottenham (as shown on Figure 6 of the Plan). Of relevance to this application are vista 2 (policy COH/1-1(a.c)), a view towards All Saints' Church, Cottenham from Rampton Road and

vista 7 (policy COH/1-1(c.a)), an outward north-westward views across open “big sky / open space” fen-edge landscape from King George V Field.

141. Vista 2, as illustrated on figure 6 of the Plan, highlights a view towards All Saints Church, Cottenham, which is located approximately 1,820 metres from Rampton Road when taken from the point shown in the Plan. Here, limited and transient long-distance views of the church tower are available.
142. The development seeks to respond to vista 2 through its low-density and spacious layout. The properties closest to the edge of Les King Wood are off set from it to provide protection of the wood and to retain some limited long distanced views along the woodland edge towards the church. There are also be some breaks in the built form of development by virtue of its spacious nature which allow glimpse of the church tower from Rampton Road, but these would be very limited, while views towards the church tower would be available from within the site itself.
143. However, clearly there is some conflict with policy COH/1-1(a.c) of the Cottenham Neighbourhood Plan by virtue of the introduction of a built form of development into a currently undeveloped and relatively open area of the countryside and village edge where vista 2 has been identified, but it is important to consider the extent of that harm.
144. In considering the extent of the harm which arises from the conflict between the proposed development and policy COH/1-1(a.c), it is necessary to examine the chronology of events between the planning history of application site and the development of the Cottenham Neighbourhood Plan. The sequence of events set out in the following paragraph is illustrated in appendix 4 of this report, using key extracts from evolving versions of the Cottenham Neighbourhood Plan
145. The location of the vista in question has changed between The Cottenham Neighbourhood Plan Pre-Submission Draft version 3.1a dated October 2017 and The Cottenham Neighbourhood Plan Pre-Submission Plan dated June 2018. The issue of note is that in May 2018 outline planning permission was allowed at appeal for the erection of 154 dwellings on the Rampton Road site (S/2876/16/OL). There was no conflict with the vista location shown in the October 2017 draft Plan but there is significant conflict in the re-located vista in the June 2018 Plan, after outline planning consent had already been granted. This conflict has been carried forward to the Cottenham Neighbourhood Plan Referendum Version (February 2020) as noted above.
146. While policy COH/1-1 of the Cottenham Neighbourhood Plan is given significant weight there is an argument that vista 2 of the Plan has not taken account of an existing planning permission which was established prior to the publication of the Rampton Road vista.
147. If the rationale behind vista 2 is that this is an illustrative point along Rampton Road where the church can be observed, then the extent of the harm is further reduced. It is notable that views of the church from Rampton Road are more evident from the western side of Les King Wood than from the eastern side

across the application site. Views towards the church would be present in several areas of the site itself and from the north-eastern edge of the site (where the vista was previously illustrated in the October 2017 draft submission plan).

148. Nonetheless, officers acknowledge the importance of the view through its designation within the Cottenham Neighbourhood Plan. It is therefore recommended that a condition is imposed requiring details of hard or soft landscape features along the edge of Les King Wood, to reinforce public views towards All Saints Church, Cottenham.
149. In terms of vista 7 and policy COH/101(c.a), the proposed development is not considered to conflict with the requirements of this element of the policy as it does not interfere significantly with this view. While properties will be observed from within the wider context of this viewpoint, they are not considered to result in significant harm
150. Overall, the proposal would not be in strict accordance with the requirements of COH/1-1(a.c) of the Cottenham Neighbourhood Plan.
151. Officers note that within point six of their 13 point objection, Cottenham Parish Council state that the restrained red line site puts pressure on house location and protection of a key vista in Cottenham's Neighbourhood Plan (which also featured in SCDC's refusal of outline permission).
152. However, the Council's reason for refusal of the outline application, issued on 31 August 2017, makes no reference to a vista. The application has also been allowed on appeal.

Recreation Space

153. Policy COH/4-1 of the Cottenham Neighbourhood Plan deals with Recreation & Sports Hub and states that development proposals for the comprehensive provision of community, recreation and sports facilities at the Recreation Ground and near Cottenham Primary School (as shown in Figure 26 [of the plan]) will be supported where the overall design maintains or increases the number of outdoor sports pitches (criterion a), and retains sufficient expansion space to allow the Recreation Ground to extend to over 12 hectares on a contiguous good quality land (criterion b).
154. Policy COH/4-4 of the Cottenham Neighbourhood Plan deals with Sports Facilities and states that proposals for the development of additional sports facilities adjacent to the existing Recreation Ground within the development framework (as shown in Figure 26 [of the plan]) will be supported where the overall design is contiguous with the existing Recreation Ground, to optimise use of the Sports Pavilion (criterion a), provides a road route through the site to Rampton Road (criterion b) and provides for appropriate levels of on-site car parking (criterion c).

155. As noted under 'compliance with the outline planning permission' the layout of the site does not encroach onto any land currently used as playing pitches (policy COH/4-1(a)). To facilitate the future expansion of the Recreation Ground, the layout has retained land as open space within the application site and is not considered to prejudice the future expansion of sports facilities; the recreation ground could be extended to over 12 hectares in a contiguous manner as required by policy COH/4-1(b). The layout of the development incorporates opportunities to facilitate future routes of access to the sport facilities to Rampton Road as required by policy COH/4-4(b). The layout also provides a potential point of access to additional parking facilities for recreational use in the southern portion of the site as required by policy COH/4-4(c).
156. Officers note that page 13 of the Design and Access Statement and page 25 of the Design and Access Statement Addendum provides an indicative plan showing the potential expansion of the recreation ground and sports facilities adjacent to the site in line with the policies of the Neighbourhood Plan. Cottenham Parish Council has raised concern to the particulars of the indicative layout. However, these are only indicative drawings to provide an illustration of the potential expansion and demonstrate that the layout of the site would not prejudice an expansion that would meet the criteria set out in the Cottenham Neighbourhood Plan.
157. Similarly, figure 26 of the Cottenham Neighbourhood Plan itself is titled 'preferred' expansion of the Recreation Ground and therefore illustrates a potential expansion rather than a formal designation of land akin to the designation of a Local Green Space. It is also noted that figure 26 shows areas of 'potential' expansion encroaching into the established planning application boundary for the site, much of which is accommodated within the proposed layout.
158. Policies COH/4-1 and COH/4-4 of the Cottenham Neighbourhood Plan set out their support for community, recreation and sports facilities and are therefore not directly applicable to the reserved matters application as the principle of development has already been established at outline stage. Nonetheless, the proposed layout is not considered to conflict with policies COH/4-1 and COH/4-4 of the Cottenham Neighbourhood Plan.

Local Green Space

159. Policy NH/12 of the Local Plan states that Local Green Space identified on the Policies Map will be protected from development that would adversely impact on the character and particular local significance placed on such green areas which make them valued by their local community. Inappropriate development, as defined in the National Planning Policy Framework, would not be approved except in very special circumstances and in discussion with the local community.
160. Policy COH/1-7 of the Cottenham Neighbourhood Plan details that the Neighbourhood Plan refines the approach to Local Green Spaces as included in

the adopted Local Plan (as shown on Figure 12 of the plan) as it alters the boundary of the recreation ground Local Green Space and designates an additional Local Green Space at Les King Wood. Policy COH/1-7 states that proposals for development within these areas will be considered against the contents of Policy NH/12 (Local Green Space) of the South Cambridgeshire Local Plan.

161. The proposed layout of the development does not encroach into the Local Green Space as set out in the Local Plan or the modified Local Green Space as identified in the Cottenham Neighbourhood Plan.
162. The proposal therefore accords with policy NH/12 of the Local Plan and policy COH/1-7 of the Cottenham Neighbourhood Plan.

Scale

Existing Development

163. The scale and character of the existing residential development near to the site presents a mixture of two storey, one and a half storey and single storey properties of varying designs and footprints, with two storeys being the prevailing scale of development. In general properties are typically good-sized detached dwellings with some examples of semi-detached and terraced arrangements.
164. The properties to the south-west of the site on Rampton Road are predominately two storey residential properties, with some examples of one and a half storey and single storey properties. These properties take on a mixed form of detached, semi-detached, and terraced properties. The properties are evident in street scene views forming a linear pattern of development along the western edge of Rampton Road, with a small number of properties present on the eastern side of the road adjacent to the allotments. The property of Ramphill Farmhouse, the northern-most property along the eastern edge of Rampton Road is a detached two storey property with a large single storey building to the rear.
165. To the south of the site, beyond the allotments and playing fields are the properties of Lambs Lane and Manse Drive. The properties of Manse Drive are single storey in scale while the properties along Lambs Lane again comprise a mixture of two storey, one and a half storey and single storey properties, with two storeys being the prevailing scale of development.
166. Based on an assessment of recent planning applications in the area, the properties within the immediate vicinity of the site vary greatly in height, width and length, with the ridge heights of two storey properties ranging from approximately 7.1 metres to 8.7 metres in height.

Proposed Development

167. The proposed development provides a two storey, pitched roof approach throughout the site, with single storey garages serving several plots, responding to the general scale and form of existing residential properties in the immediate area and the wider village.
168. The dwellings within the development incorporate variations in ridge heights across the ten house types proposed. The tallest properties are approximately 10.1 metres in height (house types B, B1 and B2) while the lowest are approximately 9 metres (house type E1), with the other house types varying in between. The maisonettes are the smallest units within the site in terms of height with a ridge height of approximately 8.6 metres.
169. Officers acknowledge that the overall heights of the proposed properties exceed the heights of the existing properties in the immediate area. This is largely due to a design response and rationale that runs throughout the development - the use of a steep pitched roof design.
170. The Cottenham Village Design Guide details within its 'Building Guidelines' that imaginative and original design can extend and renew the distinctive character and traditions of Cottenham's built environment and to refer to local building forms and proportion as there is a variety of proportions throughout the village.
171. The Cottenham Village Design Guide also notes within Chapter 7 (Buildings) that buildings in a wide variety of styles have generally been satisfactorily combined because of their sympathetic relationships in terms of scale, height, massing and alignment. It also recognises under 'Proportion and Detail' that for timber framed houses roofs were steeply pitched to assist the thatch or plain-tiles to shed water, identifying the presence of steep roof pitches within the context of the village
172. The proposed development responds to this architectural feature that is present within the village, albeit those roof forms are not present in the immediate vicinity. The Council's Urban Design Officer notes in their response that the roof pitch is considered appropriate for the proposed dwellings and reflect some of the roof pitches of existing dwellings in Cottenham which, together with the well-proportioned fenestrations, the buildings would help contribute to refreshing the architectural pattern.
173. Nonetheless, there would be limited areas of the development where the larger heights of the proposed properties would be evident when read in conjunction with existing properties in the immediate area, specifically the southern portion of the site (i.e. Plots 1 to 17). Officers acknowledge that the comments of Cottenham Parish Council provide direct reference to the southern area of the site and the 'second tier of 11 houses' (i.e. Plots 1 to 11) being the tall houses out of character and close to established ones in point seven of their objection.
174. Plots 1 to 5 are located to the rear of the existing properties on the eastern side of Rampton Road while Plots 12 to 17 line the public highway as a continuation of these existing properties up to the point of access to the site. Plots 6 to 11

are located to the rear of Plots 12 to 17. The 17 plots in this area incorporate five different house types (house type A, B, C1, F1 and G1) which range in height from approximately 9.1 metres to 10.1 metres. Although there is a reasonable degree of separation between several of the proposed and existing dwellings, particularly the row of Plots 1 to 11 within the site, the difference in heights would be observed from the public realm.

175. It is therefore accepted that there may be a degree of visual harm in terms of the difference in height between the proposed dwellings and the existing dwellings on Rampton Road and therefore some minor conflict with elements of policies within the Cottenham Neighbourhood Plan (policy COH/1-5), but it is important to consider the extent of that harm, or if the variation is indeed harmful to the character of the area.
176. The character of Rampton Road is one which already presents a varied street scene in terms of scale, incorporating a range of ridge heights by virtue of the diverse style and design of properties in the area. This is characteristic of Rampton Road. This character, together with the relatively spacious arrangement of the proposed development which reduces the potential for a significantly overbearing and unduly dominant development, is considered to mitigate the level of harm derived from the taller house designs.
177. In their comments Cottenham Parish Council acknowledge the part that a varied ridge line plays in village character in their response as a mitigation proposal that properties along the edge of Les King Wood require more variety of ridge height and building line to conserve the village character.
178. In terms of the other areas of the site, the proposed properties to the north of this southern area beyond Ramphill Farm are set further back into the site away from the public highway (i.e. Plot 28 and beyond). Where development returns towards Rampton Road at the northernmost point of access these properties are stepped away from the public highway (Plots 57-63). All of these units (i.e. Plots 28 to 147) are sited some distance from existing residential development on Rampton Road and the main public highway and therefore these properties would not be read in conjunction with existing properties and would not present the same direct contrast as Plots 1 to 17, creating and contributing positively towards the sites own identity.
179. The slight visual conflict identified from the heights of the proposed properties is therefore limited to the southern portion of the site where direct comparisons of existing and proposed buildings heights can be observed together.
180. It is important to note that the matter of scale extends beyond a simple consideration of height, it also includes the width and length of each building proposed within the development in relation to its surroundings.
181. The dwellings within the site incorporate variations in width and length across the ten house types, which are responsive to the context of the site and wider character of the village, including those that are more closely related to existing properties along Rampton Road (i.e. Plots 1 to 17). The widths and lengths of

the proposed dwellings across the site are comparable and compatible with the widths and lengths of properties in the immediate vicinity and wider village context, again noting the varied scale of existing development along Rampton Road.

182. The site is a relatively spacious and low-density development which mitigates the slightly higher rooflines, which may appear dominating and overbearing in a more cramped environment. In turn, being a slightly more 'detached' development from the main village, the site is afforded the opportunity to both respond to the design characteristics of the village while also creating its own legibility and architectural pattern. As a result, the scale of the proposed development is considered to include variety and interest within a coherent, place-responsive design, which makes a positive contribution to its local and wider context while respecting local distinctiveness as set out in planning policy.
183. Furthermore, as noted above, the layout of the site has purposefully arranged grouping different house types together to avoid large groups of identical houses in response to policy COH-1/5(b) of the Cottenham Neighbourhood Plan. The proposal is also considered to be responsive to village characteristics in respect of plot width, lengths and proportions, in response to policy COH-1/5(c). In turn these design responses contribute to varying the scale of the development across the site, including ridge heights, drawing on the requirements of policy COH-1/5(e) of the Cottenham Neighbourhood Plan to use subtle variations to minimise repetitious designs in form or proportions.
184. Policy COH/2-2 of the Cottenham Neighbourhood Plan, sets out the criteria for large site design. The scale of development is considered to contribute positively towards the overall character of the development, which seeks to respond to the surrounding urban area and natural landscape (policy COH/2-2(b)) while applying imaginative and original designs to extend and renew the distinctive character and traditions of Cottenham's built environment (policy COH/2-2(d)).
185. Overall, officers consider that the scale of development is acceptable and not to result in significant harm to the character of the area. The scale of the proposal therefore accords with policy HQ/1 of the Local Plan.
186. Officers acknowledge that some elements of the proposed scale, specifically ridge heights, would provide some conflict with policy COH/1-5 of the Cottenham Neighbourhood Plan. However, this conflict is considered to be limited, noting that several aspects of the scale of development respond positively to the design criteria set out within policy COH/1-5.
187. On balance, officers do not consider that the limited conflict arising would be sufficient to warrant a refusal of the application.

Appearance

188. The Cottenham Village Design Statement notes that buildings in Cottenham have been constructed from a gradually evolving range of materials.

189. The proposed development incorporates ten house types which provide a range of appearances across the site. These are further enhanced through the material palette and architectural language, providing greater diversity to these design types. As set out in the Design and Access Addendum, the palette of materials is a direct reference to Cottenham's evolving range of materials, utilising red and buff facing brick, black weatherboarding, render and tiled roofs. Elements of cladding are also to be used on several properties.
190. As noted above, while the development has sought to locate different house types next to each other, where groups of the same house type occur, the material palette is used to add further variation. Again, this is a direct and positive response to Policy COH/1-5(b) of the Cottenham Neighbourhood Plan.
191. The palette of materials and architectural features incorporated into the development are a direct and positive response to Policy COH/1-5(d & e) of the Cottenham Neighbourhood Plan which requires the use of traditional vernacular materials and the use of subtle variations to minimise repetitious designs in form or proportion, architectural detail and finishes and Policy COH/2-2(d) which requires applying imaginative and original designs to extend and renew the distinctive character and traditions of Cottenham's built environment.
192. Officers note that the affordable properties within the site are to benefit from the same quality of materials and architectural characteristics of the market housing, further integrating these units within the site.
193. The overall appearance and detailing of the proposed units are considered acceptable and to include a variety of interest within the development, which draws on the context of its location while creating its own identity. Officers consider that the materials palette and architectural detailing includes variety and interest within a coherent, place-responsive design, which is legible and creates a positive sense of place and identity whilst also responding to the local context and respecting local distinctiveness.
194. Officers are supportive of the material palette for the development and their general distribution throughout the site. Officers consider it reasonable and necessary to impose conditions requiring details of materials to be submitted and details of all windows, doors, surrounds, heads, cills, eaves, verges, soffits and fascia to ensure that the quality of development is taken through to completion in a manner which is fully compatible with its location. Conditions for details of the substation, pumping station and screened refuse are also considered appropriate to ensure an appropriate appearance.
195. Overall, and subject to the recommended conditions, the appearance of the development would accord with policy HQ/1 of the Local Plan.
196. Officers also consider that the appearance of the site is responsive to policies COH/1-5 and COH/2-2 of the Cottenham Neighbourhood Plan and the Cottenham Village Design Statement SPD.

Landscape

197. Condition 11 of the outline consent reserves full details of both hard and soft landscape works to be submitted prior to the commencement of development on the site. Condition 12 of the outline consent secures the implementation of the details to be agreed under condition 11. Condition 13 of the outline consent also deals with the details of retained trees.
198. Notwithstanding condition 11 of the outline consent, the application is supported by a Landscape Masterplan, a Landscape Management Plan for LEAP and POS, a detailed LEAP proposal and a Woodland Management Plan.
199. In terms of strategic landscaping to address the edge of village location, the development already benefits from having Les Kind Wood on its north-western boundary, which provides a significant natural screen to the site on approach from the west. As noted above, the development does not encroach into Les King Wood and seeks to preserve it.
200. The edge of Les King Wood has been identified as an important area within the site and is to be enhanced where possible with additional planting to create a transitional environment between the edge of the woodland and the built development. The layout of the development takes the opportunity to respond positively in design terms to the woodland while making the woodland itself more accessible to existing and future residents, as detailed in Appendix E: Open Spaces of the Cottenham Neighbourhood Plan.
201. The site incorporates several other landscape features, as illustrated in the Landscape Masterplan and detailed in the Design and Access Statement.
202. The primary entrance to the north west of the site provides an attractive and soft entrance to the site. Plots 56 to 60, which are located at the northern most access point to the site, have been stepped away from the boundary with Rampton Road where areas of soft landscaping have been incorporated to soften the impact of the built form from the main public highway.
203. A central green space has been designed at the heart of the development and will incorporate the required LEAP. An avenue of trees is to be provided around the perimeter of the central green with several feature trees within this space.
204. The development incorporates soft landscaped frontages to properties within the site while each is provided with their own or shared private amenity space laid to lawn. Two soft landscaped green walks are provided within the site, providing additional 'green lungs' within the development.
205. The proposed landscaping also incorporates extensive tree planting with its own hierarchy. The Tree Planting Strategy within the Design and Access Statement details that trees identified in the strategy have been chosen based on their characteristics and are specific to their location within the site. Secondary and tertiary trees are placed within the site to help identify different streets while large signature trees will be used to terminate vista views and mark

entrances/gateways. Native trees are also placed within the gardens of residential properties, a detail outlined by policy COH/1-5(h) of the Cottenham Neighbourhood Plan, creating a positive design response.

206. In terms of hard landscaping, this has been designed to reflect the road hierarchy of the development and will utilise asphalt on the primary roads and block paving on the secondary and tertiary roads. Street furniture throughout the site also enhances the amenity value of the development. Boundary treatments, although reserved by condition as noted above, seek to respond to their context, including some edge of site locations.
207. The application has been subject to formal consultation with the Council's Landscape Officer and Trees Officers who are supportive of the proposal.
208. The Council's Landscape Officer has requested that details of soft landscaping and boundary treatments be secured by condition. As noted above, condition 11 of the outline consent already requires details of hard and soft landscaping while condition 14 requires details of boundary treatment; such conditions are not necessary as part of any reserved matters application. A condition for lighting is also suggest, but again is already covered on the outline consent under condition 26.
209. The Council's Trees Officer notes that the submitted Woodland Management Plan is an ideal management plan for a woodland of this scale, age, and character. In consultation with the Council's Trees Officer it is considered appropriate to include the Woodland Management Plan as an approved document. The Council's Landscape Officer also recommends including this plan as an approved document.
210. Officers consider that the proposed landscaping would accord with policy HQ/1 of the Local Plan, which seeks to secure high quality landscaping and public spaces that would integrate the development in with the surroundings.
211. Officers also consider that the landscaping for the site is responsive to policies COH/1-1, COH/1-5 and COH/2-2 of the Cottenham Neighbourhood Plan and the Cottenham Village Design Statement SPD.

Biodiversity

212. The application is supported by an Ecological Precautionary Working Methodology (Middlemarch Environmental, Rev C, March 2020) as required by condition 5 of the outline consent, an Otter and Water Vole Survey (Middlemarch Environmental, Rev A, March 2020), a Biodiversity Enhancement Strategy (Middlemarch Environmental, Rev E, August 2020) and a Woodland Management Plan (Middlemarch Environmental, March 2020).
213. The application has been subject to formal consultation with the Council's Ecology Officer who is in general agreement and support of the ecological details submitted.

214. As required by condition 5 of the outline consent, an Ecological Precautionary Working Methodology has been submitted in support of the reserved matters application for approval and contains details to address parts i) to vii) of the condition.
215. The objective of the report is to minimise the potential impact of the construction phase of the development on the existing ecology of the site, ensuring works proceed in accordance with current wildlife legislation. The report is designed specifically for implementation during the construction phase of the proposed development and sets out an ecological baseline and risk assessment, general control of works and practical measures to avoid/reduce construction impacts.
216. In consultation with the Council's Ecology Officer, following minor amendments and points of clarification within the report, the details are considered acceptable and to meet the requirements of condition 5 of the outline consent.
217. In line with the wording of condition 5 of the outline consent, officers consider it appropriate to include the Ecological Precautionary Working Methodology (Rev C) as part of the approved plans/documents condition to ensure compliance with the contents of the report.
218. The Council's Ecology Officer has commented that the Otter and Water Vole Report confirms that there will be no works within 25 metres of the drain as Les King Wood will be retained and protected during works. As water vole burrows are usually found within 5 metres of watercourse edges, and due to existing footpaths being used for recreational access, no further surveys are required. The Council's Ecology Officer has confirmed that the precautionary measures detailed are acceptable and should be secured by condition.
219. In terms of ecological enhancement condition 14 of the outline consent requires, prior to the commencement of development, a scheme for ecological compensation and enhancement (including a location plan and specification for native planting and inbuilt features for nesting birds and roosting bats, consistent with the Phase 1 Ecology Report submitted at outline stage, and a long-term management plan).
220. Notwithstanding condition 14 of the outline consent, a Biodiversity Enhancement Strategy has been submitted in support of the reserved matters application. The Council's Ecology Officer has noted in their comments that the site will still provide a net gain in biodiversity.
221. With regard to the Woodland Management Plan, no objection has been raised by the Council's Ecology Officer, following the amendment to the scheme which sited the residential development away from the wood and increased the areas of the wood to be retained and protected.
222. The Council's Ecology Officer has detailed that the amended Biodiversity Enhancement Strategy should be secured through condition and conditions for an ecological mitigation and enhancement compliance report, a strategy

regarding ash dieback, and details of sensitive external lighting design should be secured by condition if consent is granted.

223. Officers do not consider it appropriate to include the biodiversity enhancement strategy as an approved document as such details are secured and required through condition 14 of the outline consent, which also requires their implementation (i.e. compliance). As noted above, the Council's Trees Officer recommends that the Woodland Management Plan is secured as an approved document, which would secure appropriate and sufficient measures of ash dieback. In terms of external lighting design, condition 26 of the outline consent already secures such details.
224. Cottenham Parish Council has raised concern that the development is proposing to remove a considerable amount of established hedgerow, replacing it with close-boarded fencing to secure the perimeter of the site, in conflict with policy NH/4 of the Local Plan and the commitment in the biodiversity enhancement strategy to retain this hedgerow throughout the development (point 12 of their objection). Reference is again made to the restrained red line putting which in turn puts pressure on environmental protection.
225. The loss of hedgerow is notably to the Rampton Road frontage of the site in the location of the access points and their visibility splays, as already consented as a matter of detail in the outline consent. The updated ecological information submitted with the reserved matters application notes a 247 metre loss of hedgerow while the Biodiversity Enhancement Strategy (revision E) details that over 300 metres of hedgerows are to be created throughout the site, which will comprise at least five native species of local provenance.
226. With respect to boundary treatments, final details have not been submitted as part of the reserved matters application. Condition 10 of the outline consent requires details of boundary treatments by way of a pre-commencement condition and would therefore be dealt with formally through a discharge of conditions application rather than this reserved matters application.
227. Nonetheless, the Landscape Masterplan does start to convey what the edge treatments are likely to be. As detailed above, the layout predominately orientates the new homes to have their fronts facing outwards and as such would likely have an open or low-level front boundary. There are properties on the eastern edge of the site that will need to balance boundary treatments with the need for security, but these details are yet to be designed and could potentially include hedge planting.
228. Overall, officers consider that the proposal would accord with policy NH/4 of the Local Plan and paragraphs 170, 174, and 175 of the NPPF which requires development to enhance, restore and add to biodiversity with opportunities should be taken to achieve a net gain in biodiversity through the form and design of development.
229. Officers also have regard to the policies of the Cottenham Neighbourhood Plan in respect of the biodiversity.

230. Policy COH/1-1 of the Cottenham Neighbourhood Plan seeks to address matters of landscape character and sets out that, as appropriate to their scale and location, development proposals should take into account vistas that contribute to the character and attractiveness of Cottenham (as shown on figure 6 of the Plan).
231. The policy goes on to state that development proposals which may have an impact on the landscape character of the village should incorporate the following design features where they are necessary in relation to the scale and location of the proposal concerned and would be practicable given the particular nature of the proposed development: a) non-continuous screens of hedges and native tree species should be incorporated within the site to create wildlife corridors and protect the external views (3 to 6 in Figure 6) of the village.
232. The application site does not impact on external views 3 to 6 as set out in figure 6 of the Cottenham Neighbourhood Plan as these relate to other areas of the village.
233. Nonetheless, officers note that over 300 metres of hedgerows are to be created throughout the site which would link to the aspirations of policy COH/1-1 of the Cottenham Neighbourhood Plan in respect of 'wildlife corridors'.
234. The proposal would therefore accord with policy COH/1-1 of the Cottenham Neighbourhood Plan in respect of biodiversity (wildlife corridors).

Flood Risk and Drainage

235. The application site is in Flood Zone 1 and is therefore considered as having a low probability of flooding.
236. The application is supported by a Surface Water Drainage Strategy (Gyoury Self Partnership (St Albans) LLP October 2019) and Surface Water Drainage Strategy Addendum (Gyoury Self Partnership (St Albans) LLP March 2020). These documents have been produced to demonstrate that the proposed development is deliverable from a drainage perspective.
237. The Drainage Strategy Addendum was submitted in response to the initial objections of the Lead Local Flood Authority, the Old West Internal Drainage Board and the Sustainable Drainage Engineer.
238. The Drainage Strategy Addendum details that, as requested by the technical consultees, the surface water drainage rate is to be calculated based on the proposed impermeable areas rather than the development area for the scheme as originally identified in the Flood Risk Assessment submitted and secured at outline stage (condition 16 of the outline consent).
239. Investigation carried out on site identified that the ground conditions are not suitable for infiltration and therefore all SuDS elements will discharge into the piped drainage system. All private driveways and parking areas will be of permeable paving construction, providing filtration and attenuation of surface

water runoff, unless utility services or adoptable sewers will be present. Fin drains or perforated pipes will be positioned in the permeable subbase to collect surface water runoff and direct it into the piped network. Where permeable construction is not present runoff from surface water will discharge into filter drains, bioretention areas or directly into a detention basin.

240. A pond is to be located at the final outlet into the Catch Water Drain to attenuate and treat runoff from the scheme and will be sized to accommodate any untreated runoff from the development. An underground storage tank has been proposed under the area of open space to provide attenuation of surface water, with the provision of an underground cellular storage tank maximising the useable potential of the open space. Above-ground storage has been incorporated in suitable locations via three detention basins, a pond and several bioretention areas.
241. The addendum notes that detailed surface water drainage proposals based on the strategy will be submitted with the requisite information to deal with condition 16 of the outline consent (surface water drainage).
242. The Old West Internal Drainage Board objected to the application on the grounds that the proposed flow rate stated in the flood risk assessment is based on the total site area which it should only take into account the impermeable areas to calculate the flow rate. As noted above, the Drainage Strategy Addendum provides these details, but no updated consultation response has been received following submission of the Drainage Strategy Addendum.
243. The Lead Local Flood Authority and Sustainable Drainage Engineer raise no objection to the proposed development, following the submission of the Drainage Strategy Addendum.
244. The Lead Local Flood Authority confirm that the details submitted demonstrate that surface water from the proposed development can be managed through the use of permeable paving, detention basins, bio-retention areas, a balancing pond and a below ground attenuation tank. Furthermore, they are supportive of the use of permeable paving, detention basins, balancing ponds and bio-retention areas as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment which is of particular importance when discharging into a watercourse.
245. Both the Lead Local Flood Authority and Sustainable Drainage Engineer recommended conditions be imposed as part of any consent requiring a surface water drainage scheme for the site (based on sustainable drainage principles and the Surface Water Drainage Strategy Addendum prepared by Gyoury Self Partnership (St. Albans) LLP) along with a condition for the long term maintenance arrangements for the surface water drainage system.
246. Drainage is largely a matter dealt with at outline stage when establishing the principal of development, with reserved matters applications requiring supporting details to demonstrate that drainage can be dealt appropriately within the layout of the site. Outline consents would impose a condition

requiring a detailed surface water drainage scheme for the site. It would not be appropriate to impose a condition requiring a full surface water drainage scheme as part of a reserved matters application. Reserved Matters applications would typically only impose a condition for the maintenance arrangements for surface water drainage where such a condition is absent from the outline consent.

247. In this instance, condition 16 of the outline consent requires the submission of a surface water drainage scheme, based upon the principles within the agreed Flood Risk Assessment and Drainage Management Strategy (as submitted at outline stage) by way of a pre-commencement condition. Part vii. of the condition requires full details of the maintenance/adoption of the surface water drainage system. Officers are therefore satisfied that an appropriate condition for both a scheme for surface water drainage and its maintenance have been imposed as part of the outline consent.
248. If the Flood Risk Assessment and/or the Drainage Management Strategy referenced in condition 16 of the outline consent are no longer applicable or appropriate to the development and have been superseded by a new drainage 'strategy' or 'principles', it would be necessary for the developer to submit a Section 73 application to vary the wording of condition 16 of the outline consent. This would be necessary to allow full details of a surface water drainage scheme for the site and its maintenance to be dealt with and discharged appropriately. If any required alteration were not made, then it may not be possible to discharge the details of the condition, which would prevent works from commencing on site, being a pre-commencement condition.
249. The Lead Local Flood Authority also put forward two informatives relating to Internal Drainage Board Consent and Pollution Control, Officers consider it appropriate to include an informative for the information of the applicant that any person carrying out works on an ordinary watercourse in an Internal Drainage Board area requires Land Drainage Consent from the Internal Drainage Board prior to any works taking place, along with an informative for pollution control.
250. The comments of Cottenham Parish Council in respect of the surface water drainage conditions recommended by the Sustainable Drainage Engineer are noted. However, as detailed above such matters are typically dealt with at outline stage and details of surface water drainage for the site has already been reserved by condition. Cottenham Parish Council refer to surface water management conditions being applied to Reserved Matters applications FOR both the Persimmon and Redrow development in the village in recent times (application references S/2281/18/RM and S/2679/19/RM).
251. In both cases, the surface water drainage conditions imposed at Reserved Matters stage were effectively duplicates of the surface water drainage conditions already imposed at outline stage, aside from some minor re-wording. For Persimmon, these 'repeated' conditions are condition 17 of outline consent S/1606/16/OL and condition 8 of reserved matters consent S.2281/18/RM, while Redrow are condition 16 of outline consent S/2413/17/OL and condition 8 of reserved matters consent S/2679/19/RM.

252. In terms of foul water drainage, no objection has been raised by Anglian Water or the Sustainable Drainage Engineer to the proposed development.
253. Condition 17 of the outline consent requires the submission of a scheme for foul water drainage by way of a pre-commencement condition. Full details will therefore be dealt with through a formal discharge of conditions application with relevant consultation with the technical consultees.
254. Officers also note that condition 18 of the outline consent required details of a scheme for the provision of pollution control of the water environment, which shall include foul and surface water drainage, by way of a pre-commencement condition.
255. Overall, and notwithstanding the initial objection from the Old West Internal Drainage Board, given the comments of Anglian Water, the Lead Local Flood Authority and the Sustainable Drainage Engineer, officers are satisfied that the proposal would accord with policies CC/7, CC/8 and CC/9 of the Local Plan which requires developments to have an appropriate sustainable foul and surface water drainage systems and minimise flood risk.
256. Officers also have regard to the policies of the Cottenham Neighbourhood Plan in respect of drainage, noting the requirements of policy COH/2-2(e, f and g). The application indicates the control of surface water discharge and the use of SuDS devices (policy COH/2-2(e)), permeable construction where appropriate (policy COH/2-2(f)) and the intended adoption of the main sewer network by Anglian Water with a management company employed to maintain all private communal areas of the development including the drainage system and SuDS devices (policy COH/2-2(g)).
257. The proposal is not considered to conflict with the requirements of policy COH/2-2(e, f and g) of the Cottenham Neighbourhood Plan and is considered to be acceptable on the basis of the drainage conditions attached to the outline consent as noted above. Formal discharge of conditions applications would bring forward details that would fall within the requirements of policy COH/2-2(e, f and g) of the Cottenham Neighbourhood Plan.

Highway Safety, Management of Roads and Parking

258. The matter of access to the site was dealt with at outline stage with appropriate details secured through condition 4 of the outline consent, the approved plans condition, which included drawing number P16021-003E (Proposed Access Arrangement).
259. The comments of Cllr Wotherspoon and Camcycle in respect of access are noted. However, details of access have already been secured at outline stage and were not a matter reserved for consideration at this reserved matter stage. The matter of layout does not allow for the agreed access arrangements secured and conditioned at outline stage to be altered; any such change would need to comprise a variation of condition 4 of the outline consent.

260. Conditions for a construction traffic management plan, nearby roundabout improvements, the provision of a footway/cycleway, a toucan crossing and widening of the existing footway and accesses to the site have all been secured by condition at outline stage in the interests of highway safety
261. The layout of the reserved matters application is consistent with the two points of access consented at outline stage.
262. Extensive discussions have taken place with the Local Highways Authority to ensure that the layout of the proposed development is constructed to an adoptable standard as far as practicable.
263. The Local Highway Authority has considered the layout of the site and found it acceptable in highway safety terms, requesting that drawing number 1005.0002.009 Rev D (Layout Geometries) be submitted as a standalone drawing and not appendix E of the Transport Assessment, to enable drawing to be included within the list of approved plans.
264. The Local Highway Authority has stated that they would not seek to adopt the proposed development until the required information has been submitted and approved by the Local Highway Authority; the proposed swales will need to be managed by either the Parish Council or another body with a successor. The Highway Authority also note that they will not accept the use of a Management Company to maintain apparatus that directly relates to the drainage of surface water. Subject to the satisfaction of these details, the Local Highway Authority would seek to adopt most of the development.
265. The fact that the Local Highways Authority may not adopt the proposed development is not a highway safety issue, this arrangement is not unusual for schemes of this nature.
266. Officers consider it reasonable and necessary to impose conditions for details of the proposed arrangements for future management and maintenance of the proposed streets, visibility splays for each new car parking space, driveway falls and levels, driveway material and to include drawing number 1005.0002.009 Rev D (Layout Geometries) as an approved plan.
267. Subject to the recommended conditions, officers are satisfied that the development is acceptable in highway safety terms and would accord with policies HQ/1 and TI/2 of the Local Plan and paragraphs 108 and 110 of the NPPF.
268. In terms of car and cycle parking provision, each property would benefit from appropriate levels of off-road parking spaces (at least two in most instances), which would accord with policy TI/3 of the Local Plan. The Design and Access Statement details that each dwelling would benefit from cycle storage, but not precise details have been provided (beyond garage plans which could accommodate cycle storage). Officers therefore consider it reasonable and necessary to impose a condition requiring details of safe and secure cycle

storage to ensure the development accords with policy TI/3 of the Local Plan in respect of cycle parking provision.

269. Officers also have regard to the policies of the Cottenham Neighbourhood Plan in respect of the highway safety and parking provision.
270. Policy COH/2-2 of the Cottenham Neighbourhood Plan deals with large site design for schemes of more than 50 homes. Policy COH/2-2(h.ii.) requires large developments to address the matter of where beyond easy walking distance of the centre, making provisions to reduce dependence on cars through segregated cycle-ways and footpaths and accessibility improvements within the village centre such as secure cycle parking, improved pavements and safer crossings.
271. Considerations for cycleways, footpaths and accessibility improvements are matters for outline stage, with several enhancements secured by condition as noted above. In respect of secure cycle parking a condition requiring details of safe and secure cycle storage is recommended to ensure appropriate provision is made for each unit within the site.
272. The proposal would therefore accord with policy COH/2-2 of the Cottenham Neighbourhood Plan in respect of secure cycle parking.

Residential Amenity

Neighbouring Properties

273. The properties with the greatest potential for impact from the proposed development are the existing properties to the south of the site on Rampton Road, nos.120 to 132A (evens), whose rear property boundaries abut the southern / south-western boundary of the site.
274. Paragraph 6.68 of the Council's District Design Guide details that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15 metres is provided between the windows and the property boundary; for two storey residential properties, a minimum distance of 25 metres should be provided between rear or side building faces containing habitable rooms, which should be increased to 30 metres, for 3 storey residential properties.
275. Plots 1 to 5 are located to the rear of nos.120 to 132A Rampton Road, where the existing and proposed dwellings would have a direct back to back relationship.
276. The two storey rear elevations of Plots 1 to 5 are located between approximately 14 metres and 16 metres from the site boundary and rear boundaries of nos.120 to 132A Rampton Road, which is broadly in accordance with the 15-metre guidance of the Council's District Design Guide.

277. The depth of the existing gardens of nos.120 to 132A Rampton Road from the main rear two storey rear elevations of these dwellings to their rear property boundary and site boundary are between approximately 14 metres and 15 metres. Officers note that there are single storey rear projections to several of these properties and some outbuildings. Officers also note that no.128 Rampton Road has planning consent for a first-floor side extension and dormer to the rear elevation granted in July 2019.
278. The arrangements of no.120 Rampton Road are also noted, as raised in a representation objecting to the proposed development. No.120 extends to the rear from its main two storey form through a range of two storey, one and a half storey and single storey projections all the way to its the rear boundary. The main living room for no.120 is located within the rear portion of this range adjacent to the site boundary and contains openings on its north-western elevation; no openings are present on the north-eastern elevation which forms the boundary onto the application site. Concern has been raised about the loss of privacy to this area from Plot 2.
279. Plot 2 is sited approximately 14 metres from the boundary of the application site facing directly towards the rear elevation of no.122 Rampton Road. The distance between the south-west facing rear elevation of Plot 2, which contains first floor windows serving habitable rooms, and the north-west facing living room openings of no.120 Rampton Road, is approximately 21.5 metres.
280. Although this separation would not achieve the 25-metre separation distance set out in paragraph 6.68 of the Council's District Design Guide, the relationship between these openings is an angled / oblique one rather than a direct back to back relationship and therefore a lower separation can be accepted. Officers do not consider that the views afforded from Plot 2, given the oblique angles and degree of separation, would result in a significant loss of privacy to no.120 Rampton Road sufficient to sustain a refusal of the application.
281. Overall, the degree of separation afforded between Plots 1 to 5 and nos.120 to 132A Rampton Road is considered acceptable and to accord with the recommendations of the Council's District Design Guide and not to result in a significant loss of privacy.
282. Given the degree of separation and the orientation of the site, with the proposed dwellings located to the north of the existing properties on Rampton Road, the proposed development is not considered to result in significant harm by way of a significant overbearing impact or significant loss of light.

Future Occupiers

283. Consideration is also given to the amenities of the future occupiers of the site.
284. The internal layout of the site is such that it is not considered to significantly compromise the quality of amenity afforded to each property, noting the relatively spacious relationship between dwellings where back to back distances range from approximately 25 metres to 35 metres. Where properties have a

rear to side relationship, which is a small proportion of the development, a good degree of separation is achieved by virtue of the spacious layout and low-density development.

285. The relationship between the existing properties of Rampton Road and the proposed development, notably Plots 1 to 5, has been detailed above. For these reasons, the existing properties are not considered to significantly compromise the quality of amenity afforded the proposed dwellings near to these existing properties.
286. Paragraph 6.75 of the Council's District Design Guide details that ideally 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. Upper floor apartments should have use of a private balcony, of a minimum of 3sqm, plus use of a communal garden, where 25sqm is allowed for each apartment.
287. Each property would benefit from a private amenity space which would meet or exceed the recommendations of the Council's District Design Guide. Upper floor apartments are all provided with a private balcony and use of a communal garden area.
288. In terms of the residential space standards and the internal quality of each unit, as detailed above the outline planning consent did not require the dwellings to be built to meet the residential space standards. However, officers acknowledge that 124 of the 147 properties within the development would meet or exceed national space standards (84% of the development). The 23 units which would not meet or exceed these standards, all of which are market units (house type B), only fail slightly of these standards on the basis of a slightly smaller level of built in storage than is required (rather than habitable areas such as bedrooms).
289. Officers therefore consider that the size of each unit would provide a high quality of amenity to the future occupiers of the site.

Conclusion

290. The proposal is considered to accord with policy HQ/1 of the Local Plan which requires development to protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight.

Heritage Assets

291. The nearest listed building to the site is Tower Mill, Rampton Road, a Grade II tower windmill (now a water tower) located approximately 170 metres south of the site. The western edge of Cottenham conservation area is more than 500

metres from the southern and eastern boundaries of the site. The Council's Historic Buildings Officer has commented that the Team have no comment to make on the application.

292. Given the degree of separation between the proposed development and the designated heritage assets, noting the scale two storey scale of the development being compatible with the existing two storey environment, the proposal is not considered to result in harm in heritage terms.
293. Officers note the comments of the Historic Environment Team. Archaeology was a matter for consideration at outline stage and was dealt with accordingly. Condition 15 of the outline consent secures a written scheme of investigation for an archaeological programme of works by way of a pre-commencement condition. It would not be appropriate to impose an archaeological condition as part of a reserved matters application.
294. Officers consider that the development accords with policy NH/14 of the Local Plan.
295. Officers also have regard to the policies of the Cottenham Neighbourhood Plan in respect of the heritage.
296. Policy COH/1-2 of the Cottenham Neighbourhood Plan deals with heritage assets and states that development proposals which conserve or, where practicable enhance, designated heritage assets in the neighbourhood area (including the Conservation Area, Listed Buildings or Scheduled Monuments) will be supported.
297. The proposal would accord with policy COH/1-2 of the Cottenham Neighbourhood Plan.

Other Matters

Cambridgeshire County Councillors

298. Officers note that within point four of their 13-point objection, Cottenham Parish Council raise concern that County Councillors on the South Cambridgeshire District Council's Planning Committee have complex conflicts of interest.
299. At the Council's Planning Committee members are provided with the opportunity to make any appropriate declarations of interest.
300. Officers do not consider that the Parish Council's concern for the 'complex conflicts of interest' of Councillors is material to the officer assessment and recommendation of the reserved matters application.

Fire Hydrants

301. The comments of Cambridgeshire Fire and Rescue are noted. Condition 30 of the outline consent secures the submission of details of arrangements for fire hydrants.

Outline Application: Illustrative Masterplan

302. Reference is made by Cottenham Parish Council and third-party representations to the illustrative masterplan submitted at outline stage, including the provision of a footpath and cycleway connection to Lambs Lane via recreation ground, which are absent from the reserved matters application.
303. The illustrative masterplan was not listed as an approved document as part of the outline consent and therefore carries no weight. Furthermore, the footpath and cycleway connection referenced is outside of the red line boundary for the development and its provision was not secured by condition or through the Section 106 at outline stage.
304. No weight can be attached to the illustrative masterplan, its layout and what connections may have been shown for the purposes of the determination of the reserved matters application. Any provision of such a footpath and cycleway connection would need to take place outside of the outline and reserved matters applications for this development.
305. For reference purposes only, a copy of the illustrative masterplan submitted at outline stage is included in appendix 5.

Potential New Primary School Access Road

306. Concern has been raised by Cottenham Parish Council in point 10 of their 13-point objection to a potential access road from Rampton Road to the potential rearward extension of Cottenham Primary School.
307. Officers acknowledge that the proposed layout facilitates the potential for a new access road to Cottenham Primary School. However, this does not give rise to a material reason for refusal. The development is considered acceptable in layout and highway safety terms as detailed above.
308. Furthermore, the new road may or may not come forward if the school were to be extended and the new road would occur outside of the red line boundary of the application and is therefore not within the scope of this application. In turn this gives rise to concerns from Cottenham Parish Council that the extended primary school would potentially reduce the amount of land available for sport. Again, this concern relates to an area of land outside of the red line boundary of the application and therefore cannot be attached any weight in the assessment or determination of the application.

Renewables & Climate Change

309. The comments of the Council's Sustainability Officer are noted. Condition 28 of the outline consent secures the submission of a renewable energy statement while condition 29 secures a water conservation strategy. Therefore, such details will be dealt with through a formal discharge of conditions application(s) rather than the reserved matters application.

Sustainability of the Site

310. Concerns have been raised in relation to the bus service and the nearest 'frequent' bus stop to the site along with traffic generation from the site.
311. Matters relating to the sustainability of the site were dealt with at outline stage and are not details for consideration the reserved matters stage.
312. Officers also note that policy COH/1-5(i) refers to the provision of up-to-date communications infrastructure while policy COH/1-5(j) refers to new builds being within easy walking distance of the village centre. Policy COH/2-2(h) refers to public transport and accessibility enhancements (i.e. footpaths, cycleways).
313. Again, these are details for the outline stage, with several highway improvements secured by the outline consent conditions and within the Section 106 and the walking distance from the village centre already considered. Furthermore, officers note the Design and Access Statement Addendum details that all homes will have access to superfast broadband. The application is therefore not in conflict with the policies COH/1-5(i) and (j) or Policy COH/2-2(h) of the Cottenham Neighbourhood Plan.

Third Party Comments

314. The comments made in third-party representations are noted, with many points already considered in the report. The remaining matters raised are considered below.
315. Concern is raised regarding the protection for boundary walls. Such matters would be covered by the party wall act. Concerns of fixtures, fittings, painting of or playing ball games against an existing boundary treatment would be a civil or legal matter and not one subject to planning control.

Planning balance and conclusion

316. For Officers acknowledge that the proposed development would result in some conflict with policies COH/1-1(a.c) and COH/1-5 of the Cottenham Neighbourhood Plan. However, the conflict identified, and the extent of that harm, must be weighed against the benefits and positive design responses of the scheme.

317. The site is a relatively spacious and low-density development, appropriate to its rural edge of village location, placing a large central green at the heart of the new development. Being a slightly more 'detached' development from the main village, the site is afforded the opportunity to both respond positively to the design characteristics of the existing village while also creating its own legibility and architectural pattern.
318. The proposed development provides a high quality and spacious development which incorporates a variety of bespoke house types that has a contemporary appearance which aims to create a 21st century identity for the site, while drawing on design characteristics and architectural details from the existing village. The development incorporates large amounts of soft landscaping and additional tree planting, which are well integrated within the site. Les King Wood, the north-western boundary of the site and Local Green Space, is to be significantly enhanced and made more accessible because of the development.
319. The development provides a high-quality level of amenity to the future occupiers of the site as 124 of the 147 properties (84%) would meet or exceed national space standards, although not required by planning policy. 113 of the 147 properties (77%), including all affordable units, would be built to accessible and adaptable dwellings M4(2) standard, beyond the 5% requirement of policy H/9(4) of the Local Plan. Each property is afforded a generous area of private amenity space (and in some cases also a communal area), which meet or generally exceed the recommendations of the Council's District Design Guide.
320. Taken collectively, these factors (and those detailed throughout this report) would accord with policy requirements from both the Cottenham Neighbourhood Plan and the South Cambridgeshire Local Plan along with guidance from the Cottenham Village Design Statement and District Council's District Design Guide SPDs.
321. The development of the site would also result in the provision of 147 dwellings towards the Council's 5-year housing land supply and the erection of 59 affordable units to help meet an identified local need.
322. Officers consider the reserved matters including the layout, scale, appearance and associated landscaping to be acceptable and that the benefits and positive design responses of the scheme outweigh the limited harm identified and the associated conflict with elements of the Cottenham Neighbourhood Plan. The proposal would provide a high-quality scheme which would make a positive contribution to the local and wider context of the site and the character of the area, responsive to its edge of village location, providing a good level of amenity to the future occupiers of the site.
323. For the reasons set out in this report, officers consider the reserved matters to be acceptable, on balance, in accordance with the relevant policies in the South Cambridgeshire Local Plan and Cottenham Neighbourhood Plan and associated Supplementary Planning Documents.

Recommendation

324. Officers recommend that the Planning Committee approves the application subject to conditions.

Conditions

a) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Layout Plans

P100 (Location Plan)
P120 Rev E (Masterplan)
P201 Rev C (Extract Masterplan 1/3)
P202 Rev E (Extract Masterplan 2/3)
P203 Rev E (Extract Masterplan 3/3)
P205 (Maisonette Layouts)
1005.0002.009 Rev D (Layout Geometries)

Floor Plans & Elevations

P300 (House Type A)
P301 (House Type A1)
P302 (House Type B)
P303 (House Type B1)
P304 (House Type C1)
P305 (House Type E1)
P306 (House Type F1)
P307 (House Type G1)
P308 (Maisonette I1)
P309 (Maisonette J1)
P310 (Single & Double Garage GA Plans & Elevations)
P311 (House Type B2 – Plot 47)

Ecology and Landscape Plans & Documents

2306 01 N (Landscape Masterplan)
2306 30 D (Detailed LEAP Proposals)
Ecological Precautionary Working Methodology Rev C (Middlemarch Environmental, March 2020)
Woodland Management Plan (Middlemarch Environmental, March 2020)

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

b) 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).

c) Notwithstanding the approved plans, no development above slab level shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- i) Details of all windows and doors, surrounds, heads and cills at a scale of not less than 1:20.
- ii) Details of eaves, verges, soffits and fascia at a scale of not less than 1:20.

The development shall be constructed in full accordance with the approved details.

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

d) No development above slab level shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.

(Reason - To provide for the screened storage of refuse in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

e) No development above slab level shall take place until details of the substation next to Plot 64 and the pumping station opposite Plot 71 (including scaled plans and elevations of any structures and enclosures), 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 and to protect the amenities of neighbouring properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

f) No development above slab level shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a Private Management and Maintenance Company has been established).

(Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with policies HQ/1 and TI/2 of the South Cambridgeshire Local Plan and paragraphs 108 and 110 of the National Planning Policy Framework).

g) Prior to the first occupation of the dwellings hereby permitted, a scheme for covered and secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018).

- h) Prior to the first occupation of the dwellings hereby permitted, and pursuant to condition 11 of the outline permission, a scheme for hard or soft landscape features along the edge of Les King Wood, to reinforce public views towards All Saints Church, Cottenham (as identified by vista 2 in the Cottenham Neighbourhood Plan) shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.
(Reason - To ensure the layout of the development is satisfactory and recognises the Rampton Road vista in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and policy COH/1-1(a.c) of the Cottenham Neighbourhood Plan).
- i) Prior to the first occupation of each dwelling, two 2.0 x 2.0 metres visibility splays be provided. The splays shall be included within the curtilage of each new car parking space that is to exit directly onto the proposed carriageway/footway. One visibility splay is required on each side of the access. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the highway in perpetuity.
(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.)
- j) All accesses including driveways shall be constructed so that their fall and levels are such that no private water from the site drains across or onto the proposed carriageway/footway.
(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.)
- k) All accesses including driveways shall be constructed using a bound material to prevent debris spreading onto the proposed carriageway/footway.
(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.)

Informatives

- a) This site falls within the Old West Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.
- b) Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

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
- Cottenham Neighbourhood Plan Referendum Version (February 2020)
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: S/4207/19/RM, S/2876/16/NMA1, S/3551/17/OL, S/2876/16/OL and S/2828/16/E1.

Report Author:

Michael Sexton – Principal Planner
Telephone: 07704 018467

The Parish Office,
Right Side Entrance, Community Centre,
250a High Street,
Cottenham,
Cambridge CB24 8XZ

clerk@cottenhampc.org.uk

5th August 2020

Re: S/4207/19/RM Land north of Rampton Road, Cottenham

Cottenham Parish Council has considered the latest “Reserved Matters” application by This Land Limited, the commercial development subsidiary of Cambridgeshire County Council and recommends refusal. We have identified below a number of ways in which the proposition has deteriorated since the refusal of the original application and on which the Appeal Inspector, when granting outline permission wrote:

”19 With control that exists in relation to scale, layout, appearance and landscaping I have no doubt that a well-designed permeable housing development that has proper regard to the guidance contained within the supplementary planning document, ‘*Cottenham Village Design Statement*’, and which complements the village could be achieved.”

On the basis of these shortcomings, the adoption of SCDC’s Local Plan and the significant weight which must now be given to Cottenham’s pre-referendum Neighbourhood Plan **whose scheduled referendum in March 2020 was** postponed in line with the [Local Government and Police and Crime Commissioner \(Coronavirus\) \(Postponement of Elections and Referendums\) \(England and Wales\) Regulations 2020](#) until 6 May 2021. Since the Local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making, so far as the plan is material to the application.

The policies in Cottenham’s Neighbourhood Plan, which includes extracts from Cottenham’s Village Design Statement, have been shown by the NP Examiner as not in conflict with the strategic policies in SCDC’s adopted Local Plan and compliant with the National Planning Policy Framework therefore, these together should be treated as the basis of this determination, taking precedence over other policies.

Representatives from the Parish Council have met the developer and architects on several occasions and made some minor adjustments to the Neighbourhood Plan in an attempt to evolve a mutually-acceptable solution. Nevertheless, the developer is still attempting to squeeze around 150 houses into a red –line site some 2 hectares smaller than that for which outline permission was obtained; a constraint that has prevented the developer from living up to the Appeal Inspector’s aspiration, expressed in paragraph 19 of his report.

We have identified thirteen flaws that exacerbate the challenge and support a refusal of this application and proposed some mitigations that, if implemented, could make the application compliant with the NP and therefore acceptable.

Flaws

- 1) **Although not mandatory**, it is usual for the red line boundary, substance and planning conditions attached to a successful appeal for outline planning permission to be closely aligned with those in a subsequent application for approval of Reserved Matters on the same site. Within the context of the original red line boundary, the Appeal Inspector stressed the importance of the Cottenham Village Design Statement when he wrote:

“19 With control that exists in relation to scale, layout, appearance and landscaping I have no doubt that a well-designed permeable housing development that has proper regard to the guidance contained within the supplementary planning document, ‘*Cottenham Village Design Statement*’, and which complements the village could be achieved.”

This application is for essentially the same number – 154 - of houses that were refused by SCDC under S/2876/16/OL on a red line site that was over 2 hectares larger in area than that proposed here.

- *The constricted red line site puts pressure on house location, protection of a key vista in Cottenham’s Neighbourhood Plan (which also featured in SCDC’s initial refusal of outline permission here) and arrangements for safe management of surface water, especially along the edge of Les King Wood, which became protected Local Green Space in Cottenham’s Neighbourhood Plan.*
- 2) **The Appeal Inspector** included, within condition 4, reference to three “approved plans” which formed the basis of his ruling - G5586.012, G5586.013 (both related to the original larger red line boundaries) and P16021-003E (a site masterplan, also within the original larger red line boundaries, including a substantial area of Public Open Space contiguous with the existing Sports provision), albeit “only in respect of those matters not reserved for later approval.” It is inconceivable that the Appeal Inspector, in coming to conclusion 19 above was not influenced by the layout shown in P16021-003D/E.
 - *The restrained red line site also reduces the land available for retention as public open space adjacent to the existing sports pitches at the Recreation Ground – as shown, albeit not very clearly, in the appeal drawing P16021-003D/E which included the masterplan in the original refused application – and a much larger contiguous public open space.*
 - 3) **Although the Appeal Inspector gave minimal weight** to either the then unadopted SCDC Local Plan or pre-examination Cottenham Neighbourhood Plan, he gave substantial weight to Cottenham’s Village Design Statement as an adopted Supplementary Planning Document, without mentioning the District Design Guide, also a SPD:

"19 With control that exists in relation to scale, layout, appearance and landscaping I have no doubt that a well-designed permeable housing development that has proper regard to the guidance contained within the supplementary planning document, 'Cottenham Village Design Statement', and which complements the village could be achieved."

Unfortunately the proposed design and layout of the site demonstrates little regard to the policies of the Village Design Statement and even less to the policies in the more recent Cottenham Neighbourhood Plan, which draws many "village design" principles from the Supplementary Planning Document. The Neighbourhood Plan has, according to HMG, to be given significant weight following successful examination and approval to proceed to referendum, a stage thwarted by the Coronavirus legislation postponing elections and referenda until 2021.

- *The proposed design and layout appears to give too much weight to the urban "look and feel" proposed by SCDC's District Design Guide, however Cottenham was one of the first villages in England to produce a Village Design Statement which was eventually adopted by SCDC as a Supplementary Planning Document. Many principles in the document were drawn into Cottenham's Neighbourhood Plan, whose policies should be "given significant weight in decision-making, so far as the plan is material to the application". In this case, the village-oriented policies COH/1-5 should pre-empt those of the more urban-focused District Design Guide, especially as the Appeal Inspector paid no regard to the latter.*

4) **Cambridgeshire County Council** retains a strong financial interest in the site and its development. This Land, CCC's wholly-owned subsidiary and the applicant here, has – excluding Les King Wood - only acquired some 8.76 hectares of the original 10.81 hectare red line appeal site, leaving over 2 hectares in the ownership of the County Council, presumably as a base for expanding the Primary School in Lambs Lane. Safety issues arising from that expansion necessitate an alternative site entrance and, a need to retain freehold land to trade against leased land to be "re-possessed". County Councillors on the SCDC Planning Committee have complex conflicts of interest between these various proposals.

- *There have been reports on the difficulties faced by Planning Authority decision-makers attempting to make proper determinations when faced by intense lobbying, pressures to correct 5-year land supply deficiencies, and conflicts of interest with other public roles. In this case, any County Councillor must be aware of the financial pressures on the County Council which have forced them to assume the role of a speculative developer in order to convert the capital value of land-holdings into future income to repay debt and maintain services. Some may also be involved with provision of education services or overly concerned to maintain SCDC's 5-year land supply.*

5) **The proposed layout** is not dissimilar to that originally proposed in the refused S/2876/16/OL application which had fewer houses along the perimeter of Les King Wood and even had a relatively non-invasive route for a rear access to the putative Primary School expansion and, albeit only in the Design & Access storybook, a footway to the Community Facilities and Lambs Lane. That layout, the only one available to the Appeal

Inspector, could have been refined, parties willing, into an acceptable layout and solution if some houses were removed from the southern extreme of the site.

- *The constrained red line site puts pressure on house location and prevents linking the application site to the rear of the expanded Primary School without cutting through playing fields, creating a safety hazard for young people enjoying sport and wasting invaluable sport space by avoidable road development.*

6) **The proposal blocks vista 2** to our Grade I Listed Building identified in policy COH/1-1a in Cottenham's pre-referendum Neighbourhood Plan - similar to a reason for refusal of the more open design in the original application for outline permission.

- *The restrained red line site puts pressure on house location and protection of a key vista in Cottenham's Neighbourhood Plan (which also featured in SCDC's refusal of outline permission).*

7) **The design and layout** conflicts with Cottenham's Village Design Statement and policy COH/1-5a, b, c, and d which is a derivative of it, intended specifically to apply lessons learned from previous new build projects in Cottenham in order to conserve the character of the village as explained in the Neighbourhood Plan and the E8 and E12 Evidence Papers prepared in its support.

In the south of the site, the second tier of 11 houses (street scene 4 – a run of five near-identical houses, each with unusually steep pitches on garage roofs followed by another run of five near-identical houses with unusually steep pitches on both house and garage roofs followed by a singleton), are uncharacteristic of Cottenham designs (NP policy COH/1-5b,c), and prevent a larger area being available for public open space contiguous with the existing sports facilities (NP policies COH/4-1 and COH/4-4). These tall houses, being out of character and close to established ones are a particular concern when they become even more overbearing when their relative height is increased by the inevitably higher datum of the new properties as a result of land recovered from site groundworks being re-distributed around the site.

Around Ramphill Farm, 3 blocks totalling 10 maisonettes (street scene 2) and the redundant stub "road to nowhere", which are also out of character with Cottenham village character (NP policy COH/1-5b,c), and prevent a better configuration of public open space (NP policies COH/4-1 and COH/4-4), especially when the adjacent County Council hectare becomes available if/when the Primary School expands onto Parish Council leased land.

- *The restrained red line site puts pressure on house location, protection of a key vista in Cottenham's Neighbourhood Plan (which also features in SCDC's initial refusal of outline permission here) and site layout, which although improved from previous attempts, retains too many areas of "sameness" by having too many near-identical house designs (ridge heights, plot widths, building lines and site positions).*

8) **Les King Wood** was planted some 20 years ago. This woodland was planted in February 2000 on a site owned and managed by Cambridgeshire County Council to improve the environment for wildlife and the landscape for local people. It was named the 'Les King

Wood' in memory of Les King, a much respected forestry contractor who lived in the village of Cottenham and planted many woodlands and hedges in Cambridgeshire. The main aims (say Cambridgeshire County Council) of this wood are "to enhance the long-term appearance of the landscape, and to create a quiet place to enjoy walks along the rides meandering through the woods and glades. A variety of mixed broad-leaved species of tree have been planted such as Oak, Ash, Alder, Wild Cherry, Crab Apple, Hornbeam and Field Maple as well as many woody shrubs."

Although rejected as Local Green Space in the adopted SCDC Local Plan due to it being disconnected from the village at the time, recent developments, especially the Gladman / Redrow site on the opposite side of Rampton Road and its recent connection via a bridleway to Broad Lane, have brought it into a well-connected position in the village's green infrastructure. Cottenham's Neighbourhood Plan includes most of it as Local Green Space, a recommendation accepted by the NP Examiner. The wood is already Public Open Space in all but name and this development proposal risks compromising its availability by locating a substantial SUDS within its boundary.

- *The smaller red line site puts pressure on house location, protection of a key vista in Cottenham's Neighbourhood Plan (which also featured in SCDC's initial refusal of outline permission here) and arrangements for safe management of surface water, especially along the edge of Les King Wood, which became Local Green Space in Cottenham's Neighbourhood Plan.*

9) **Drainage** is a serious issue around Cottenham. The Cottenham Lode transports surface water from developments to the southwest of the village, including Northstowe and parts of the A14, across the northern part of the Parish and into the Great Ouse, or Old West River as it is known locally. That drainage system is already being compromised by failure, despite planning conditions, to complete the protective telemetry and legal agreements that would safely divert high level flows from Northstowe Phase 1 and 3A into an Old West Internal Drainage Board main drain when the Cottenham Lode is already in flood. Other recent developments in and around Cottenham have flood outflows into old low-lying ditches and drains which ultimately rely on the pumping stations of the Old West Internal Drainage Board to keep their water levels low and avoid flooding the village. This proposal is no different. The runoff from the sandy-clayey site is proposed ultimately to use the adjacent Catchwater Drain which is connected to the IDB's Queenholme Pumping Station. However, the design calculation seems to have been misled by "local authorities" (Surface Water Drainage Strategy Addendum); contradicting the Appeal Inspector's condition 16 by instructing the engineers to use only impermeable land in the run-off calculation despite knowing that the permeable land does not support infiltration. The design itself is necessarily complex to manage even these lesser flows and will be almost impossible to maintain given the nature of the soil as is well known to users of Les King Wood or the 3rd Field. There is insufficient space to install adequate surface water retention and release capacity to slow run-off flows down to the 1.1 litres per second per hectare required by the IDB's system without seriously compromising Les King Wood. In addition, there is no

agreement with the IDB to accept that run-off into a system that may already be compromised by the uncontrolled Northstowe outflows identified above. An effective design may require much more of Les King Wood – now Local Green Space in Cottenham’s Neighbourhood Plan – to be consumed by the Sustainable Urban Drainage System.

- *The constrained red line site puts pressure on house location and arrangements for safe management of surface water, especially along the edge of Les King Wood, which became Local Green Space in Cottenham’s Neighbourhood Plan. Currently there are serious doubts over the adequacy of the design – both in capability and maintainability, risk involved should the site be abandoned when only partly developed with an incomplete and or ineffective SUDS, and, in the long run, the SUDS becoming ineffective due to clogging by the sandy/clayey soil or in the absence of a long-term maintainer. Planning conditions previously imposed on Brenda Gautrey Way, Tenison Manor, Racecourse View and others have not been adequately enforced undermining local trust in the enforcement regime.*

10) **Access Road from Rampton Road** to the proposed rearward extension of Cottenham Primary School. This was proposed, including several alternative sites, and investigated during development of the Cottenham Neighbourhood Plan but removed prior to examination due to residual doubts over its extent and location. However, it has recently been confirmed by Cambridgeshire County Council that their intention is to extend the site rearward into land which is currently leased by Cottenham Parish Council, potentially reducing the amount of land available for sport. In addition, because of safety concerns over increased traffic an expansion would bring to Lambs Lane, This Land has been required to show a “stub” road headed towards the potential extension despite such stub roads normally being objected to by County Highways unless there is a clear purpose and onward connection (as in the case of “permeability” between the nearby Persimmon and Redrow sites in Cottenham). It is notable that 1 hectare of the reduction, between the redline boundaries at appeal and now, arises from Cambridgeshire County Council’s retention of 1 hectare that potentially links the application site and the land leased to Cottenham Parish Council. This Land misleadingly (Design & Access addendum p25) shows how a full-size 11 v 11 football pitch might be integrated into this 1 hectare into Cottenham’s sports provision without showing the effects of the intersecting road.

- *Withholding the 1 hectare achieves several things – at a cost. It underwrites the possibility that the application site can be connected to the future Primary School extension, subject to planning permission, and might also form the basis of the required “land swap” should part of the leased 3rd Field be taken for the school extension. However a full 5.1 metre road plus footways and fences etc. as insisted on by County Highways for the Recreation Ground access road upgrade, would encroach considerably onto the land available for the required 11v11 pitch, as would the FA’s stipulated additional 3 metre “respect” space along the touchlines. The indicative layout shown on page 25 of the Design & Access addendum statement is misleading by implying there*

would be space for such a 11 v 11 pitch. The road, in this position would necessarily cross land designated as Local Green Space.

- 11) **Reconfiguring sports fields** is an expensive proposition, made even more expensive if intensification of use (all-weather surfaces, flood-lighting) is necessary due to reduced area being available to serve a larger population. As Cottenham grows from today's 6,400 residents to around 8,000 following the recent permissions; and the constraints on space proposed by this development, an all-weather multi-use area will be needed close to the pavilion (so as to avoid surfaces being contaminated with mud). The proposed Public Open Space in the south of the development is not large enough to support, say a 11v11 and a 3-court netball arena, both of which are necessary additions supported by s106 funding agreements.
- *The restrained red line site puts pressure on house location and reduces the land available for retention as public open space adjacent to the existing sports pitches at the Recreation ground – as shown, albeit not very clearly, in the appeal drawing P16021-003D/E which reflected the masterplan in the original refused application.*
- 12) **Boundary treatment** This Land is proposing to remove a considerable amount of established hedgerow, replacing it with close-boarded fencing to secure the site perimeter. This conflicts with policy NH/4 in SCDC's adopted Local Plan and the commitment in the biodiversity enhancement strategy (page 9) to retain this hedgerow throughout the development. The hedgerows are considered to be a "Habitat of Principal Importance". The retention of hedgerows will continue to provide a wildlife corridor for commuting bats as well as habitat for birds and invertebrates.
- *The restrained red line site puts pressure on environmental protection in conflict with Local Plan policy NH/4.*
- 13) **Status of the POS** it is not clear how much Public Open Space will be retained on-site and how and on what basis this will be maintained and available for public use, especially:
- Les King Wood which, although sold to This Land Limited has been regarded as part of Cottenham's public open space since its inception in 2000. Inclusion in Cottenham's Neighbourhood Plan as Local Green Space and recent connection via bridleway to Broad Lane elevated its local importance and much of it was granted protection as Local Green Space in the Neighbourhood Plan.
 - The land towards Rampton Road, identified as possible POS is too small for effective use in an all-weather upgrade for more intensive use. Reducing the number of houses from areas 4 and 2 of the Design & Access addendum would help considerably.
 - *The original, 2 hectare larger redline site was refused permission for 154 houses despite being better laid out and more conformant with Cottenham's Neighbourhood Plan than the current proposal. The restrained red line site puts pressure on house location and reduces the land available for retention as public open space, especially adjacent to the existing Sports pitches at the Recreation ground – as shown, albeit not very clearly, in*

the appeal drawing P16021-003D/E which reflected the masterplan in the original refused application.

Mitigation has to involve a considerable reduction in the number of houses being proposed adjacent to the existing playing fields, especially the “out of character” ones in the south of the site, parallel to existing houses on Rampton Road, those adjacent to Ramphill Farm and some relocated nearer to Les King Wood without compromising the key vista.

It should also involve earliest engagement with the County Council to secure a non-invasive access route to a school extension and shorten the walking distance into the village by the necessary land exchanges or permissions.

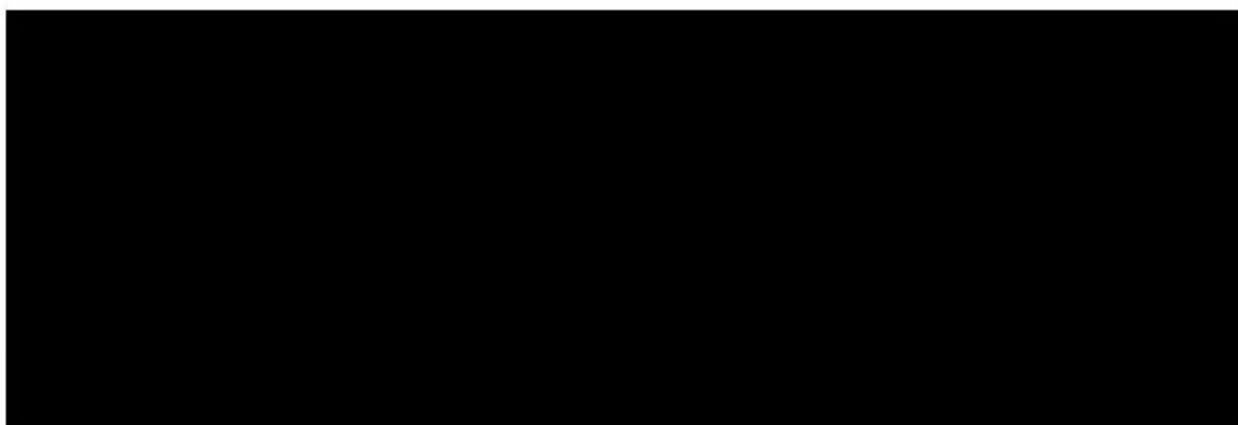
- The issues of potential conflict of interest arising from either County or District Council priorities can, given the substantial change in “red line area”, only be properly dealt with by referral to a neutral Planning Inspector following SCDC refusal of this application and a presumed appeal by the applicant.
- Some of the issues raised can be mitigated, as has been suggested earlier, by a reduction in the number of houses proposed on the site, particularly in three areas:
 - in the south of the site, removal of the second tier of 11 houses (street scene 4 – a run of five near-identical houses, each with unusually steep pitches on garage roofs followed by another run of five near-identical houses with unusually steep pitches on both house and garage roofs followed by a singleton), which are uncharacteristic of Cottenham designs, to conserve village character (NP policy COH/1-5b,c), and facilitate a larger area being available for public open space contiguous with the existing sports facilities (NP policies COH/4-1 and COH/4-4). These tall houses, being out of character and close to established ones are a particular concern when they become even more overbearing when their relative height is increased by the inevitably higher datum of the new properties as a result of land recovered from site groundworks being re-distributed around the site.
 - around Ramphill Farm, removal of 3 blocks totalling 10 maisonettes (street scene 2) and the redundant stub “road to nowhere”, which are also out of character with Cottenham designs, to conserve village character (NP policy COH/1-5b,c), and facilitate a better configuration of public open space (NP policies COH/4-1 and COH/4-4), especially when the adjacent County Council hectare becomes available if/when the Primary School expands onto Parish Council leased land.
 - along the edge of Les King Wood, relocation or removal of up to 20 houses (street scene 6), which are out of character with Cottenham designs requiring more variety of ridge height and building line, to conserve village character (NP policy COH/1-5b,c), and restore the vista (NP policy COH/1-1a vista 2) through to the Grade I listed All Saints Church and allow more space, albeit with some

tree loss, for proper drainage systems (NP policy COH/2-2e) without destroying Les King Wood – a Local Green Space (NP policy COH/1-7, SCDC policy NH/14).

- The boundary treatment around the site should be secure against informal pedestrian access and based, wherever possible on existing hedgerow to protect a wildlife “habitat of principal importance” for commuting bats, birds and invertebrates (SCDC policy NH/4).
- The design of the surface water management system should be independently assessed to give confidence to Cottenham Parish Council and the community; it should (NP policies (COH/2-2e,f,g) be:
 - independently assessed for efficacy, including the correct calculation basis (inclusion of all developed land) and maintainability, and
 - reviewed to ensure arrangements are in place for the situation if and when building works, having started, are paused or stopped leaving a partially developed site with compromised SUDS, and
 - established that a formal permission for outflow has been obtained from the Old West Internal Drainage Board, and
 - verified that a viable contract is in place with an enduring party for maintenance of the SUDS in perpetuity. (COH/2-2e,f,g)
- The adequacy and ownership status of the Public Open Space near the Sports Pavilion must be verified (NP policies COH/4-1 and COH/4-4 and supporting Evidence Paper E4).

Recommendation In the absence of adequate mitigations, Cottenham Parish Council requests that the application S/4207/19/RM is refused.

Prepared on behalf of Cottenham Parish Council



Frank Morris BSC (Eng) ACGI CEng FIET
Chair
Cottenham Parish Council

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Cottenham Parish Council

Comment submitted date: Sun 06 Sep 2020

Thank you for providing the opportunity for Cottenham Parish Council to comment on the 24 submissions related to S/4207/19/RM since our previous representation dated 5th August 2020. As you know this is the most sensitive of the four 5-year land supply developments in Cottenham; it is therefore disappointing, as authors of the NP, to see such a spirited defence of a "21st Century" approach to design as rebuttal of the recently-examined Cottenham Neighbourhood Plan.

We have considered the latest submissions and generally stand by our response of 5th August and recommendation that the application should be refused.

Despite assurances when the NP Referendum was suspended, that the developer would be persuaded to amend the proposal to be closer to the policies of the NP, Officers appear to be presenting the proposal as compliant, after the applicant has made only a few colour changes here and there, even shrugging off requests by colleagues for surface water management conditions as inappropriate despite these being applied to RM applications by both Persimmon and Redrow in recent times.

In particular we feel that more attention should be given to the following key mitigations:

- a considerable reduction in the number of houses being proposed adjacent to the existing playing fields, especially the "out of character" ones in the south of the site, parallel to existing houses on Rampton Road, those adjacent to Ramphill Farm and some relocated nearer to Les King Wood without compromising the key vista. There appears to be no change beyond a cosmetic colour change on two of these houses with 147 remaining the target quantum when 120 is nearer to an acceptable mark when 2 hectares has been lost from the developable area of the site.
- it should also involve earliest engagement with the County Council to secure a non-invasive access route to a school extension and shorten the walking distance into the village by the necessary land exchanges or permissions.
- the boundary treatment around the site should be secure against informal pedestrian access and based, wherever possible on existing hedgerow to protect a wildlife "habitat of principal importance" for commuting bats, birds and invertebrates (SCDC policy NH/4).
- the imposition of the condition suggested by the SCDC Sustainable Drainage Engineer design of the surface water management system should be independently assessed to give confidence to Cottenham Parish Council and the community; (NP policies (COH/2-2e,f,g). Recent flooding in Cottenham was, in part, caused by lack of maintenance of the surface water management scheme in the 20-year old Tenison Manor and Brenda Gautrey Way developments.
- the adequacy and ownership status of the Public Open Space near the Sports Pavilion must be verified (NP policies COH/4-1 and COH/4-4 and supporting Evidence Paper E4).

Recommendation In the absence of adequate mitigations, Cottenham Parish Council requests that the application S/4207/19/RM is refused

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2.0 Site Analysis

2.4 Site Ownership and Immediate Context

The site has an area of approx. 14.76 ha / 36.5 Acres of predominantly agricultural land to the north-west of the village of Cottenham. Along the north-western boundary of the site, there is the substantial 'Les King Wood', a semi-mature woodland planted in 2001. The wood separates the site from the Catch Water Drain and Little North Fen beyond. The south-western boundary of the site is defined by Rampton Road, Ramphill Farm and residential dwellings at 120 to 132 Rampton Road.

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[Above]: Plan showing area of land removed from RMA vs outline consent



The reason for the difference in boundary from that given at the time of the outline consent to the reserved matters application is because after the outline consent for 154 units was granted the current land owner, Cambridgeshire County Council (CCC) decided to retain some of the land to be used for the future school extension and also retain land that would be leased to Cottenham Parish Council (CPC). The retained land to be leased to CPC was required due to an existing lease arrangement which meant CCC or successor in title would have to re-provide land to CPC should any of their existing land be allocated for development.

[Main]: Google aerial plan showing site dimensions.

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**Cottenham Neighbourhood Plan Pre-submission Draft Plan
version 3.1a (October 2017)**

Policy C/1: Landscape Character Extract - Vistas



All Saints' Church from Cottenham Lode (1L) and Long Drove (1R)



3 Cottenham from Oakington Road

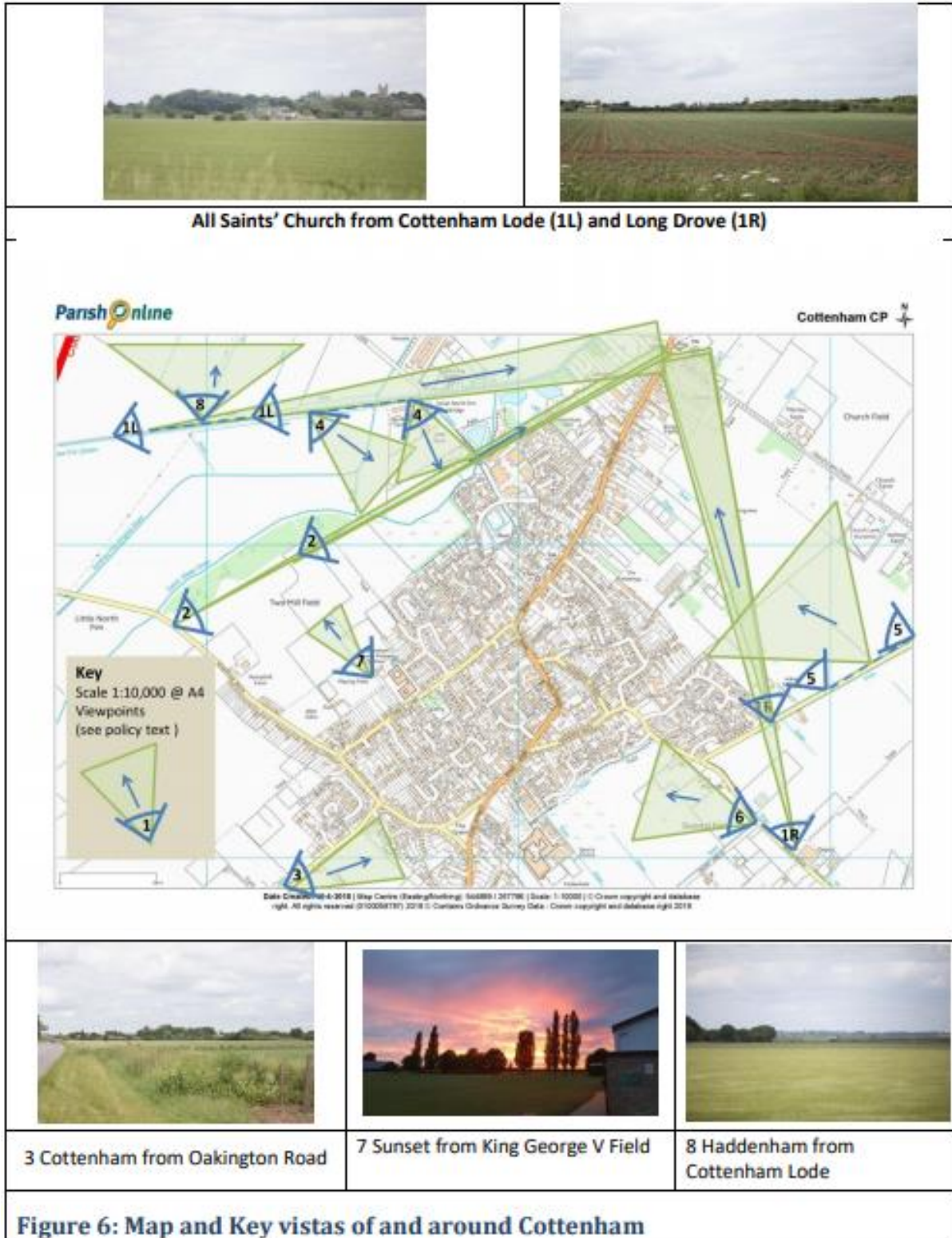
4 Sunset from King George V Field

5 Haddenham from Cottenham Lode

Figure 4: Map and Key vistas of and around Cottenham

Cottenham Neighbourhood Plan Pre-submission Plan (June 2018)

Policy C/1: Landscape Character Extract - Vistas

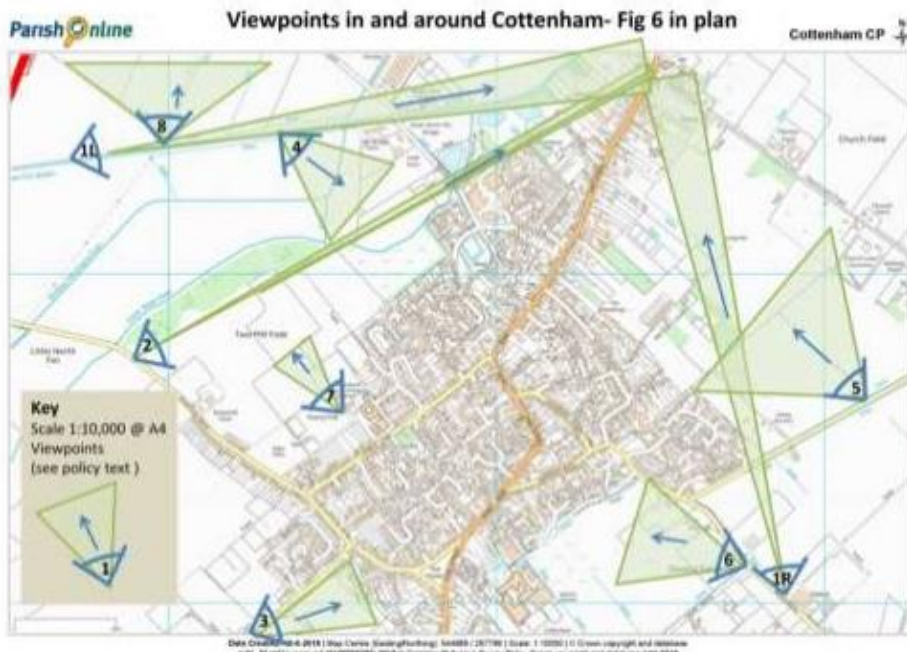


Cottenham Neighbourhood Plan Referendum Version (February 2020)

Policy COH/1-1: Landscape Character Extract - Vistas



All Saints' Church from Cottenham Lode (1L) and Beach Road (1R)



Cottenham from Oakington Road (3); Sunset from King George V Field (7); Haddenham from Cottenham Lode (8)



Figure 6: Map and Key vistas of and around Cottenham

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- KEY:**
- Planning application boundary
 - Relocated recreation provision
 - Proposed residential development
 - Proposed landscaping

Appendix 5

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- 1** Access points from Rampton Road into development inclusive of 3m footpath cycleway.
- 2** Improved shared footpath cycleway on Rampton Road.
- 3** Dwellings fronting Rampton Road.
- 4** Potential road link to the recreation ground.
- 5** Relocated recreation provision (3.4 hectares) allowing for additional football pitch. Illustrative plan details 5 full size FA standard football pitches, 1 Rugby Pitch, Cricket Oval and Square.
- 6** Green Space and Potential Sustainable Drainage System (SuDS).
- 7** Play Area, Locally Equipped Area for Play (LEAP)
- 8** Possible locations for drainage attenuation pond.
- 9** Footpath cycleway link between development and Les King Wood. Improved accessibility for all around Les King Wood.
- 10** Future proofed road, footway and cycle access to potential land for education expansion.
- 11** Potential for shared cycleway footpath link to Lambs Lane.
- 12** Potential future link to PRoW running alongside Cottenham Lode.
- 13** Improvement to existing boundary trees and hedgerow

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Rev	Description	Drawn	Approved	Date

TEP Genesis Centre
 Birchwood Science Park Warrington
 WA3 7BH
 Tel 01925 844004
 Fax 01925 844002
 e-mail tep@tep.uk.com

Project
Rampton Road, Cottenham
 Client
Cambridgeshire County Council

Drawing Title
Drawing 5 - Illustrative Masterplan

Drwg No D5586.003.02	Date 20.10.16	Revision 01
Scale 1:1500@A1	Checked SM	Approved SM
Drawn MF		

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Agenda Item 6



14th October 2020

Report to: South Cambridgeshire District
Council Planning Committee

Joint Director of Planning and Economic Development

Lead Officer: Luke Simpson

S/4243/19/FL – Orchard Park (Land to The West Of Neal Drive, Orchard Park)

Proposal: Erection of two new private residential blocks with linking central element comprising 138 (revised from 144) student rooms and associated facilities (Resubmission of application S/3983/18/FL)

Applicant: Marchingdale Developments Ltd

Key material considerations:

Principle of Development, Urban Design, Character and Appearance, Landscaping and Planting, Ecology and Biodiversity, Housing Mix, Affordable Housing, Housing Density, Trees, Highway Safety and Parking, Air Quality, Crime Prevention, Noise, Neighbour Amenity, Contaminated Land, Flood Risk and Drainage, Carbon Reduction and Water Efficiency, Archaeology, Section 106

Date of Member site visit: N/A

Is it a Departure Application?: No

Decision due by: 23rd October 2020

Application brought to Committee because: Parish Council and Community Council Objections

Presenting officer: Luke Simpson

Recommendation: Approval, subject to conditions and s106

Executive Summary

1. The proposed development is for 138 student rooms. The application is a re-submission of the previously refused planning application S/3983/18/FL. The design of the proposed development has been significantly revised such that all of the previous reasons for refusal have been overcome.
2. It should be noted that the Planning Committee recently granted consent for a Build-to-Rent scheme on the same site under application reference S/4191/19/FL. The design of the current application is very similar to that previously approved application, albeit there are some differences as set out in this report.
3. Planning Officers consider that the proposed development would accord with all of the relevant development plan policies and there are no material considerations which indicate that a decision should be made other than in accordance with those policies. There is a conflict with the height parameters set out within the Orchard Park Design Guide SPD, however, Planning Officers consider that this conflict is mitigated by the stepped design of the proposed development, with the fifth storey set back from the fourth.
4. The proposed development would contribute a total of 55 dwellings (student units do not count on a one for one basis) towards the Council's Housing Land Supply. The development would also support educational institutions by providing purpose-built student accommodation. There are therefore clear economic and social benefits associated with the scheme.
5. For these reasons Planning Officers consider that planning permission should be granted subject to conditions and a section 106 agreement as set out within this report.

Relevant planning history

6. S/4191/19/FL - Erection of new private rented residential block comprising a total of eighty studio, one and two bedroom apartments (Resubmission of application S/0768/18/FL) - Approved
7. S/0768/18/FL - Erection of two new private rented residential blocks comprising a total of 93 apartments – Refused (Appeal Withdrawn)
8. S/3983/18/FL - Erection of two new private residential blocks comprising 168 student rooms and associated facilities – Refused (Appeal Withdrawn)
9. S/3039/17/RM - Application for approval of reserved matters (Access, appearance, landscaping, layout and scale) following planning permission S/2948/16/VC for the development of 82no. units for an Apart/Hotel with restaurant and gym facilities – Approved (Site to directly east of Application Site)

10. S/2948/16/VC - Variation of conditions 1 (reserved matters), 2 (time scale), 3 (implementation), 5 (detailed view), 6 (detailed plans), 7 (road and footways), 9 (travel plan), 10 (car and cycle parking) and 11 (noise mitigation) pursuant to planning permission S/2975/14/OL for the erection of up to 42 No. 1,2,3 and 4 bedroom apartments on the smaller site within Land Parcel Com 4 and 82 No. units for an Apart / Hotel with a restaurant and gym facilities on the larger site on Land Parcel Com 4, Neal Drive, Orchard Park Development - Approved
11. S/2975/14/OL – Outline planning application for the erection/development of 42no apartments on the smaller site within the COMM 4 land parcel, and 82no units for an Apart/Hotel with a restaurant and gym facilities on the larger site on land parcel COMM 4 within the Orchard Park Development - Appeal Allowed
12. S/2248/14/OL - Outline planning application for the erection/development of 132 flats on Land Parcel COM4 (both Sites) at Orchard Park - Appeal Dismissed
13. S/1734/07/F - Erection of 182 dwellings (56 affordable) and associated infrastructure - Appeal Dismissed
14. S/2298/03/F - Strategic Infrastructure Comprising Spine Roads and Footways, Cycle ways, Surface Water Drainage, Foul Water Drainage and Strategic Services - Approved
15. S/2379/01/O - Development Comprising Residential, Employment, Retail, Leisure, Social/Community Uses, Open Space, Educational Facilities and Associated Transport Infrastructure - Approved

Planning policies

National Guidance

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

Development Plan

17. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
SS/1 Orchard Park
HQ/1 Design Principles
HQ/2 Public Art
H/8 Housing Density

H/9 Housing Mix
 H/10 Affordable Housing
 H/12 Residential Space Standards
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity
 NH/14 Heritage Assets
 CC/1 Mitigation and Adaptation to Climate Change
 CC/3 Renewable and Low Carbon Energy in New Developments
 CC/4 Water Efficiency
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 SC/2 Health Impact Assessment
 SC/4 Meeting Community Needs
 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 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

Supplementary Planning Documents

18. Orchard Park Design Guide SPD – Adopted March 2011
 Open Space in New Developments SPD - Adopted January 2009
 Biodiversity SPD - Adopted July 2009
 Trees & Development Sites SPD - Adopted January 2009
 Landscape in New Developments SPD - Adopted March 2010
 Affordable Housing SPD - Adopted March 2010
 District Design Guide SPD - Adopted March 2010
 Greater Cambridge Sustainable Design and Construction Supplementary
 Planning Document, January 2020

Consultation

19. **Histon and Impington Parish Council** – No response received. Comment that as the application is outside the Parish this application was not considered.
20. **Orchard Park Community Council** - Recommends refusal. The full response is included at Appendix 1. Members are advised that they should read this appendix in full. It is not considered appropriate to summarise these representations given the level of detail provided and number of issues included in the Community Council's response. The substance of the matters raised are all fully addressed within this committee report as follows:

- Location Plan – Para’s 49 and 101
- Principle of Development – Para’s 60-71
- Sustainable Development – The entire committee report
- Viability and Affordable Housing – Para’s 133-135
- Density, Character and Appearance – Para’s 72-110
- National Design Guide – Para 16
- Leisure, Recreation and Amenity Space – Para’s 108, 109, 196-203
- Transport and Parking Matters – Para’s 139-146
- Pedestrian Route – Para’s 72-110
- Anglian Water comments – Para 205
- Landscape Plans – Paras 111-120
- Ecology – Para’s 121-127

21. **Landscape Officer** – Comments that the proposed landscape layout has improved the quality of the landscape in some areas but reduced it in others, and some amendments will be required to parts of the layout and plant species to achieve a satisfactory landscape. This can be achieved by suitably worded conditions.

22. **Tree Officer** – No objection subject to revisions to planting types.

23. **Urban Design Officer** – Comments that whilst the scale height and massing addresses the previous reasons for refusal with regard to the impact on the neighbouring 3 storey residential building, the disposition of its mass particularly on the fifth storey does not create a built form that makes the fifth storey bridge element subservient to the two main north south blocks, impacting negatively on its overall character. The massing and composition of block A is also not fully resolved.

The proposal addresses the previous reasons for refusal in terms of its orientation of the layout.

In order to fully address the reason for refusal, the proposals would need to move the access road, slightly to the north with a revised landscape scheme. However improvements could be sought to improve the landscape based on the current layout.

The proposal would need further articulation of the southern elevation through more windows. However, some improvements could be sought via conditions.

The quality on the northern elevation is further reduced in the current proposal. The fifth storey windows of Block A does not co-ordinate with Block B and do not relate to floors below.

24. **Health Specialist** – No objection, satisfied that due consideration has been given to the existing and future residents.

25. **Contaminated Land Officer** – No objection, recommends a condition requiring a remediation strategy if contamination is found on the site during construction.

26. **Anglian Water** - Comment that the development is within 15 metres of a sewage pumping station and would be at risk of nuisance from noise, odour or general disruption from maintenance work. The development should take this into account and provide a 15 metre cordon sanitaire. Foul drainage from the development will be within the catchment of Cambridge Water Recycling Centre that, once necessary steps are taken by Anglian Water, will have available capacity for these flows and the sewerage system at present has available capacity for these flows. Requires a surface water drainage condition. The development may affect public sewers and the developer should therefore contact Anglian Water if intending to construct over existing public sewer.
27. **Ecology Officer** - no objection subject to conditions as follows:
1: Condition requiring mitigation measures in accordance with the PEA
2: Precautionary method of works in respect of reptiles to be submitted
3: Biodiversity enhancement and management plan to be submitted
28. **Local Highway Authority** – No objection subject to conditions on: car ownership restriction; drop off and pick up management strategy; construction traffic management plan; pedestrian visibility splays; access falls and levels; and access to be made from bound material.
29. **Conservation Officer** – No objection
30. **Highways England** – No objection
31. **Environment Agency** – No objection, recommend consultation of: drainage and contaminated land officers; and Anglian Water.
32. **County Transport Assessment Team** - The Highway Authority does not object to this application subject to the following conditions:

1. Should approval be given a restriction on residents owning cars should be applied through the standard contract for accommodation or other means. This should be agreed with Highways Development Management and could be secured through a condition or a S106 agreement.
2. Should approval be given a Travel Plan should be secured through a condition. This should be agreed with the LPA prior to occupation.
3. To make a contribution of £35,000 towards cycle route improvements on Histon Road between Kings Hedges Road and Hazelwood Close to be secured via a S106 agreement.
33. **Lead Local Flood Authority** – No objection subject to conditions on surface water drainage and SuDS.
34. **Fire Authority** – Require adequate provision of fire hydrants.
35. **County Archaeology** – No objection

36. **Drainage Officer** – No objection subject to conditions on surface water, foul drainage and SuDS.
37. **Designing Out Crime Officer** – Area is medium to high risk. Has the following comments:
- I would like to see an external Lighting Plan with lux levels – to include pedestrian, cycle and vehicle access and routes through the site.
 - CCTV proposals
 - Although the Design and Access statement states that there will be a warden's room and 24hr staff, what access control and door entry system will be adopted for the students.
 - Cycle and bin stores – external cycle stores should be secure and well lit – the sliding doors shown in the plans are unlikely to be secure enough in light of the high level of cycle theft in this area.
 - Proposed method of mail delivery.
38. **Sustainability Officer** – No objection subject to conditions on carbon reduction and water efficiency.
39. **Environmental Health Officer** – Noise: No objection subject to conditions on construction phase noise and operational phase noise mitigation measures. Recommends a condition in relation to noise impact associated with renewable energy provision sources.
- Lighting: Recommends condition requiring lighting plan prior to commencement of development.
- Waste: Recommends contributions included in s106 towards waste storage containers.
40. **Joint Housing Development Officer** – Comments that The Greater Cambridge Housing Strategy sets out its priorities in terms of ensuring there are affordable homes close to places of work and that having the right homes in the right places will support economic growth. Whilst this application is not about supporting local workers, there is a rationale to apply the same logic for students at Cambridge Regional College. More so, having student accommodation would support the objectives for economic growth.

SCDC does not have a policy on student accommodation and whilst Cambridge City have identified a need for such accommodation, there is not an identified need within South Cambridgeshire. However, Cambridge Regional College borders both the City and South Cambridgeshire and the proposed application would be in walking distance to the college.

We do have concerns as to the scale and number of units for student accommodation in a residential area and how this would affect the sustainability and community balance of the area. There would need to be tight management of the scheme and it is our understanding that Cambridge Regional College would look to manage this.

As part of Cambridge Regional College's offer, we would like to see that, if practicable, a proportion of the units be made available to workers of the college. We know from anecdotal evidence that there are recruitment issues for teachers and this would help to alleviate this for Cambridge Regional College and support their ambitions for growth, as well as one of the Council's key priorities.

Whilst our priority is always to maximise the affordable housing contribution it would not be appropriate to seek an affordable housing contribution as part of the provision of student accommodation.

41. **The s106 Officer** – Sets out that contributions are required as follow:

a) Public Open Space

(i) Formal sports in the form of an offsite contribution of £64,440.48 to help fund improvements to the existing sports facilities at (a) Ring Fort recreation ground and (b) Topper Street recreation ground.

(ii) Informal open space in the form of onsite provision

(iii) Indoor Community Space in the form of an offsite contribution of £29,256 to help fund improvements and alterations to the Orchard Park Community Centre.

b) Monitoring Fees being a contribution of £500

42. **Air Quality Officer** – No objections. Recommends conditions on carbon reduction and a Construction Environmental Management Plan.

Representations from members of the public

43. Objections from two neighbouring residents have been received as follow.

- 43 Central Avenue, Cambridge – Objects on the grounds that there is already a big problem with parking. This application will make the existing situation worse.
- 16 Marmalade Lane, Cambridge – Difficult to see viability given reduction in number of students resulting from Covid-19. Focus should be on long term accommodation. Parking pressures will increase. Littering by students is causing a problem at present.

Previous Appeals and Application Reference S/4191/19/FL

44. It should be noted that the dual appeal in respect of two previously refused planning applications on the Application Site was withdrawn by the Applicant subsequent to the approval of the re-submitted Build-to-Rent Scheme (S/4191/19/FL) which was approved at Planning Committee on 26th August 2020. Fews Lane Consortium Limited has indicated that it intends to submit a legal challenge to the decision S/4191/19/FL. It is not yet clear on what grounds any such challenge will be made. If the grounds are made clear in advance of the planning committee then Members will be updated accordingly.

The site and its surroundings

45. The 'Application Site' comprises the land edged-red on the submitted Site Location Plan.
46. The Application Site is located within the development framework of Orchard Park. It is situated to the north of the city of Cambridge and south of the A14 road and the villages of Histon and Impington. The site forms part of the plot known as 'COM4' (as described in the Orchard Park Design Guidance SPD, 2011).
47. The site area is approximately 0.26 hectares. The Application Site currently comprises an area of grassland. There are a number of small trees adjacent to the western boundary of the site. The Application Site is situated within flood zone 1 (low risk).
48. The A14 road is situated directly to the north. A vacant plot which was previously granted planning permission for a six-storey aparthotel and a large area of public open space is situated directly to the east, this consent is no longer extant. Three storey residential properties are situated to the south. A three/four storey hotel (Travelodge) is situated to the west. To the east is the remaining part of the COM4 site and an area of open space.

The proposal

49. The Applicant has amended the Proposed Development in order to seek to address comments from Consultees and to address an error with the originally proposed application red-line boundary. The proposal, as amended is for the erection of two new residential blocks comprising 138 student rooms and associated facilities.
50. The scheme would comprise two linear blocks arranged on the eastern and western boundaries of the site which would be linked via a bridging element orientated east to west. The buildings would have 5 storeys and measure up to approximately 14.2 metres in height. The materials of construction would be Cambridge gault brick, bricks with recessed courses, glazed bricks, metal panels and corrugated metal panels. Windows and door frames would be grey and some windows would have precast cornices.
51. Block A and the link section provide 100 self-contained rooms with desk / study space, en-suite and cooking facilities with communal television / games rooms at ground floor level. Block B would provide 38 cluster rooms whereby individual rooms benefit from desk / study spaces and en-suites but no cooking facilities with occupants of this block utilising shared kitchen facilities as part of the communal areas on each floor. The design also incorporates three 'accessible' rooms at the ground and first floor level. At ground floor level there would be a reception area and a separate management / warden's office. The proposed use is a sui generis use and, should consent be granted, a planning application would be required to convert the use to residential development.

52. A vehicle parking area would be situated between the buildings at ground level. Seven car parking spaces would be provided, three of which would be disabled spaces. 145 secure cycle spaces would be provided.
53. Vehicular access to the site would be from Neal Drive to the east. A footpath would be provided to the south of the site between Chieftain Way and Neal Drive that would link to the pathways within the site.
54. Landscaping that includes tree planting would be provided to the south of the site and adjacent to the proposed buildings. Landscaping in the form of hedges would surround the buildings to create public/private spaces.
55. Cambridge Regional College have provided a detailed letter, submitted by the Applicant as part of this planning application. It outlines their requirements for student accommodation in order to remain competitive in a market where other private language schools currently offer such accommodation. The College currently relies on a network of host families to provide accommodation for international students. The use of the student accommodation would not be restricted to Cambridge Regional College and it is therefore considered that the development also has potential to support other private and further education facilities in the surrounding area.
56. The proposed development has been significantly revised over the previously refused scheme as follows:
 - Reduction in Student Rooms from 151 to 138.
 - Increase in distance from the gable end of Block A to the gable end of houses on Chieftain Way from 5.55m to approximately 11.59m.
 - Increase in distance from the gable end of Block B to the gable end of houses on Neal Drive from 9.97m to approximately 21.8m.
 - Increase in distance from the gable end of Block A at 4th floor level to the gable end of houses on Chieftain Way from 5.55m to approximately 15.24m.
 - As a result of the increased distances in 2 to 4 above the space around the link footpath is significantly increased.
 - An upper storey bridging link has been introduced between Blocks A and B which provides the appearance of a single building of east-west orientation.
 - Improved active frontage and elevational treatment to the south
 - Increased area available for landscaping and Hard and Soft Landscaping scheme provided

- Reptile survey now included.

Planning assessment

57. This application must be determined in accordance with the development plan, unless there are material considerations which indicate that a decision should be made other than in accordance with the adopted development plan policies. This is the statutory test set out under Section 38(6) of the Planning and Compulsory Purchase Act (2004). This committee report undertakes this statutory test.
58. Planning Officers consider that the main considerations in relation to this application are urban design and landscaping. This is because the previous reasons for refusal related to urban design, ecology and landscaping matters, with the ecology reason for refusal having been addressed.
59. Other matters, which did not form part of the previous reasons for refusal are then subsequently addressed in turn.

Principle of Development

60. There are no policies in the South Cambridgeshire Local Plan which deal specifically with student accommodation. This development, although a sui generis use, would provide a type of residential development. NPPF Paragraph 61 states in full:

*'Within this context [Determining the number of homes needed], the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, **students**, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).'* (Emphasis added)
61. There is therefore a clear policy link between the supply of homes and provision of student accommodation. Therefore, in policy terms, with the exception of affordable housing policy, which is not applicable (as discussed later in this report), Planning Officers consider that policies relevant to the principle of residential development are applicable to the Proposed Development.
62. The Application site is wholly located within 'Orchard Park' as defined on the Adopted Local Plan Policies Map (2018). The policy relevant to the principle of development in this location is Local Plan Policy SS1 (Orchard Park).
63. Policy SS/1 states that Orchard Park is allocated for a sustainable housing-led mixed-use development providing a minimum of 900 dwellings. When Orchard Park was originally allocated in 2004, it had been envisaged that the plots adjacent to the A14, including the Application Site, would be used for

commercial development. However, since then, the principle of residential development on the Application Site has been established through the recent grant of planning permission for 80 build to rent flats under application reference S/4191/19/FL.

64. The principle of residential development on this site is also referred to within the Orchard Park Design Guidance SPD (2011). Paragraph 2.9 of the SPD explains that the principle of residential development has been established on the COM4 site.

65. Part 3 of Policy SS/1 also makes provision for additional residential development. It states in part:

'Additional residential development may be granted planning permission but only where this would be compatible with the objective for the development as a whole of providing a sustainable housing-led mixed-use development'.

66. For the reasons set out in this report, Planning Officers consider that the proposed development would be compatible with policy objectives for Orchard Park. Policy SS/1 also sets out specific assessments which must be provided in relation to development under Part 3 of the policy, these include:

- A Noise Assessment
- Air Quality Assessment
- Transport Assessment

67. These issues are discussed separately within this report.

68. For the reasons outlined above Planning Officers consider that the principle of the proposed development is acceptable and accords with Local Plan Policy SS/1.

69. Orchard Park Community Council have referred to an appeal decision made in 2014 under appeal reference APP/W0530/W/15/3095195 (S/2938/14/OL). This appeal was not dismissed on the basis of the principle of development. The decision was also made within a different development plan context, prior to the current Local Plan which was adopted in 2018.

Cambridge Regional College

70. The proposed development would be available for students attending educational institutions within the local area. However, Cambridge Regional College (CRC) has indicated that its students would benefit significantly from the proposed development. CRC has provided a letter which was submitted as part of this planning application. This letter can be summarised as follows:

- Cambridge Regional College has over 10,500 students, made up of 3,647 full-time students, 4,923 part-time students, 1,176 apprentices, 280 higher education students and 255 year-round international students (with an addition 400 attending international summer school)

- The College plans to grow the number of international students
- Accommodation for students is the key strategic priority in order to facilitate international expansion at the College.
- International students are attracted to residential accommodation that is modern, comfortable and, preferably, close to where they are studying.
- Currently the College relies on a network of 130 Cambridgeshire-based host families to provide accommodation to international students, although only 32 of those can be relied upon regularly.
- Advertising campaigns have been run to recruit more host families with limited success.
- In 2017/18 the College regularly had 86 students staying with host families the academic year with up to 95 at one stage.
- Being just a ten minute walk from Cambridge Regional College, residential accommodation at Orchard Park would provide an ideal location for international students.
- In Orchard Park, the College consider that they have the perfect solution to allow growth, reinvestment and to maintain the Colleges position as the largest recruiter of international students in the UK's further education sector.

Urban Design, Character and Appearance

The Refused Application

71. The previous application was refused partly on the basis of a conflict with Local Plan Policy HQ/1 (Design Principles) and the guidance contained within the Orchard Park Design Guidance SPD. The SPD is a material consideration in the determination of this planning application. Pages 34 and 35 of the Orchard Park Design Guide set out design guidance specific to the wider COM4 site.
72. The previous design reason for refusal stated in full:

'In the opinion of the local planning authority the scale, siting and massing of the proposed five storey development would not be in keeping with the surrounding area and in particular the three storey residential development directly to the south of the application site. The orientation and layout of the proposed development would also fail to meet the site-specific design guidance set out at page 34 of the Orchard Park Design Guidance SPD (2011). The design of the proposed pedestrian link to the south and the lack of active frontages proposed on external facing elevations would result in a development which fails to create a positive sense of place. The development therefore does not represent high quality design and would be contrary to adopted South Cambridgeshire Local Plan (2018) Policy HQ/1 (Design Principles) (criteria a, c,

e & f) and the adopted Orchard Park Design Guide Supplementary Planning Document (March 2011).'

73. The main issues contained in the previous reason for refusal can be summarised as follows:
- Unacceptable impact caused by the scale, siting and massing of the proposed five storey element of the proposed development;
 - Unacceptable impact caused by the orientation and layout of the proposed development
 - Unacceptable impact as a result of the design and quality of the proposed pedestrian link to the south and the lack of active frontages proposed on external facing elevations
74. These are the issues which therefore form the primary considerations in relation to the design of the currently proposed scheme. As these are the issues which it is considered the development must overcome in order that the development complies with the relevant Local Plan Policies and supplementary planning guidance in relation to design.
75. The design of the proposed development is very similar to that which was recently approved in respect of the build to rent proposal under application reference S/4191/19/FL. The current proposal's eastern wing (Block B) is set further back from the residential development to the south than the approved build to rent scheme. The student accommodation does not include a basement car park, which is included in the approved build-to-rent development. The other main design differences between the two schemes are that the current proposal includes projecting elements and additional windows in the south facing elevation which were not included in the approved build to rent scheme. These issues are discussed in more detail in relation to 'amenity' later in this report.

Relevant Policies

76. Local Plan Policy HQ/1 (design principles) sets out various design criteria that must be met in respect of new development. This policy is supplemented by the District Design Guidance SPD (2010) and the Orchard Park Design Guidance SPD (2011).
77. Page 34 of the Orchard Park Design Guide sets out design guidance specific to the wider COM4 site.

Scale, siting and massing

78. Criterion 'a' of Local Plan Policy HQ/1 states that development proposals must '*preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape*'. Criterion 'd' states that they must also '*be compatible with its location and appropriate in terms of scale, density,*

mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area'.

79. The Orchard Park Design Guide SPD goes further, providing specific guidance on the design of development in Orchard Park and includes guidance in relation to the Application Site.
80. The Orchard Park Design Guide SPD provides guidance on the height of development on the wider COM4 plot, which includes the Application Site. The design guidance refers to various appropriate building heights for the COM4 plot, including 15m for a primary block, 12m for buildings overlooking the open space and 9m for other buildings. It is not explicitly clear which of these standards applies to the Application Site. However, it is reasonable to conclude that the only site to which the 9m height parameter can apply is the Application Site.
81. The scale of development in the surrounding area varies, with three storey residential development located to the south of the site, along Chieftain Way and Neal Drive. Directly to the west of the site is the Travelodge building, which is between 3 and 4 storeys. To the west of the site is an area of open space to the north of which is a site which has previously been granted consent for an aparthotel with a maximum height of 19m. This consent is however no longer extant.
82. Planning Officers consider that the overall height and scale of the proposed development must be read in this context but also within the context of the revised siting of the proposed development. Indeed, siting, massing and scale are inter-related and are all referred to within the same criterion ('d') of Local Plan Policy HQ/1.
83. The previously refused development has a height of approximately 14.2m. The currently proposed development does not involve any reduction in this proposed height. However, Planning Officers consider that the impact of the development, in terms of the scale, siting and massing, is mitigated through the following revisions to the proposed design:
 - Increase in distance from the gable end of Block A to the gable end of houses on Chieftain Way from 5.55m to approximately 11.59m.
 - Increase in distance from the gable end of Block B to the gable end of houses on Neal Drive from 9.97m to approximately 21.8m.
 - Increase in distance from the gable end of Block A at 4th floor level to the gable end of houses on Chieftain Way from 5.55m to approximately 15.24m.
84. The current application includes the re-siting of the proposed building, further to the north of the site, increasing the separation to the three storey residential buildings to the south. The fifth storey is now setback further than the fourth storey, when compared to the refused development. Planning Officers consider that this increased set back at fifth floor level further mitigates the impact of the

scale of the development and reduces the perceived scale of the building from surrounding areas.

85. The Urban Design Officer acknowledges that the increased setback has mitigated the impact of the scale of the proposed development, stating:

'The main façade of block A & B has been setback further (than the previous refused application) such that their main facades are 11.5m to 13m and 21m respectively away from the residential buildings to the south. The fifth storey on block A is also setback by 3.5 to 5m from its main façades and hence the buildings are further away from the existing residential building to the south. Whilst the façade of block A is not exactly aligned with the building line of the Travelodge hotel, the proposed arms of block A and B are in our view sufficiently set-back to mitigate the impact of the 5 storeys and achieve a reasonable transition to the 3 storey residential townhouses to the south.'

86. The revised design now incorporates a bridging element which links the eastern and western flanks of the building. This is set back further than the eastern and western flanks. The scale of this part of the development is also considered to be in keeping with the surrounding area. Whilst this element increases the massing of the proposed development, it is a design which aims to address previous concerns in relation to the orientation of the proposed development. This is discussed below in further detail.
87. In summary, through the re-siting of the proposed building, further to the north of the site and as a result of a proposed increased setback at fifth storey level, Planning Officers consider that the Applicant has addressed the previous reason for refusal in relation to the scale, siting and massing of the proposed development. There would remain a conflict with the Orchard Park Design Guide SPD 9m height parameter. However, Planning Officers consider the impact of the overall height is mitigated by the revisions to the design described above. Planning Officers therefore concluded that the proposed development would comply with criteria 'a' and 'd' of Local Plan Policy HQ/1.

Orientation and Layout

88. The previous development was refused partly due to the proposed north-south orientation of the two buildings. The revised scheme proposes a single building with eastern and western wings linked by a central bridging element.
89. The Orchard Park Design Guide SPD outlines that development should be orientated in such a way that it provides a barrier to noise from the A14, Figure 22a of the SPD indicates that plots adjacent to the A14 should include development which is orientated east to west. Much of the development adjacent to the A14 including the adjacent Travelodge is orientated in an east-west direction. This has created a specific character to development to the north of Orchard Park.
90. The reference to the orientation of the buildings in the previous reason for refusal is based on the impact upon character and appearance of the

surrounding area as opposed to noise attenuation. There is no noise reason for refusal in relation to the previous scheme. Indeed, the Council's Environmental Health Officer did not object to the previous proposal and has no objection to the current proposal, subject to suitably worded conditions.

91. The Applicant has revised the design significantly, introducing a bridging element between the two wings. This gives the building the appearance of an east-west orientation. Planning Officers consider that this will ensure that the development would be in keeping with the character of the surrounding area.
92. The Council's Urban Design Officer has acknowledged that the revisions to the design of the proposed development have broadly addressed previous concerns in relation to the orientation of the buildings. The response states in part:

'It is recognised that there are significant changes between the refused application and the current scheme in terms of its layout and orientation which are welcome and broadly addresses this element of the previous urban design reason for refusal. The length of Blocks A and B, which have a north south orientation are reduced, and are now connected with a bridging element, providing an overall impression of an east-west orientated building, broadly aligned with the SPD guidance. The proposal also has merit in providing some visual screening from the A14 highway. The proposal follows previous recommendation from the urban design team and reduces the overall number of dwellings in the scheme.'

93. For these reasons Planning Officers consider that the proposed development now complies with the SPD with regard to orientation and layout. The layout of the proposed landscaping is discussed separately at paragraphs 110-119 of this committee report.

Design of the proposed pedestrian Link and active frontages

Pedestrian Link

94. Criterion f of Local Plan Policy HQ/1 requires new development proposals to:

'Achieve a permeable development with ease of movement and access for all users and abilities, with user friendly and conveniently accessible streets and other routes both within the development and linking with its surroundings and existing and proposed facilities and services, focusing on delivering attractive and safe opportunities for walking, cycling, public transport and, where appropriate, horse riding.'

95. The Orchard Park Design Guide SPD includes a diagram at page 35 which indicates that a pedestrian link should be implemented between Neal Drive and Chieftain Way.
96. The previously refused development included provision of a pedestrian link to the south of the site. However, planning permission was refused partly on the

basis that the design of the proposed link did not create a positive sense of place. The current proposals have revised the design significantly through an increased separation distance between the eastern and western wings of the proposed development and the pedestrian link to the south. Planning Officers consider that this has resulted in a far more open and attractive visual connection between Chieftain Way and Neal Drive than that proposed under the previous proposals.

97. The proposed vehicle access into the site would be directly adjacent to the pedestrian link, however, Planning Officers consider that the treatment of the surface could be such that it complements the pedestrian link, with a high quality surface treatment controlled by planning condition. The area proposed for landscaping to the south of the western wing has also been increased and would serve to provide the appearance of a more attractive area of public realm than that proposed under the previous scheme.

98. The Urban Design Officer has commented that they do not consider that the revisions to the design of the proposed pedestrian link have overcome the previous reason for refusal and outlines a preference for a re-siting of the access road. However, the Urban Design Officer concludes as follows:

'Whilst not ideal, one could improve the existing design and layout of current scheme by keeping the existing siting, layout as well as access, but conditioning a revised landscape scheme, increasing the width of the public realm to include the access road with high quality surfacing/treatment (to be conditioned), the east-west pedestrian link and a public landscape amenity space with appropriate tree planting to the south of Block A and B. The boundary treatment would need to be conditioned. A pedestrian link from the main entrance to the east west pedestrian link should be provided'

99. In conclusion, Planning Officers conclude that the pedestrian link would comply with Local Plan Policy HQ/1 part 'f' and the guidance contained within the Orchard Park Design Guide SPD, subject to a condition requiring details of hard and soft landscaping to be submitted prior to commencement of development and a further condition requiring details of boundary treatments.

100. It is also considered necessary to include a condition requiring that the pedestrian link is made available for use by members of the public for the lifetime of the development. Land to the south west of the site, required to complete the pedestrian link to the public highway is owned by the Orchard Park Community Council. This section of footpath is marked as 'indicative' on the submitted site plan. It is proposed that a contribution of £2000 is made to the District Council for completion of these works. Further details are provided in relation to 'Section 106' later in this report.

Active Frontages and Elevational Treatment

101. With reference to the wider COM4 site, the Orchard Park Design Guide SPD (Page 34) states that 'active frontages and usable public entrances should be provided from the adjacent public realm areas'.

102. The previous proposal was refused partly on the basis of the lack of active frontages, particularly in relation to the pedestrian link to the south. The Urban Design Officer has considered whether or not this has been addressed through the revised design of the proposed development and comments as follows:

'Whilst the introduction of a bridging element with windows provide some overlooking, and animation to the façade facing the link, it is not at ground level and is setback into the site. Although one column of windows for the student rooms on all 5 storeys of the southern façade of block A has been added since the refused application, there are still no significant improvements made to the elevational design to the southern façade of Block A and Block B so as to address this reason for refusal. However, some improvements to the facade could be sought via condition through the use of glass blocks wall and materiality that seek to create interesting brick/light pattern so as to animate the façade.'

103. Planning Officers consider that the introduction of the bridging element serves to provide a more active frontage in relation to the pedestrian link to the south. Whilst the conclusions of the Urban Design Officer are noted, Planning Officers consider that overall the scheme would be a significant improvement over the previously refused scheme. The bridging element with entrances below would clearly be perceived as the primary frontage of the building. Furthermore, the introduction of apartments with windows facing south would ensure natural surveillance of the pedestrian link to the south. The recommendation from the Urban Design Officer in relation to the improvements to the southern façade could be achieved through a condition requiring submission of details of proposed materials for approval prior to commencement of development.

104. In respect of the northern elevation's treatment the Urban Design Officer comments as follows:

'The northern elevation, although not the most important, does present the frontage of the Cambridge Edge which needs to be treated positively. There is little fenestration and large areas of brickwork at both block ends. The additional bridge element, which adds an east-west link is treated as a back with limited articulation of windows. This adds to further lack of animation to this façade than the appeal scheme contrary to the objectives set out in Paragraph 4.17 (P. 12) of the 'Orchard Park Design Guide SPD' (2011) which requires a positive frontage facing the A14.'

105. Planning Officers consider that the revised proposals do improve the treatment of the northern elevation with additional windows proposed in the northern elevation as well as elevational detailing and projecting elements. This elevation would face north towards the A14 and this is considered to be the least prominent and sensitive elevation in design terms.

106. In summary, Planning Officers consider that the revisions to the pedestrian link, active frontages and elevational treatment have all significantly improved the design of the proposed development when compared to the previously refused

scheme and the design complies with Local Plan Policy HQ/1 and the requirements of the Orchard Park Design Guide SPD.

Other Design Matters

107. The District Design Guide SPD (2010) includes standards for private amenity space. These standards would not be met by the proposed development. The proposed buildings would not include balconies, primarily due to the potential for noise impacts associated with the adjacent A14. There is therefore a balance to be struck between ensuring that residents are protected from noise nuisance and ensuring sufficient access to amenity space. However, Planning Officers consider that on balance private amenity space is not required in this instance given that there is a large area of public amenity space directly to the east of the Application Site.
108. Amenity space did not form part of the previous reason for refusal and there has been no alteration to provision of amenity space proposed under the current application.

Conclusions on Design Character and Appearance

109. The proposed development has been significantly revised to address the previous reasons for refusal. The scheme was also amended post-submission to seek to address the initial comments from the Urban Design Officer. Planning Officers consider that the proposed development has overcome the previous reason for refusal and now complies with Local Plan Policy HQ/1. There is a conflict with the height parameters set out under the Orchard Park Design Guide SPD, but this has been successfully mitigated through setting back the fifth storey and re-positioning the building further to the north of the site.

Landscaping and Planting

The Refused Development

110. The previous application included the following reason for refusal:

'In the opinion of the Local Planning Authority, the planting and landscaping proposals do not provide high quality landscaping which integrates the development with its surroundings and the landscaping and planting measures which have been proposed are not considered to be viable. The development would therefore be contrary to adopted South Cambridgeshire Local Plan (2018) Policy HQ/1 (Design Principles) (criterion m) and the adopted Orchard Park Design Guide Supplementary Planning Document (March 2011).'

111. This reason for refusal relates to two main issues:

- 1) That the previously proposed planting measures were not viable

2) That the previously proposed landscaping and planting proposals were not of a high quality and do not comply with Local Plan Policy HQ/1 or the Orchard Park Design Guide SPD (2011)

112. In refusing planning permission for the previously proposed development, the Council considered that these matters could not be addressed through a planning condition because significant and fundamental changes to the layout of the development would have been required. However, in respect of this current application, the Applicant has sought to amend the layout of the development and revise the proposed landscaping measures in order to address this reason for refusal.
113. It should be noted, that the recently approved application for build to rent units on the application site (S/4191/19/FL) included a very similar layout to the currently proposed development. The currently proposed development has an even larger area to accommodate proposed landscaping measures given that block B is reduced in size compared to the consented build to rent scheme. In approving the build to rent scheme members agreed with Planning Officers that the previous reason for refusal in relation to landscaping had been overcome.

Relevant Policies

114. Local Plan Policy HQ/1(m) requires development proposals to include high quality landscaping and public spaces which integrate the development with its surroundings.
115. The Orchard Park Design Guide SPD (2010) requires that appropriate landscaping is provided along the boundaries of the site to create a quality environment and protect privacy. The SPD also advises that there is landscaping provided to the north to terminate views of the A14 barrier.

The current planning application

116. The Applicant has revised the layout of the proposed development, amended the proposed planting measures and increased the separation distance between the proposed building and the pedestrian link to the south of the site. In comparison with the previously refused development, there is far more scope for provision of a viable and high quality landscaping and planting scheme, subject to a condition requiring these details to be submitted prior to commencement of development.
117. The Landscape Officer has reviewed the revised landscaping and planting proposals and has made various recommendations in order to improve the proposed measures and concludes that these amendments can be made through submission of revised proposals under planning condition. The Landscape Officer response concludes as follows:

'The landscape could be made acceptable with suitable amendments, to be secured by conditions covering the layout, planting plan, soft landscape details and hard landscape details.'

118. Planning Officers agree that a high quality, policy compliant hard and soft landscaping scheme can be achieved as a result of fundamental revisions to the layout of the proposed development and the resultant increased area available for landscaping.
119. It is therefore considered that the previous reason for refusal has been overcome and the proposed development would comply with Local Plan Policy HQ/1(m) and the Orchard Park Design Guide provisions in relation to landscaping.

Ecology and Biodiversity

120. The application site consists of an area of rank grassland which is likely to have been unmanaged since the site was cleared. The site falls within the impact zone of a nearby SSSI. However, it does not currently meet the cited criteria which would result in an automatic consultation with Natural England.
121. Reason for refusal 3 in relation to the previously refused application states in full:

'Insufficient information has been provided to allow the Local Planning Authority to determine whether the proposed development would harm protected species. A Preliminary Ecological Appraisal (MKA Ecology, February 2019) has confirmed the suitability of the site for common reptiles. It is not possible for the Local Planning Authority to conclude whether or not there would be harm to protected species without further surveys to confirm whether there are common reptiles present and if they are present, how any potential harm will be mitigated, including through potential translocation to alternative sites. The development would therefore conflict with adopted South Cambridgeshire Local Plan (2018) Policy NH/4 (Biodiversity).'

122. The Applicant has now submitted the required information with this current application and therefore this reason for refusal has been overcome.

The current planning application

123. As part of this current application the Applicant submitted a report entitled 'Land West of Neal Drive Orchard Park – Reptile Survey' produced by MKA Ecology. The Council's Ecologist has reviewed this report and concluded that no reptiles were found on site during surveys, which followed best practice guidance. The Council's Ecologist comments that the recommendation for a precautionary method of works for reptiles to be followed during site clearance is welcomed, as a common lizard population is present on adjacent land.
124. The additional survey information is therefore acceptable subject to a condition requiring submission of details of a precautionary method of works which includes a requirement addressing reptiles and their habitat. A condition requiring that works are carried out in accordance with the submitted Preliminary Ecological Appraisal is also proposed. Planning Officers consider

that these conditions are reasonable and necessary and should be attached to any planning permission granted.

125. Local Plan Policy NH/4 also requires that new development maintains, enhances or adds to biodiversity with opportunities taken to achieve a positive gain (net gain) in biodiversity. The Council's ecologist has concluded that a net gain in biodiversity is achievable subject to an appropriately worded condition requiring a scheme for biodiversity enhancement to be submitted to and approved by the Local Planning Authority.
126. For the reasons outlined above, Planning Officers consider that the Proposed Development accords with Local Plan Policy NH/4 (Biodiversity).

Housing Density

127. Policy H/8 of the Local Plan relates to housing density. This policy is not considered to be relevant to the proposed development given that the development relates to rooms with shared facilities as opposed to standalone residential units.

Housing Mix

128. Policy H/9 (Housing Mix) sets out the Council's policy on the type and mix of housing which will be provided to meet the needs of the community. Part 1 of this policy states that a wide choice, type and mix will be provided to meet the needs of the community. Planning Officers consider that there is evidence of a need for this type of accommodation as set out in the letter provided by the Cambridge Regional College which sets out that in 2017/18 the college routinely had 86 students staying with host families throughout the academic year reaching a maximum of 95. Officers are satisfied there is a need for student accommodation.
129. Part 1 of Policy H/9 also sets out the mix of homes to be achieved in developments of 10 or more homes.
130. These standards are not considered to be relevant to the proposed development which provides specialist accommodation to serve students. In any case, the development would provide one-bedroom units which would accord with the overarching objective of the policy which is to increase the stock of smaller properties available in the District.
131. For these reasons Planning Officers consider that, although Policy H/9 is not directly relevant to the proposed development, the development would be consistent with its broad policy objectives.

Affordable Housing

132. The NPPF is clear that affordable housing should not be required in relation to the type of development proposed.

133. NPPF Paragraph 64 states in full:

'Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;*
- b) **provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);***
- c) is proposed to be developed by people who wish to build or commission their own homes; or*
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.'* (emphasis added)

134. Accordingly, Local Plan Policy H/10 (Affordable Housing) is not applicable in this instance.

Trees

135. There are no trees benefiting from statutory protection on or adjacent to the Application Site.

136. The Council's Tree Officer has no objection to the proposed development subject to revision to planting types which can be secured by condition.

137. Planning Officers consider that the proposed development therefore complies with Local Plan Policy NH/4 (Biodiversity).

Highway Safety and Parking

Car Parking Provision

138. Six car parking spaces are proposed, including three disabled spaces. Local Plan Policy TI/3 (Parking Provision) states that car parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Figure 11 requires two spaces per dwelling for residential dwellings. Planning Officers do not consider that these indicative standards are directly applicable to student accommodation as is proposed here. This is because the development would provide accommodation for students who are far less likely to own a car than occupants of standard dwellings. Furthermore, the Cambridgeshire County Council Transport Assessment Team and the Highways Development Management team have both confirmed that they would be satisfied with a suitably worded Section 106 Agreement to control car ownership levels. It is proposed that this agreement requires that the tenancy agreements include a clause requiring that occupants of the student accommodation do not own a car unless otherwise agreed with the Local Planning Authority. Subject to this agreement Officers

consider that the Applicant has fully justified the level of parking provision proposed. For these reasons Planning Officers consider that the Proposed Development would comply with Local Plan Policy TI/3 (Parking Provision) in relation to car parking.

Cycle Parking Provision

139. The indicative standards for cycle parking are set out at Local Plan Figure 11. These standards suggest an indicative provision of one cycle parking space per bedroom. Based on these standards the development would require 138 spaces.
140. The Applicant proposes 144 secure and covered Cycle Parking Spaces. This exceeds the standards set out at Figure 11. Furthermore, the CCC Transport Assessment Team have commented that this level of cycle parking is acceptable.
141. Planning Officers therefore consider that the cycle parking provision complies with Local Plan Policy TI/3 (Parking Provision).

Highway Safety

142. The Applicant submitted a Transport Statement which included an assessment of the likely impact of the Proposed Development upon the Transport Network. The Orchard Park Community Council have criticised the findings and methodology of the Transport Statement. Whilst the comments of the Community Council are noted, the Statutory Consultees, who provide professional expertise on the matter of highway safety, have concluded that the transport impacts associated with the development are acceptable as discussed below.
143. The Transport Statement concludes that there would be no noticeable impact upon junction capacity or upon the wider transport network as a result of the Proposed Development.
144. Consultees, including CCC Transport Assessment Team and the Highways Development Management Team have reviewed the Transport Statement submitted in respect of this planning application. There were no objections received from Highways England. The Local Highway Authority do not object to the Proposed Development subject to conditions requiring submission of a Traffic Management Plan, pedestrian visibility splays, minimum access width of 5m, access falls and levels and the access to be constructed of a bound material. The Highway Authority have also requested a restriction on car ownership and a condition requiring submission of a drop off and pick up management strategy. The car ownership restriction will be included within the s106 and the condition is considered necessary and will be included if planning permission is granted. Car parking spaces for disabled for students will be exempt from the car ownership restrictions

145. Planning Officers therefore consider that there would be no unacceptable impact upon highway safety as a result of the Proposed Development, in accordance with NPPF Paragraph 109.

Air Quality

146. Local Plan Policy SS1 (Orchard Park) requires the submission of an Air Quality Assessment in respect of planning applications for additional residential development at Orchard Park. The site is located within an Air Quality Management Area (AQMA). Local Plan Policy SC/12 (Air-Quality) outlines that development will not be permitted where it would adversely affect air quality in an AQMA.

147. The Applicant submitted an Air Quality Assessment in respect of this planning application. The assessment concluded that there would be no significant effects on local air quality during either the construction or operational phases of development. Furthermore, the assessment concluded that the Proposed Development would not result in future occupants being exposed to poor ambient air quality.

148. The Council's Air Quality Officer has no objections to the proposed scheme subject to conditions on carbon reduction measures and a Construction Environmental Management Plan.

149. Conditions controlling emissions and requiring construction management details are considered necessary and reasonable

150. Subject to these conditions, Planning Officers consider that the Proposed Development complies with Local Plan Policy SC/12 (Air Quality) and the relevant part of Local Plan Policy SS1 (Orchard Park).

Noise

151. Local Plan Policy SS/1 (Orchard Park) requires that planning applications for additional residential development in Orchard Park include a noise assessment which demonstrates that the development takes account of, and where necessary mitigates, any impacts of noise on achieving satisfactory external and internal residential noise environment. In addition, Local Plan Policy SC/10 (Noise Pollution), outlines that planning permission will not be granted for development which (amongst other criteria) would be subject to unacceptable noise levels from existing noise sources. The Application Site is in close proximity to the A14.

152. The Applicant has submitted a Noise Assessment as required by Policy SS/1.

153. The Council's Environmental Health Officer (EHO) has no objection subject to conditions controlling the construction noise impacts of the development and has concluded that subject to conditions, these impacts are acceptable.

154. The EHO has also considered the acoustic impact associated with the adjacent A14. The EHO response states in part:

I confirm I have reviewed the Orchard Park, Apartment Development, Cambridge, Site Suitability Assessment (Project No.: 70065122 and dated November 2019) submitted by WSP and have the following comments/observations. This assessment has already been submitted and reviewed with previous applications, but has been updated in 2020 with new detailed modelling and noise break-in calculations, which are specific to this revised scheme.

I am in agreement with the methodology, findings and conclusions drawn in this assessment.

Previous similar schemes on this site were commented upon with noise in mind and following consultation with the developer's noise consultants, an updated noise assessment has been submitted that builds upon previous submissions.

Although dated, the information contained in the historically adopted 'Orchard Park Design Guidance Supplementary Planning Document' (SPD) March 2011 was previously referred to. PPG24 has been withdrawn, but the guiding principles can still be a useful informative tool.

Additionally, the guidance previously used for informing the noise levels required to be met in habitable rooms at this site (and contained in Condition 11 of the original outline permission) are still relevant today. However, a new 'Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, January 2020 has been adopted, which contains current guidance and best practice, which supersedes the previous documents used.

As the assessment points out, this is a Full application and so Condition 11 is no longer in force. However, the content i.e. The Condition 11 noise limits have remained the same and are still relevant to this proposal, although references to the current standards have been updated. Therefore, they can be assumed to be acceptable design criteria.

Section 6.4 of the assessment recognises the high level of road traffic noise at the proposed building's facades and recognises alternative ventilation will be necessary, by way of mechanical ventilation to negate the need to open windows. Satisfactory noise levels in habitable rooms can not be achieved with windows open.

The noise assessment goes on to recommend specifications of glazing needed to achieve the internal noise levels in habitable rooms contained in BS8233 2014 guidance.

In view of this, I would recommend a condition be attached requiring the development be constructed in accordance with the details contained in this assessment.

The development shall be constructed in strict accordance with the noise mitigation scheme detailed in the Orchard Park, Apartment Development, Cambridge, Site Suitability Assessment (Project No.: 70065122 and dated November 2019, as amended 2020) produced by WSP for protecting the proposed dwellings from noise from the A14 and submitted with the application.

All works which form part of the approved scheme shall be completed before any one of the permitted dwelling is occupied.'

155. The EHO has also recommended a condition relating to noise emissions associated with renewable energy plant. This is discussed in further detail later in this report in relation to 'carbon reduction'.
156. It is not considered that there would be any adverse impact associated with noise reflection from the A14 to residential development to the north of the site. The villages of Histon and Impington are over one kilometre to the north and north east of the site. The EHO has not identified any adverse acoustic impacts on neighbouring properties to the north.
157. For these reasons Planning Officers consider that, subject to the recommended conditions and informatives, the Proposed Development would comply with Local Plan Policy SC/10 (Noise Pollution) the relevant part of Local Plan Policy SS1 (Orchard Park).

Residential Amenity

158. Local Plan Policy HQ/1(n) (Design Principles) requires that developments protect the health and amenity of occupiers of surrounding uses. Considerations include, overlooking, overbearing, loss of daylight and noise, dust, odour, emissions and dust impacts.
159. The proposed student accommodation blocks would be separated from the residential development to the south as follows:
- Increase in distance from the gable end of Block A to the gable end of houses on Chieftain Way from 5.55m to approximately 11.59m.
 - Increase in distance from the gable end of Block B to the gable end of houses on Neal Drive from 9.97m to approximately 21.8m.
 - Increase in distance from the gable end of Block A at 4th floor level to the gable end of houses on Chieftain Way from 5.55m to approximately 15.24m.
160. The development would be separated from these neighbouring residential buildings by a proposed pedestrian link between Chieftain Way and Neal Drive. There are no windows serving habitable rooms in the north facing elevations of these neighbouring dwellings, with the existing habitable rooms facing east and west.

161. The proposed development does include additional south facing living space windows in the eastern and western wings. Those contained in Block B to the east would be a sufficient distance from the neighbouring gardens to the south that there would be no loss of privacy. However, it is considered necessary to impose a condition requiring that all south facing windows from first floor to third floor in the south facing elevation of Block A are obscure glazed. This will ensure that there would be no loss of privacy to the private residential gardens of neighbouring dwellings to the south on Chieftain Way.
162. The new bridging element includes windows in the south facing elevation, facing the neighbouring residential development to the south, However, these would be located approximately 22m from these neighbouring properties. This distance is considered sufficient to avoid any loss of privacy to the neighbouring properties to the south.
163. Given the separation distance between the proposed development and the neighbouring three storey residential buildings, it is not considered that the development would result in any adverse overbearing impact.
164. As identified earlier in this report, the Environmental Health Officer is satisfied that there would be no adverse impacts related to noise associated with the proposed development, subject to appropriate conditions attached to any consent granted.
165. There is a Travelodge hotel located approximately 12.5 metres to the west of the nearest proposed apartment building. There are three windows, serving corridors, in the eastern elevation of the hotel, facing the proposed development. Given that these windows serve corridors it is considered that there would be no unacceptable adverse impact on the amenity of occupiers of this neighbouring development.
166. To the east of the application site there is currently a vacant plot which previously had outline planning permission for an 82 unit apart/hotel with restaurant and gym facilities. An application for reserved matters was approved under reference S/3039/17/RM. However, this consent no longer remains extant. If a planning application is submitted for development on this neighbouring site then the impact upon the amenity will need to be considered at that stage and it is not considered that the Proposed Development would prejudice the potential development opportunities on this adjacent site.
167. For these reasons Planning Officers consider that the proposed development complies with Local Plan Policy HQ/1(n) (Design Principles).
168. The residential space standards set out under Local Plan Policy H/12 are not considered to apply to the proposed development given that the proposed use is Student Accommodation which is a sui generis use. Furthermore, unlike separate dwellings, the units benefit from shared facilities.
169. In order to ensure that the amenity of existing and future residents is protected, Planning Officers propose a condition to require that the Applicant submits, for

written approval by the LPA, a management plan for the student accommodation. This plan should set out details in respect of how the accommodation will be managed including:

- The number of wardens and staff managing the accommodation
- The hours that those staff will manage the accommodation
- Overnight management of accommodation
- Anti-social behaviour control measures (i.e. how will incidents be prevented and managed)
- Details of security measures
- Waste management and recycling details

170. The accommodation shall thereafter be managed in accordance with the approved details.

Health Impact Assessment

171. The applicant has submitted a health impact assessment. This has been reviewed by the Council's Health Specialist Consultee. The Officer has concluded that due consideration has been given to existing and future residents of the site in terms of health impact.

172. Planning officers therefore consider that the proposed development would accord with Local Plan Policy SC/2 (Health Impact Assessment).

Contaminated Land

173. The Contaminated Land Officer has recommended a condition requiring that where any contamination is identified during construction works, no further development is commenced until a remediation strategy has been submitted to and approved by the local planning authority. Planning Officers therefore consider that the same condition should be included on any decision notice issued, should planning permission be granted.

174. The proposed development would therefore comply with Local Plan Policy SC/11 (Contaminated Land).

Flood Risk and Drainage

175. The site is located in Flood Zone 1 (low risk). The Applicant submitted a Surface Water Drainage Strategy, drainage details and other correspondence in relation to drainage. Based on the information submitted the Cambridgeshire County Council Lead Local Flood Authority confirmed that they do not object to the proposed development, subject to conditions. The Drainage Officer has no objection subject to conditions.

176. Planning Officers therefore consider that the Proposed Development would accord with Policy CC/9 (Managing Flood Risk).

Carbon Reduction and Water Efficiency

177. Sustainability measures were detailed within the Planning Statement submitted in respect of this planning application.

178. The Council's sustainability officer has been consulted and has suggested that further information is required which can be provided prior to development above ground level and prior to occupation.

179. The Sustainability Officer recommends the following condition on carbon reduction measures:

'No development above ground level shall proceed until an Energy Statement has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate that a minimum of 10% 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 approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.'

180. In relation to on-site renewable energy generation, the Council's EHO has also commented that a condition is required to ensure that the noise impacts associated with any renewable energy generation plant are sufficiently mitigated.

181. Subject to these conditions, Planning Officers consider that the proposed development would accord with Local Plan Policy CC/3 (Renewable and Low Carbon Energy in New Developments) and the Greater Cambridge Sustainable Design and Construction SPD 2020.)

182. In relation to Water Efficiency, the Sustainability Officer has recommended the following condition:

'No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.'

183. Planning Officers consider that subject to this condition the proposed development would accord with the requirements of Local Plan Policy CC/4 (Water Efficiency).

Broadband

184. Local Plan Policy TI/10 requires that infrastructure is included to create access to broadband internet.

185. It is therefore considered necessary to include a condition on any planning permission granted to secure this prior to occupation.
186. Subject to this condition the proposed development would comply with Local Plan Policy TI/10.

Archaeology

187. The County Archaeologist has no objection to the proposed development and has not recommended any conditions.
188. There are no other nearby heritage assets that would be affected by the proposed development.
189. The Proposed Development would therefore comply with Local Plan Policy NH/14 (Heritage Assets).

Crime Prevention

190. Local Plan Policy HQ/1(o) requires that developments create an environment for people that feels safe.
191. The crime prevention officer has provided comments in relation to the security of the building, such as door access and mail delivery, these are in the applicant's own interest and are not considered to be planning matters. There is no reason to consider that the design of the development would be such that it would not comply with Local Plan Policy HQ/1(o). With regard to cycle and bin storage the majority of cycle storage is secure and the bin storage would also be secure and is internal. The crime prevention team have also requested details on external lighting and CCTV. Planning Officers consider that these details could be provided prior to occupation as required by condition.
192. Officers are therefore satisfied that the proposed development complies with Policy HQ/1 in relation to crime prevention.

Section 106

193. The proposed heads of terms are attached at appendix 2.
194. Local Plan Policy TI/8 (Infrastructure and New Developments) states that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. Planning Officers consider that, subject to an appropriately worded s106 agreement, the proposed development would comply with Local Plan Policy TI/8.

Developer Contributions

195. Local Plan Policy SC/7 says 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.
196. Local Plan Policy SC/6 says all housing developments will contribute towards the provision of indoor community facilities to meet the need generated by the development. The Council's section 106 Officer has set out that the following contributions are required in relation to policy SC/7 and SC/6:
- a) Public Open Space
 - (i) Formal sports in the form of an offsite contribution of £64,440.48 to help fund improvements to the existing sports facilities at (a) Ring Fort recreation ground and (b) Topper Street recreation ground.
 - (ii) Informal open space in the form of onsite provision
 - (iii) Indoor Community Space in the form of an offsite contribution of £29,256 to help fund improvements and alterations to the Orchard Park Community Centre.
 - b) Monitoring Fees being a contribution of £500
197. The Agreed Heads of Terms at Appendix 2 include these contributions. Planning Officers therefore consider that subject to a section 106 agreement to secure these contributions the development would comply with Local Plan Policies SC/6 and SC/7.
198. Local Plan Policy TI/8 states that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure. Cambridgeshire County Council have confirmed that no education contributions are required in respect of the proposed development.
199. A contribution of £35,000 has been requested as a contribution towards cycleway network improvements along Histon Road between Kings Hedges Road and Hazelwood Close. The cycleway network improvements are in the process of being delivered and the contribution sought by the County Council is toward the expenditure already committed in its delivery.
200. The Council's Waste Service Officer has requested a contribution of £5,750 towards waste receptacles.

Car Ownership Restriction

201. Planning Officers consider it necessary to require that a car ownership restriction is included within any section 106 agreement. Such a restriction would require that students who occupy the development do not own a car. Car parking spaces for disabled students will be exempt from the car ownership restrictions

Pedestrian Link

202. Part of the land required to link the proposed pedestrian link with the adopted highway is owned by the Orchard Park Community Council. A contribution of £2,000 will therefore be required to cover the costs of works to complete the link. This contribution is payable to the District Council. The District Council can either arrange for the construction works to take place with the agreement of OPCC or if OPCC prefer then they can instruct contractors directly and the funds will be made available to them.

Section 106 Summary

203. All of the above contributions, to be secured through a planning obligation, are considered necessary to make the development acceptable in planning terms and otherwise meet the requirements to the CIL Regulations 2010, regulation 122 so as to be material to the determination of the application

Other Matters

Pumping Station

204. Anglian Water have recommended a 15 metre cordon sanitaire around the Pumping Station adjacent to the Proposed Development. There were no issues raised by Environmental Health Officer in respect of impacts (odour, noise) arising from the proximity of this adjacent pumping station and therefore are satisfied that no such cordon is required. In any event, the closest ground floor element of the proposed development to the pumping station is an internal refuse store.

Planning balance and conclusion

205. Planning Officers have concluded that the proposed development has overcome all three of the previous reasons for refusal and complies with all of the relevant development plan policies.

206. Urban Design and Landscape consultees both recognise that the proposed development includes improvements over the previously refused development. These consultees still have some concerns in relation to design and landscaping, however Planning Officers, for the reasons set out within this report, consider that the design of the Proposed Development accords with all of the relevant Development Plan Policies when considered overall. NPPF Paragraph 130 states that where design accords with relevant policies, design should not be used by the decision-maker as a valid reason to object to a development.

207. Planning Officers also consider that a viable, high quality and policy compliant scheme of landscaping and planting can be achieved on the site, subject to a condition requiring submission to the LPA (and approval by the LPA) of a scheme of hard and soft landscaping measures prior to commencement of

development. This is a different position to that taken in relation to the previously refused proposals, where fundamental changes to design would have been required to achieve this.

208. It should be noted that the currently proposed scheme has a very similar design and layout to the recently approved build-to-rent scheme (S/4191/19/FL). In that instance the Case Officer concluded that the previous reasons for refusal in relation to design, landscaping and ecology had been addressed and the Committee approved the application.
209. Turning to other material considerations, there would also be some conflict with the Orchard Park Design Guide SPD and the height parameter of 9m. However, compared to the previously refused scheme there have been significant revisions to the siting of the building and an increased set back at fifth floor level. The proposed development is therefore considered to comply with Local Plan Policy HQ/1.
210. As Members may be aware, NPPF Paragraph 73 requires that the Council updates the 5YHLS position on an annual basis. Planning Officers have calculated that the proposed student accommodation would contribute approximately 55 units towards the Council's five year housing land supply. This is based on the formula provided by the Ministry for Housing, Communities and Local Government within the publication entitled 'Housing Delivery Test: Measurement Rulebook'.
211. For these reasons it is considered that planning permission should be granted.

Recommendation

212. Delegated approval subject to the following conditions with the final wording to be agreed with the Chairman of the Planning Committee and a section 106 to secure:
- Car Ownership Restriction
 - Developer Contributions

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:

Location Plan (Uploaded 27th April 2020)
Elevations OP/172/6 Rev 2
Floor Plans OP/172/3 Rev 1
Block Plan OP/172/1 Rev 1
Site Plan OP/172/2 Rev 2
Cycle Shelter OP/172/8 Rev 1
Street Scenes and Sections OP/172/7 Rev 2
Self contained room layout OP/172/4
Cluster room layout OP/172/5

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

3. No development above base course level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. Prior to occupation of the approved development a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018).

5. The pedestrian link on land within the Applicant's ownership, between Neal Drive and Chieftain Way, as shown on the approved Site Plan OP/172/2 Rev 2 shall be constructed and made available for public use prior to first occupation of the approved development. The pedestrian link within the Applicant's ownership, shall thereafter be retained in accordance with the approved plans and shall remain accessible to the general public at all times unless otherwise agreed in writing with the Local Planning Authority,

(Reason: To ensure that the development includes a pedestrian link as required by the Orchard Park Design Guide SPD (2011))

6. No development shall be occupied 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 the surface treatment of the approved access and surface level car park, 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 adopted Local Plan 2018.)

7. 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 adopted Local Plan 2018.)

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

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

9. All ecological measures and/or works shall be carried out in accordance with the details contained in Section 5 of Preliminary Ecological Appraisal (MKA Ecology, February 2019) and agreed in principle with the local planning authority prior to determination. 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 Wildlife and Countryside Act 1981 (as amended) and adopted South Cambridgeshire District Council Local Plan Policy NH/4)

10. Prior to the commencement of the development, a Precautionary Method of Works for reptiles shall be submitted to the local planning authority and approved in writing. The Method of Works shall include details of a destruction search completed under a watching brief by an ecologist, including the protocol which shall be followed if reptiles are found. Thereafter the development shall be carried out in accordance with the approved details.

(Reason: To comply with the requirements of the Wildlife and Countryside Act 1981 (as amended) and adopted South Cambridgeshire District Council Local Plan Policy NH/4)

11. Prior to the commencement of development above slab level a scheme of biodiversity enhancement and management including native planting and a location plan and specification of bat and bird boxes shall be supplied to the local planning authority for its written approval. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

(Reason: To meet the NPPF and the Adopted South Cambridgeshire District Council Local Plan Policy NH/4)

12. Prior to the first occupation of the units hereby approved, each unit to be occupied shall be made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) shall be 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.)

13. No construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway)
 - ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on street car parking.
 - iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.The development shall be carried out in accordance with the approved details.

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

14. The access shall be a minimum width of 5m, for a minimum distance of 5m measured from the near edge of the highway boundary and not carriageway edge.

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

15. Prior to the first occupation of the development, pedestrian visibility splays measuring 2 metres x 2 metres shall be provided each side of the vehicular access measured from and along the highway boundary within the site area. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adopted public highway.

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

16. The proposed access points shall be constructed so that the falls and levels are such that no private water from the site drains across or onto the adopted public highway (the use of permeable paving does not give the Highway Authority sufficient comfort that in future year's water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided).

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

17. The proposed access point shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

18. Development shall not commence until a detailed surface water scheme for the site based on the agreed Surface Water Drainage Strategy prepared by MTC Engineering Ltd. (ref. 2204-03- Rev C) dated August 2018 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/8 and CC/9 of the adopted Local Plan 2018.)

19. Details for the long term maintenance arrangements of the surface water drainage system (including all SUDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub catchments, SUDS components, control structures, flow routes and outfalls. In addition, the plan must clarify 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 a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/8 and CC/9 of the adopted Local Plan 2018.)

20. No development above ground level shall proceed until an Energy Statement has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate that a minimum of 10% 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 approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.

(Reason – To ensure an energy efficient and sustainable development in accordance with Policy CC/3 of the adopted South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.)

21. No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

(Reason - To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (South Cambridgeshire Local Plan Policy CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020))

22. If during the development contamination not previously identified is found to be present at the site 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.

(Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with South Cambridgeshire Local Plan (2018) Policy SC/11.)

23. No construction work and/or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no Construction works or collection/deliveries shall take place on Sundays, Bank of Public Holidays unless otherwise agreed in writing by the local planning authority

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

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

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

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

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/12)

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

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

27. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/12)

28. No development including demolition or enabling works shall take place until a Site Waste Management Plan for the construction phase has been submitted

to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.

(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).

29. The development shall be constructed in strict accordance with the noise mitigation scheme detailed in the Orchard Park, Apartment Development, Cambridge, Site Suitability Assessment (Project No.: 70065122 and dated November 2019, as amended 2020) produced by WSP for protecting the proposed dwellings from noise from the A14 and submitted with the application. All works which form part of the approved scheme shall be completed before any one of the permitted dwelling is occupied.

Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

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

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

31. Prior to commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011”.

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.

(Reason: To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with NE/14 – Lighting Proposals.)

32. All south facing windows from the first floor to third floor in the south facing elevation of Block A (excluding the bridging element) shall be obscure glazed and shall thereafter be retained as obscure glazed.

(Reason: To protect the amenity of the occupiers of neighbouring dwellings to the south in accordance with Local Plan Policy HQ/1).

33. The student accommodation hereby permitted shall be used as residential accommodation for students only. The development shall not be used for any other purpose, including any use within Classes C1, C3 or C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

(Reason: To protect the amenity of existing and future residents in accordance with Local Plan Policy HQ/1).

34. Prior to first occupation of the development details of Closed Circuit Television Cameras including their location, design and function shall be submitted to the Local Planning Authority for approval in writing. The approved details shall thereafter be retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

(Reason: To protect the amenity of existing and future residents in accordance with Local Plan Policy HQ/1)

35. The development shall be occupied and managed only in accordance with a Student Housing Management Plan that shall be submitted to and approved in writing by the local planning authority prior to commencement of occupation of the development. The development shall thereafter be managed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. The management plan shall include the following details:

- The number of wardens and staff managing the accommodation
- The hours that those staff will manage the accommodation
- Overnight management of accommodation
- Anti-social behaviour control measures (i.e. how will incidents be prevented and managed)
- Details of security measures

- Waste management and recycling details

(Reason: In the interests of residential amenity in accordance with Local Plan Policy HQ/1)

36. Prior to first occupation of the development a 'Drop off and pick up' management/strategy plan for the end and beginning of each term shall be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be undertaken in accordance with those details unless otherwise agreed in writing with the Local Planning Authority.

(Reason: In the interest of highway safety in accordance with NPPF paragraph 109.)

Informatives

This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended)

To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units are acoustically protected by a noise insulation scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and thermal comfort / summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulations Approved Document F 2006: Ventilation will also need consideration.

For any noise attenuation scheme proposed due regard should be given to current government / industry standards, best practice and guidance and 'Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, Adopted January 2020' – Section 3.6 Pollution - Noise Pollution (including vibration) (pages 89 -113) and appendix 8 : Further technical guidance related to noise pollution- available online at:

<https://www.scams.gov.uk/planning/local-plan-and-neighbourhoodplanning/sustainable-design-and-construction-consultation-spd/>

Further advice can be obtained from Nick Atkins, Environmental Health Officer, Environment and Waste Telephone No: 01954 713145

The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should

substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level. To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features.

In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactorily and any defects remedied to ensure that the noise levels do not increase over time.

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

To satisfy the concerns raised by the landscape officer the details submitted, as required for condition 6, for the soft and hard landscaping shall provide a high quality landscape that overcomes the objections raised.

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 SPDs
Planning File reference S/4243/19/FL

Appendices

Appendix 1: Orchard Park Community Council response
Appendix 2: Agreed Heads of Terms

Report Author:

Luke Simpson- Consultant Senior Planning Officer

Telephone: (01954) 713251

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Planning application S/4243/19/FL

Erection of two new private residential blocks with linking central element comprising 144 student rooms and associated facilities (Resubmission of application S/3983/18/FL)

At: Western side of Land Parcel COM4, Neal Drive, Orchard Park, Cambridge
Objection by Orchard Park Community Council

1. Introduction

Orchard Park Community Council object to this application and ask that if recommended for approval it is referred to committee. OPCC is willing to attend and speak at a committee meeting.

CRC have acknowledged in the board minutes that they cannot manage the behaviour of their current students even within their own campuses. Extracts of these minutes are available if required.

The community council urges you to reject both applications, neither are good for Orchard Park, they do nothing to aid what is already a fractured community, what is needed is low cost family accommodation. Orchard Park already has more Houses in Multiple Occupation (HMOs) than the rest of South Cambs combined.

This is largely an identical application to the previously rejected application S/3983/18/FL apart from the number of units being slightly reduced from 155 to 144 and the height and massing issues being less of an issue.

This is a very small site. The application approved on appeal was for 42 one and two bedroom flats, which would have included an appropriate amount of affordable housing. The current proposal does not include any provision for affordable housing. Hence what is now proposed is over double that approved on appeal. If approved, this development would be dense and cramped.

As with the previously applications, Orchard Park Community Council respectfully asks South Cambridgeshire District Council to reject this application. Such dense development would not be permitted elsewhere in South Cambridgeshire so why should Orchard Park have to have such development. As there is only minimal open space proposed students would be forced to gather elsewhere. As the Topper Street Play Area is immediately next to the site it is likely to suffer from large congregations of students to the detriment of local residents and children wishing to use the play area. This sort of behaviour by students from CRC is already an ongoing problem.

If minded to approve, then before the application is determined revised plans should be required to address the various issues highlighted in this objection and by others.

A number of conditions are proposed as solutions but without clarity that what is to be conditioned could actually be delivered. Such matters should be demonstrated to be possible before approval.

Whilst the viability assessment is not directly relevant to this application, the rationale for this application is on the basis of the flats application not being viable. On that basis the complete viability assessment should be publicly accessible for a sufficient time before any determination is made on this application. The complete viability assessment should be before the committee along with a review of it by an

independent consultant. The independent consultant should be available to attend the committee and be able to answer questions. That the applicants have overpaid for the site is no justification for the lack of affordable housing.

The committee is urged to read the Inspector's decision, particularly paragraphs 14 to 18 and his rationale for approving the application he did and refusing the other one as well as the acceptance of the terms of the Unilateral Undertaking submitted by the then applicants.

Although this is a full application there is a lack of detailed plans such as showing the detailed car parking, cycle and pedestrian arrangements.

The Police Architectural Liaison Officer raises a number of comments which ought to be addressed and revised plans submitted prior to determination.

The amount of parking proposed is woefully inadequate, foreign students paying to attend a course at CRC are more, not less, likely to have a car but unlike for a development within Cambridge City there is no effective parking control available in Orchard Park. A comparison may be drawn with rear courtyard parking. There is now clear evidence they do not work and people park as close as they can to their house. The same will apply here. There is not enough parking provided.

There is no point imposing conditions which cannot then be enforced, better to reject the applications now than create unsustainable communities.

If ultimately, you are minded to approve this application please defer consideration until all details of the s106 agreement and all the conditions are finalised and bring it back to committee for these to be considered.

2. Location Plan

The redline plan does not comply with the PPG requirements as it does not show all land required for the development.

In particular:

- The proposed boundary landscaping extends beyond the redline.
- The proposed pedestrian route to Chieftain Way goes outside the site boundary. (On to land owned by the Community Council)
- The access road from Neal Drive and the required visibility splay are not included within the redline.
- The redline includes land to the north of the site which does not appear to be in the applicant's ownership, but Certificate A has been completed stating all of the land required for the development is owned by the applicant.

3. Principle of Residential Development

Whilst the residential use of this site has potentially been established by the appeal decision on APP/W0530/W/15/3095195 (SCDC S/2975/14/OL) that is no justification for the current proposal which is of a very different scale.

It should also be noted that the linked appeal APP/W0530/W/15/3095195 (SCDC S/2938/14/OL) was refused for the erection of up to 132 1 and 2 bed flats on all of the COM4 site. A costs application against SCDC was refused on both appeals.

Both original refusals contained robust decisions and reasons for refusal. Many still apply and even more so given the greater scale of what is proposed.

The approval appeal decision in April 2016 was for “up to 42 1, 2, 3 and 4 bedroom apartments”. It is now expired so should now be afforded less weight, particularly given the revised NPPF and NPPG as well as the recently adopted South Cambridgeshire Local Plan and the length of time since the appeal decision with no attempt made to implement that decision by such as by submission of a reserved matters application.

The applicants bought the site from the owners in full knowledge of the then extant planning consent. They made no effort to submit a reserved matters application for that development and allowed it to lapse.

The way the applications on this site have been submitted are classic examples of attempts to wear down opposition by Local Planning Authorities and communities by repeat application. OPCC ask the committee to take a robust approach and defend the existing residents of Orchard Park as well as those that would have to live in such cramped conditions as proposed in this application.

4. Is this Sustainable Development?

NPPF paragraph 7 states:

“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

Whilst at a simplistic level this development may be said to meet a need a present need for private rented property, it does so at the expense of unacceptable compromises.

NPPF paragraph 8 explains that:

“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways ...”

The three objectives being: Economic, Social and Environmental.

At a superficial level the proposed development may be said to meet the economic objective as detailed in 8(a) – but can it really be said that cramped nature of this proposal will *ensure “sufficient land of the right type in the right place at the right time”* or that it “identifies and coordinated the provision of infrastructure”?

The proposed development certainly does not meet either the Social or Environmental Objectives detailed in 8(b) and 8(c). It does not:

- support strong, vibrant and healthy communities
- foster a well-designed and safe built environment
- provide open spaces that reflect current and future needs
- contribute to protecting and enhancing our natural environment
- help to improve biodiversity

Whilst paragraph 9 makes clear the objectives are “not criteria against which every decision can or should be judged”, it goes on to say “Planning ... decisions should play an active role in guiding development towards sustainable solutions.

5. Viability and Affordable Housing

As the lack of viability of the other application for flats is part of the rationale for this application the points raised on this for the other application should also be taken into account for this application. Current details on the public planning register do not include the viability assessment which we understand has been submitted to demonstrate why the development does not comply with the policy for affordable housing. As the proposal does not comply with the policy requirement for affordable housing the application should be rejected.

The viability assessment should be disclosed as required by the NPPF and NPPG but has not been. It should be able to be subjected to full public scrutiny.

OPCC urges committee members to request and review both the Viability Appraisal (VA) and the review of it commissioned from the District Valuer. If need be this could be a discussion in a closed session of the committee. The applicants asked SCDC to continue to refuse to place these in the public domain the Viability Assessment (VA) they submitted.

During consideration of the previous application after OPCC obtained legal advice which was passed on to then case officer, the applicant made contact and agreed to release the VA to OPCC on a confidential basis. It was accepted on that basis whilst also made clear it is for SCDC to determine if it is placed in the public domain or not – and that the NPPF and NPPG as well as ICO decision all point toward disclosure.

OPCC believe the VA should be in the public domain and there are no justifiable sound reasons why SCDC can justify not placing it in the public domain.

A previous case officer had said that a second review of the VA was to be commissioned but this has not actually been done for reasons that seem unclear. That the applicants have made the scheme appear even more unviable by including the unproven “car lift” is no justification for not commissioning a truly independent review of the VA. The District Valuer is rarely relied upon by other planning authorities for reviewing VAs submitted by applicants.

6. Density, Character and Appearance

This is over-development on a grand scale, in a site that is only 0.27 ha (gross). The proposal as approved at appeal for 42 units would have resulted in a net density of well over 190. The previous application was for 155 units. The current application is for 144 units. This is over three times the density of the development approved on appeal.

The Orchard Park SPD provides guidance as to the built form likely to be considered acceptable within the COM4 area. It suggests built forms of approximately 15 metres in height (with four plus storeys) for primary blocks and between 9 and 12 metres for other buildings should be considered acceptable. In this area the SPD seeks provision of ‘landmark buildings’ to terminate views and strong frontages to define and contain open spaces and streets. What is proposed is not considered to meet the requirements of the SPD.

7. National Design Guide

MHCLG published the new National Design Guide on 1st October 2019 'Planning practice guidance for beautiful, enduring and successful places'.¹

The new guide builds on the NPPF and makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve.

The focus of this guide is on good design in the planning system. It supports paragraph 130 of the NPPF which states that permission should be refused for development of poor design.

Comparing this proposed development against the ten characteristics in the Design Guide should lead to only one conclusion, that this application should be rejected.

8. Leisure, Recreation and Amenity Space

The proposal results in a very cramped development. There is little or no private or public amenity space. Whilst this is not ordinary residential accommodation it should be dealt with on a similar basis and funding provided. If anything, the adverse effect of this application is likely to be significantly worse than the flats application. There is no onsite provision for leisure or recreation space. For the other application the SCDC section 106 officer has indicated a level of provision that should be provided, but at present neither application appears to offer of a proposed s106 contribution for off-site provision. On the basis it does not comply with these policy requirements it should be rejected.

9. Transport Statement

Whilst what purports to be a fresh Transport Statement has been submitted dated November 2019, the parking survey was undertaken in May 2018.

The submissions from the applicant's transport consultants appears to be fairly poor but seems to have been accepted by the County Council without much challenge. For example, making use of the 2011 census for anything in Orchard Park is foolish at best given much of Orchard Park did not exist then! The parking stress survey submitted is said to comply with the "industry standard" Lambeth methodology, however OPCC checked with LB Lambeth shortly before the committee meeting that considered the previous application and their head of transport policy said there are multiple ways in which the survey does not comply and has significantly over counted the available parking.

Despite the clear requirement in the NPPF to maximize walking and cycling these aspects get little genuine consideration within the Transport Statement. What consideration there is makes use of inaccurate claims.

For example, in paragraph 2.8.2 it is said "Beyond the commercial and retail facilities there is a new primary school [it is not new] in the western part of Orchard Park some 400m distant on foot." Measured as a straight line it is 500m, as a walking route it is around 650 m.

Use of data from Census area Cambridge MSOA 002 is entirely inappropriate as it is a very different area, much is very close to the city centre and subject to parking

¹ <https://www.gov.uk/government/publications/national-design-guide>

controls. Figures may be presented to demonstrate there is no issue with parking – but the reality on the ground is that there are significant parking problems within Orchard Park already which will only be made worse by the proposed development.

The Transport Statement states that “Section 8 summarises the Transport Statement and concludes that there will not be a severe impact due to the Proposed Development.” This reveals a lack of consideration of the revised NPPF issued in July 2018, but instead the 2012 NPPF. For a useful review and explanation of the differences between 2012 and 2018 editions of the NPPF, see paper by PJA (Phil Jones Associates) at Annex 1.

The current NPPF issued in February 2019 reflects the change of wording in 2018 and emphasis on Highway Safety.

Ultimately, the decision on highways matters is one for SCDC not the Highways Authority.

10. Service Access

In paragraph 4.6.1 is an attempt to make a case for use of the hammerhead to Neal Drive and that this means “that servicing vehicles, including refuse vehicles, will not cause any obstructions when stopped on the highway outside the Proposed Development”. This totally ignores the proposed development on the other side of Neal Drive. The development should ensure that all of its’ servicing needs are dealt with within the site and not by use of Neal Drive.

11. Crime Prevention - parking

When commenting on the previous application the Police “Designing Out Crime Officer” expressed concerns and refers to “anti-social and inappropriate parking across the Orchard Park area and regularly calls are received to our Control Room.”

If anything, the situation on parking is now worse since those comments were made with vehicles regularly being “parked” on pavements and even roundabouts as can easily be seen every evening and often during the day as well.

12. Parking

Orchard Park has reasonably good accessibility by public transport and cycling. So, whilst someone may be able to commute to work on foot, by cycle or by bus they still will often have a car for other journeys such as leisure and shopping. This is demonstrated by observing the number of cars parked within Orchard Park during the day. Any committee members unfamiliar with the parking situation in Orchard Park is urged to visit Orchard Park on a weekday evening before determining the application.

The parking survey was undertaken in May 2018 which is before the “Marmalade Lane” (K1) development was completed.

In our objection to the previous application we said:

“Whilst a parking stress survey has been submitted which is said to be in accordance with the Lambeth Methodology² even a cursory read of the

² https://www.lambeth.gov.uk/sites/default/files/pl-PARKING_SURVEY_GUIDANCE_NOTE_Nov_2012_Update.pdf

methodology shows the submitted survey does not. It is clear the submission clearly does not comply with the methodology in a number of ways including that it has not been based on a 200m walking distance. It has not properly identified and excluded around dropped kerbs, nor excluded 5m from junctions.” “

Despite this objection no attempt appears to have been made to undertake a fresh parking survey for this application.

Even if the applicants could control car ownership of students, they could not control the behaviour of visitors. Provision of double yellow lines would simply lead to parking on double yellow lines as happens at present with the existing restrictions. SCDC is one of the few districts in England which does not have decriminalised parking, so parking remains a police matter and giving other competing pressures so does not get dealt with. If the application is to be permitted then the applications should be required (through a Grampian condition and s106 agreement) to fund the introduction of decriminalised parking within either all of SCDC area of Orchard Park (whichever is the preference of County Council) as well TROs for parking restrictions on roads (and pavements) and funding an enforcement service for at least five years on a 24/7 basis to cover the area within a 600 m radius of the site.

There are two hotels within Orchard Park both of which were permitted as it is now clear, without sufficient parking for the number of guests they now accept or the sorts of vehicles some use (HGV, coaches). Even when there may be space with the car parks some chose to park on the street and/or pavement instead. This indicates how people behave, simply not providing parking spaces does not prevent cars unless supported by a controlled parking zone and strong enforcement action.

The use of Census data to support contentions in the application is entirely inappropriate. The most recent Census in 2011 was carried out whilst Orchard Park was still being developed. The LSOA census area covering the site does not cover all of Orchard Park and includes areas not in Orchard Park. It is of no real use to assess the situation now. In the absence of other validated data on car ownership the standard parking requirements should be the minimum requirement.

13. Bus provision

The Transport Statement acknowledges that the distance from the site to bus stops on the Guided Busway are 750 m and 500 m and Citi 1 bus stop 550 m. These are all far in excess of the standard recommended maximum distance of 400 m. No mitigation measures are proposed to address this deficiency.

14. Cycle Parking

The comments made by CamCycle on the flats application also applies to this application and are endorsed. Whilst they have referred to Cambridge City policies the same principles ought to apply here. The use of two-tier racks for residential cycle parking is inappropriate and some of the Sheffield stands have been placed too closely to walls. Two-tier cycle racks are neither accessible nor convenient for residents. Use of the Cycle Parking Guide SPD provided by the Cambridge City Council as a guide to appropriate layout is a sensible suggestion.

The cramped nature of the site and the efforts of the applicants to squeeze in so much development in such a small area has no doubt led to the proposed inappropriate cycle parking.

15. Highways Development Management

The Highways DM comments raised a number of issues that should be dealt with through revised plans before the application is determined. Whilst they suggest dealing with matters by use of conditions such conditions would be ineffective if what is required could not actually be implemented, hence revised plans should be submitted to demonstrate how the conditions could be complied with.

16. Pedestrian Access to Chieftain Way (toward Travelodge)

The Site Plan appears to show a narrow pedestrian/cycle route running from Neal Drive to Chieftain Way. As a concept this is supported and indeed considered necessary. The Planting Strategy Plan shows this as a Pedestrian Footpath and “Refer to Architects Information for detail” but it is unclear what this refers to.

This route extends outside the redline of the application as does the vehicle access to the site from Neal Drive, both should be within the redline.

As proposed, the pedestrian route appears very narrow as if it has been squeezed in and ought to provide for both a cycle and pedestrian access and so be of an appropriate width.

The pedestrian route overlaps with and conflicts with the visibility splay of the vehicle access point. Little thought appears to have been given as to how it interfaces with the car parking and access road.

The adjoining land off Chieftain Way that the route would go through is owned by Orchard Park Community Council (OPCC) but no notification has been served on OPCC.

17. Anglian Water

The response from Anglian Water dated 23rd April 2018 on the previous application made the point about a 15 m buffer zone around the pumping station. These comments have been repeated in their response of 11th December 2019 to the current application.

Given the multiple instances there have been of issues with the pumping station including sewage smells and their need to bring tankers in the concept of a buffer appears to be well made.

Given the ongoing issues with the pumping station there should be a clear buffer around the pumping station and the 15 m required by Anglian Water seems justified.

Whilst it has been said that “the Neal Drive/Orchard Park site infrastructure was built with allowances for all land parcels” this was at a stage when the whole of the COM4 site was to be commercial usage which would not have generated so much of a drainage requirement. Therefore, this aspect should be fully clarified before determination and not simply assumed to be correct. Resident have already had to deal with sewage issues as detailed above.

18. Landscape Plans

These should be revised as requested by the SCDC Trees Officer.

In addition, it appears that the trees proposed on the southern boundary of the site are too close to the adjoining residential properties.

Different plans, such as the Site Plan, Block Plan and Planting Strategy Plan show different proposed boundary planting.

On all four sides of the site the proposed landscaping extends beyond the redline plan, no doubt as a result of the attempts to cram in much more development that is appropriate for the size of the site. All landscaping should be designed so it does not extend beyond the site boundary nor be likely to grow outside the site boundary in the future. Revised plans are therefore required to deal with this.

19. Ecology

The comments from the SCDC Ecology officer clearly indicate how superficial an approach has been taken by the applicants. A number of detailed suggestions are made such as:

“The landscape proposals provide very limited habitat for wildlife and are contrary to the ecological consultant’s recommendations in part. The proposals should be revised to take the comments below into account:

1) Boundary hedgerows should be managed for wildlife and should comprise native hedgerow mixes of 4-5 species of local provenance. In particular, native species should be used along the western boundary.

2) The northern boundary should include a buffer of native habitat including meadow habitat suitable for reptiles. Otherwise, the ecologist’s Recommendation 2 in the Reptile Survey report cannot be implemented.

3) Native and beneficial shrubs for wildlife should be used wherever possible.”

The points made should be dealt with through revised proposals before determination. It is clear that were these aspects to be controlled by condition they could not necessarily be implemented. The comments were submitted in December yet the applicants do not appear to have taken the opportunity to submit any revised plans.

National Planning Policy Framework (NPPF)

Transport Planning for Developments

PJA (Phil Jones Associates)

National Planning Policy Framework (NPPF)

Transport Planning for Developments

Key points:

- Transport Assessments, Transport Statements and Travel Plans still required.
- Sustainable transport still to be prioritised.
- Significant impacts must be mitigated to an acceptable degree.
- Highway safety now explicitly referenced as a reason for refusal.
- Severity test is now referenced in paragraph 109 and is limited to road network impacts.
- Application requirements strengthened through the removal of the *'where practical'* reference.
- Requirement for EV parking spaces strengthened.
- Still no definition of *'severe'*.

Summary:

The revised National Planning Policy Framework (NPPF 2018) was published on the 24th July 2018 to replace the previous NPPF published in 2012 (NPPF 2012).

The *'presumption in favour of sustainable development'* remains central to the document, for both plan-making and decision-taking. The requirement for developments which generate significant amounts of movement to be supported by a Transport Assessment or Transport Statement and Travel Plan also remains unchanged, although NPPF 2018 no longer refers to a Travel Plan as a *'key tool'* for facilitating the use of sustainable transport modes.

Paragraphs 108 to 110 of NPPF 2018 will be of particular importance to our clients, as they consider how planning decisions will be made in relation to transport. The content of these paragraphs is comparable to paragraph 32 of NPPF 2012, however paragraph 108 of NPPF 2018 states it must be ensured that:

'any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree'

This provides additional clarity compared to NPPF 2012 in that impacts on the transport network now explicitly relate to highway safety as well as capacity and congestion. However, it also introduces the concept that impacts must be mitigated to an ‘*acceptable degree*’, although this is not explicitly defined.

Further to this, NPPF 2018 paragraph 109 states that:

‘Development 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’. (our underlining)

By comparison, NPPF 2012 stated that:

‘Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’. (our underlining)

NPPF 2018 therefore now includes ‘highway safety’ as a reason for refusal and the severity test is now limited to impacts on the ‘road network’. It will be for Authorities and Inspectors to decide what constitutes an unacceptable or severe impact.

Further context regarding application requirements is provided in paragraph 110 of NPPF 2018. Whilst these provisions are similar to those in paragraph 35 of NPPF 2012, the reference to them being provided ‘*where practical*’ has been removed, suggesting an increased weight to these requirements.

Walking, cycling and public transport accessibility continue to be themes running through the documents, requiring priority to be given to pedestrian and cycle movements, as well as access to high quality public transport.

The concept that rural locations should be treated differently to urban locations in sustainable transport terms also continues to be recognised. NPPF 2018 states at paragraph 84 that in rural areas, sites to meet local needs may have to be found adjacent to or beyond existing settlements, in locations not well served by public transport. In these circumstances, it should be ensured that:

‘development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)’

Both NPPF documents have very similar requirements for the setting of local parking standards, with the specific need to *'ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles'* (NPPF 2018 paragraph 105) replacing the more general need to *'reduce the use of high-emission vehicles'* (NPPF 2012 paragraph 39). NPPF 2018 also states that the importance of adequate overnight lorry parking facilities should be recognised, which was not a requirement of NPPF 2012.

Also in relation to parking, NPPF 2018 at paragraph 106 specifies that maximum parking standards should only be set when *'there is clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport'*.

Overall, the importance of sustainable modes, land use planning, parking provision and highways impact remains key to NPPF 2018. However, there has been a slight change in emphasis to the remit of the severity test with the inclusion of highway safety, but with other impacts restricted to those associated with the road network. There is still no definition however of what is classed to be 'severe', or indeed 'unacceptable'.

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Orchard Park – Com 4 (S/4243/19/FL)

Affordable housing summary:

Affordable housing	None
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Section 106 payments summary:

Item	Beneficiary	Sum
Transport	CCC	£35,000
Sports Space	SCDC	£64,440.48
Indoor Meeting Space	SCDC	£29,256
Pedestrian link	SCDC	£2,000
Waste bins (if not commercial waste)	SCDC	£5,750
Monitoring	SCDC	£500
TOTAL		£136,946
TOTAL PER DWELLING		£992.36

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Car parking restriction	CCC	Tenancy agreements to prevent car ownership and onsite parking spaces to be used solely for drop off/pick up purposes

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Travel Plan	CCC	

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Transport
Policy	South Cambridgeshire Local Plan Policy TI/2 and TI/8
Required	Yes
Detail	Improvements to cycle routes are planned along Histon Road. Cambridgeshire County Council has requested a contribution of £35,000.
Project	Towards the provision of cycle route improvements on Histon Road between Kings Hedges Road and Hazelwood Close.
Quantum	£35,000
Fixed / Tariff	Fixed
Trigger	Prior to occupation of any dwelling

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sports Space
Policy	South Cambridgeshire Local Plan Policy SC/7
Required	Yes
Detail	A development comprising 158 single occupancy units would generate the need for 0.25 ha of Outdoor Sport. Where this is not provided onsite a financial contribution in lieu is required with figures provided in the Open space in new developments SPD.
Project	To help fund improvements to the existing sports facilities at (a) Ring Fort recreation ground and (b) Topper Street recreation ground
Quantum	£64,440.48
Fixed / Tariff	Fixed
Trigger	Prior to occupation of any dwelling

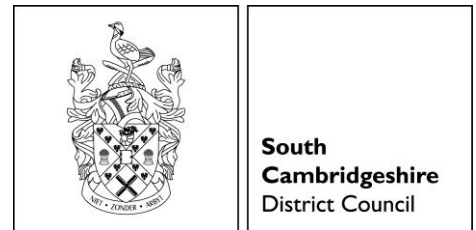
Ref	SCDC2
Type	Indoor Meeting Space
Policy	South Cambridgeshire Local Plan Policy SC/6
Required	Yes
Detail	A development comprising 158 single occupancy units would generate the need for circa 17 m2 of Indoor Meeting Space. Where this is not provided onsite a financial contribution in lieu is required with figures provided in the 2009 audit as approved by the portfolio holder.
Project	To help fund improvements and alterations to the Orchard Park Community Centre
Quantum	£29,256
Fixed / Tariff	Fixed
Trigger	Prior to occupation of any dwelling

Ref	SCDC3
Type	Household waste receptacles
Policy	RECAP Waste Management Design Guide
Required	YES
Detail	<p>Policy TI/8: Infrastructure and New Developments states planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations sought will be related to the form of the development and its potential impact upon the surrounding area. It goes on to say that contributions may be necessary for Waste management (pursuant to the Cambridgeshire & Peterborough Minerals and Waste Development Plan).</p> <p>The RECAP Waste Management Design Guide (forming part of the Cambridgeshire and Peterborough Minerals and Waste Local Development Framework) was adopted the Council on 13th March 2008. The guide contains a toolkit outlining the basis for planning conditions and obligations, and applicants should demonstrate that they have considered this in their application submission.</p> <p>Paragraph 4.8 of the SPD says "Developers will be required to provide the external containers or pay financial contributions to the relevant Local Authority for their provision". The Council's Waste Officer has advised that 15 x 1100 litre bins (8 x waste and 7 x recycled) are required at a cost of £5,750.</p> <p>However, if the developer choses to elect for a weekly trade waste service then this contribution will not be payable.</p>
Project	Towards the provision of household waste receptacles
Quantum	£5,750
Fixed / Tariff	Fixed
Trigger	Paid in full prior to occupation of any dwellings

Ref	SCDC4
Type	Pedestrian Link
Policy	South Cambs Local Plan Policy T/2
Required	YES
Detail	<p>Policy TI/2: Planning for Sustainable Travel states planning permission will only be granted for development likely to give rise to increased travel demands, where the site has (or will attain) sufficient integration and accessibility by walking, cycling or public and community transport, including: a. Provision of safe, direct routes within permeable layouts that facilitate and encourage short distance trips by walking and cycling between home and nearby centres of attraction, and to bus stops or railway stations, to provide real travel choice for some or all of the journey, in accordance with Policy HQ/1; b. Provision of new cycle and walking routes that connect to existing networks</p> <p>The Council has sought a contribution to install a pedestrian footpath link on land under the ownership of Orchard Park Community Council located to the south western corner of the site thereby ensuring a better connection to local facilities and amenities. If the Community Council do not wish to install the footpath the contribution will be returned.</p>
Project	Towards the provision of an offsite pedestrian link
Quantum	£2,000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development

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Agenda Item 7



14 October 2020

Report to: South Cambridgeshire District
Council Planning Committee

Joint Director of Planning and Economic Development

Lead Officer:

20/02881/FUL - Whittlesford (Factory, 84 Duxford Road, Whittlesford, CB22 4NH)

Proposal: Demolition of existing factory premises and the construction of 7 No. dwellings and associated infrastructure, including access, parking, landscaping and ancillary work (Re-submission of S/0029/19/FL)

Applicant: Mr Peter Wedd, Wedd Joinery, 9 Granta Terrace, Stapleford, Cambridge, CB225FJ

Key material considerations: The key issues to consider in the determination of this application are:

- Principle of development (including Green Belt and Countryside issues)
- visual amenity and local character
- highway safety and parking
- residential amenity and noise
- ecology
- trees and landscaping
- land contamination
- sustainability issues

Date of Member site visit: None

Is it a Departure Application?: Yes

Decision due by: 30th October 2020

Application brought to Committee because: It has been requested by the Parish Council and confirmed at the Delegation Meeting on the 1st September 2020

“It was considered that, having regard to the planning history of the site, the previous refusal at planning committee and the policy considerations associated with the site’s location in the Green Belt, that the application does meet the criteria for referral to the planning committee”

Officer Recommendation: Approval

Presenting officer: Jane Rodens, Senior Planning Officer

Executive Summary

1. This application seeks full planning permission for the development of seven dwellings associated infrastructure and works following the demolition of the existing structures that are on the site.
2. The application site is located outside of a development framework and in the green belt. It is a vacant former employment site.
3. Objections have been received from the Parish Council, neighbouring properties and Housing Officer. There is comments from other officers who have recommended conditions to the application if it is to be recommended for approval.
4. The application is being recommend for approval by Planning Officers.

Relevant planning history

5. S/0029/19/FL - Proposed demolition of existing factory premises and construction of 7 dwellings and associated infrastructure including access parking landscaping and ancillary works. (Refused 2019 - Committee)

S/1541/82/F - Extension to form timber store (Approved 1982).

S/0700/75/F – Extension to factory building (Approved 1975).

SC/0634/71/D - To extend existing buildings for use as workshop and tower to house the dust extraction plant (Approved 1971).

SC/0367/69/D– Replacement of existing structures to provide new office and workshop (Approved 1969).

Planning policies

National Guidance

6. National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

South Cambridgeshire Local Plan 2018

7. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/4 Cambridge Green Belt
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031

S/7 Development Frameworks
 H/8 Housing Density
 H/9 Housing Mix
 H/12 Residential Space Standards
 S/10 Group Villages
 CC/1 Mitigation and Adaption to Climate Change
 CC/3 Renewable and Low Carbon Energy in New Development
 CC/4 Water Efficiency
 CC/6 Construction Methods
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 HQ/1 Design Principles
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity NH/8 Mitigating the Impact of Development in and adjoining the Green Belt
 NH/9 Redevelopment of Previously Developed Sites and Infilling in the Green Belt
 NH/14 Heritage Assets
 E/14 Loss of Employment Land to Non Employment Uses
 SC/9 Lighting Proposals
 SC/10 Noise Pollution
 SC/11 Contaminated Land
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/10 Broadband

South Cambridgeshire Supplementary Planning Documents (SPD)

8. Sustainable Design and Construction – Adopted January 2020
 District Design Guide – Adopted 2010
 Maintenance of Sustainable Drainage Systems – Adopted 2016

Consultation

9. **Parish Council:** “At a meeting of Whittlesford Parish Council on 28th July the above proposal to demolish the existing factory premises and construct 7 dwellings was unanimously rejected for the following reasons:
 1. The rear upper windows of the 4 semi-detached properties would overlook the rear gardens of 102 Duxford Road leading to loss of privacy and amenity for the residents of this property.
 2. The proposed semi-detached property nearest to 100 and 102 Duxford Road would it built cause shadowing of these two properties
 3. Since the factory site is in the Cambridge Green Belt and outside the “development framework” of the village any redevelopment for housing should be restricted to “affordable” units for occupation by local residents. The proposal for 3-4 bedroomed, 2- bathroomed detached houses in no way satisfies the normal or anticipated “affordable” housing requirements.

4. The actual proposed access to the houses via a very sharp right-angled bend leaves very much to be desired. Large vehicles such as refuse collection lorries would have considerable difficulty in negotiating this bend particularly since at the bend the road narrows to a single lane.
5. The access and egress to and from the site onto Duxford Road is relatively narrow and adequate visibility splays would be required to meet road and pavement safety standards.

If the Planning Officer is minded to allow the Application the Parish Council requests that the application be referred to the SCDC Planning Committee and a visit to the site be made prior to any decision as regards approval.”

10. **Cambridgeshire County Council Highways:** There is no objection to the application subject to the following conditions and informatives:
 - the developer deposit a letter and drawing showing the site with the Local Planning Authority confirming that this site will not be presented for adoption now or at any time in the future.
 - management and maintenance of the proposed streets
 - Access shall be a minimum width of 5m
 - bin collection point
 - traffic management plan
 - 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.
11. **South Cambridgeshire District Council Ecology Officer:** There is no objection to the application, subject to a condition for A Landscape and Ecological Management Plan (LEMP).
12. **South Cambridgeshire District Council Strategic Housing:** We do not support this application as the site should only be developed as an exception site for 100% affordable housing.
13. **South Cambridgeshire District Council Tree Officer:** Summary: I have no Arboricultural or hedgerow objections to this application. subject to the following conditions:
 - Detailed Soft Landscape Proposal
 - Scheme of the management of the trees and landscaping
 - the proposed boundary hedgerows with the fields be retained in perpetuity

14. **South Cambridgeshire District Council Health and Environmental Services:** No objection to the application, subject to a condition for the hours of work and the burning of waste.
15. **Suffolk Fire and Rescue:** With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.
16. **South Cambridgeshire District Council Contamination:** None received
17. **Landscape Architect:** No objections to the application, subject to conditions that have been recommended.
18. **Sustainable Drainage Engineer:** No objection to the application.

Representations from members of the public

19. **Neighbours:** Four letters of objection have been received, which are summarised below:
 - the access will become very congested
 - How will the dust bin lorry get up this drive and then turn around to get out? The bin collection at the front of the road will not be appropriate.
 - The outlook from the current dwellings is not appropriate
 - The current gardens will be impacted on by the new access and the 20 plus cars using it.
 - What is the plan for the current boundary line, will the current dwellings have access to the new road and the rear of their gardens?
 - Will there be any help to buy schemes for the site.
 - There will be overshadowing to the current dwellings, as the height is increasing from single storey to two storey in height.
 - There will be direct overlooking between the new dwellings and the current dwellings.
 - Extensions have been refused on the current dwellings along Duxford road, how can these houses be any better.
 - There is unpleasant burning of waste on the site, and complaints have been made to Environmental Health.
 - The Landscape scheme does not refer to all of the trees that are going to need to be cut down because of the wider access.
 - The access is next to a bus stop which will increase the amount of accidents.
 - There is no foot path along this access for the school children.

- This new access will impact the horses that are in the field next door.

The site and its surroundings

20. This full planning permission is for the demolition of existing factory premises and the construction of 7 No. dwellings and associated infrastructure, including access, parking, landscaping and ancillary work (Re-submission of S/0029/19/FL).
21. The proposal site is located out side of a Development Framework, to the north of the site is the Development Framework of Whittlesford and to the south is the development framework of Whittlesford Bridge. The proposal site is the Cambridge Green Belt.
22. To the east of the site are the properties of 86 – 102 (evens) Duxford Road and 84 Duxford Road is to the north of the proposal site. The current use of the site is as a joinery workshop which is now vacant, at the time of writing this report.
23. The site lies in Flood Zone 1, which is the lowest category and considered to be low risk. The site is not located in a conservation area, nor is it near any listed buildings. There are some significant trees on and adjacent to the site, however the trees are not the subject of any Tree Preservation Orders. The site is surrounded by relatively flat and open countryside to the south.

The proposal

24. The application is for seven dwellings all of which are to be market dwellings. The plans that have been submitted demonstrate the size and scale of the properties. Each of the dwellings is to have an area of car parking either to the front or the side of the site and rear amenity space to the rear of the dwelling. The access to the site is from Duxford Road and leads to the rear of 86 – 102 (evens) Duxford Road.
25. The proposed dwellings would be one-and-a-half to two storeys in height, and would comprise 3 detached four bed dwellings and 4 semi-detached three bed dwellings. The dwellings would share an access off of Whittlesford Road, which would involve the widening of the existing access to 5m in width.

Planning assessment

26. The key issues to consider in the determination of this application are: principle of development (including Green Belt and Countryside issues), visual amenity and local character, highway safety and parking, residential amenity and noise, ecology, trees and landscaping, land contamination, and sustainability issues.

Planning balance and conclusion

Principle of Development in the Green Belt

27. The site is not considered to be in a prominent position or immediately evident from Duxford Road, being set back approximately 60 metres west of the public highway, separated by the dwellings at Nos.86-100 Duxford Road. There are no public rights of way near to the site which would afford additional viewpoints. Nonetheless, the site can be observed from the public highway and any development on the site increases the potential for the site to be observed.
28. The application seeks permission for the demolition of the existing factory building and associated outbuildings, and for the erection of 7 dwellings. The three detached dwellings would be one and a half storeys in heights, with a maximum height of approximately 7.3m, and the four semi-detached dwellings would be two storeys, with a maximum ridge height of 7.9m. Garden space, car parking and cycle stores are proposed for each dwelling, as well as shared access and unallocated visitor parking and a soft landscaping scheme
29. Chapter 13 of the NPPF focuses on protecting Green Belt land. Paragraph 133 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
30. Paragraph 134 of the NPPF states that the Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
31. Policy S/4 of the Local Plan states that a Green Belt will be maintained around Cambridge that will define the extent of the urban area. The detailed boundaries of the Green Belt in South Cambridgeshire are defined on the Policies Map, which includes some minor revisions to the inner boundary of the Green Belt around Cambridge and to the boundaries around some inset villages. New development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.
32. The supporting text to Policy S/4 of the Local Plan reiterates that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and a specific function of some Green Belts, such as the one around Cambridge, is to preserve the setting and special character of historic towns. A number of factors define the special character of Cambridge and its setting, which include the distribution, physical separation, setting, scale and character of Green Belt villages; and a landscape that retains a strong rural character.

33. Policy S/4 of the Local Plan states that new development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.
34. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
35. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists 7 exceptions, which includes:
- a. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - i. not have a greater impact on the openness of the Green Belt than the existing development; or*
 - ii. Would not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority (criterion g).*
36. Policy NH/9 of the Local Plan states that the redevelopment of previously developed sites and infilling in the Green Belt will be inappropriate development except for the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development (criterion e).
37. The Planning Statement submitted in support of the application states that the total footprint of the proposed development would be reduced by 59.48% when compared to the current situation, that the total floor space would be reduced by 25.93% and that the volume would be reduced by 35.99%. The reduction in built form is considered to address the requirement under Paragraph 145 of the NPPF and Policy NH/9 of the Local Plan that the development of the previously developed land would not have a greater impact upon the openness of the Green Belt than the existing development and therefore, it is considered that the application proposes appropriate development in the Green Belt.

Loss of Employment Land

38. Paragraph 84 of the NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas

may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

39. At a local level, Policy E/14 of the Local Plan deals with the loss of employment land to non-employment uses. The Policy states that the conversion, change of use or redevelopment of existing employment sites to non-employment uses within or on the edge of development frameworks will be resisted unless one of the set criteria are met. The criteria are as follows:
- a. It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises.*
 - b. The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises.*
 - c. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.*
40. Policy E/14 is considered to apply in this instance, however the phrasing of the policy as applying to sites “within or on the edge of development frameworks” is considered to create some ambiguity. The site access is located approximately 130m south of the southern Development Framework boundary of Whittlesford, and approximately 650m to the centre of the village. The site is located within easy walking and cycling distance of the village (an approximately 10 minute walk), and commuting to the site for employment would not necessarily require residents of Whittlesford to use private motor vehicles.
41. This same application was refused at planning committee in application S/0029/19/FL, one of the reasons for refusal was the lack of marketing. This application has had marketing under taken on the site.
42. There has been a Sales board on the entrance to the site for approximately 12 months. The site has also been on the estate agents (Redmayne Arnold and Harris) website and other property portals from 3rd July 2019 to July 2020. The guide price was in offers of £1.5million.

43. The sales particulars state that the buildings are available for light industrial/warehouse purposes as either a leasehold let or freehold sale, at a market value commensurate with the current market price for similar commercial premises.
44. During the time of the marketing four enquiries had been received and four viewings have taken place. No proposals have been received. One applicant, a science based company, were extremely interested, but following survey found the building would not adapt to their use.
45. This is as it is considered to be a very specialist building and the majority area suffers from low / restricted head height. The building has been adapted to suit the current tenant and their use, but it would be difficult and expensive to convert. It had been advised by the estate agent that the premises should be marketed away from a B1 use as there was a lack of demand for this property and in this location.
46. Therefore on that basis it is considered that there is a lack of demand for this employment space in this location. Also the type of the building that is being marketed is not appropriate for other business which would need work and modifications. Therefore part a) of the policy has been satisfied.
47. The application does go some way to documenting the noise issues associated with the existing use of the site; however the application does not demonstrate that environmental problems in terms of pollution or traffic are being caused or that any employment use would create similar problems.
48. Policy E/14 also states that redevelopment proposals which propose the loss of all employment uses will need to be accompanied by clear viability or other evidence as to why it is not possible to deliver an element of employment development as part of the scheme. This requirement of the policy has also not been addressed.
49. The proposal does comply with the requirements of part a) of Policy E/14 and therefore the loss of the land as employment land to a non-employment use is supported.

Principle of the Erection of Dwellings in the Countryside

50. Development Outside of Development Frameworks Policy S/7 of the Local Plan seeks to prevent gradual encroachment into the countryside and to guard against incremental growth in unsustainable locations. The Policy 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.
51. Officers acknowledge that in Whittlesford a neighbourhood area has been designated and a Neighbourhood Plan for the area is currently being prepared. The draft plan does not comment on this particular site and does not include a

policy which would be applicable to this application. Nevertheless, had a policy been drafted which would be relevant, only limited weight could be afforded to this due to the early stages of the Neighbourhood Plan. For the purposes of the assessment of this planning application with respect to Local Plan policy S/7, no Neighbourhood Plan has come into force in Whittlesford.

52. The proposed residential development comprising the erection of 7 dwellings on the site is not considered to meet the criteria of Policy S/7 in relation to development in the countryside, and this in itself forms a further in-principle objection to the proposal. In addition, the proposal is considered to result in incremental growth in an unsustainable location, by virtue of the location of the site outside of the Development Framework.
53. Policy S/10 of the Local Plan is a supporting policy to S/7 and relates to Group Villages, restricting residential development and redevelopment to an indicative scheme size of 8 dwellings within the Development Frameworks of such villages. The proposed development would be outside of the Development Framework and would therefore be contrary to Policy S/10 of the Local Plan.
54. Redevelopment of Previously Developed Land Policy S/10 states that development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site. Whilst it is noted that the site is on previously developed land, otherwise known as brownfield land, the site is not within the Development Framework and therefore this part of the Policy does not support the principle of residential redevelopment of the site.
55. This application is located in the countryside and Policy H/11 allows for the development of dwellings in the Countryside where it is considered to be an exception site, this is an allowance for 100% affordable dwellings. This is not the case all of the dwellings are market dwellings. Which has been raised as an objection by the Housing Officers at South Cambridgeshire District Council.
56. Density Policy H/8 of the Local Plan requires an average net density of 30 dwellings per hectare in Rural Centres, Minor Rural Centres and Group Villages. The Policy also states that the net density of a development may vary from the above where justified by the character of the locality, the scale of development or other local circumstances.
57. The site area measures 0.3527 hectare, therefore the provision of 7 dwellings would result in a housing density of approximately 20 dwellings per hectare. The proposed density is considered acceptable due to the specific circumstances of this application, noting that the application site is on the edge of the village and due to the requirement of Green Belt policies that there is a reduction in the impact of the development on the openness of the Green Belt when considered against the existing situation, requiring a reduction in developed area.
58. Policy H/8 of the Local Plan sets out housing mix requirements for developments of 10 or more dwellings, and states that developments of fewer than 9 dwellings will take account of local circumstances. The development would comprise 3

detached four bed dwellings and 4 semi-detached three bed dwellings. No objections are raised to the proposed mix.

Character and Appearance of the Area

59. Officers consider that the proposed layout of the site would have an acceptable impact on the visual amenity of the area, locating the built form of the development in the southern portion of the site in a courtyard layout which aims to keep the built form as close to the footprint of the existing factory building as is practicable. By clustering the buildings to the southern corner of the site, with the hardstanding, access and turning area located further north in line with the existing, the proposed development minimises and seeks to mitigate the level of visual encroachment into the countryside.
60. In addition, the Planning Statement notes that the proposed development would increase the opportunity for soft landscaping by 111.38% over the existing development, allowing the impact of the development upon the visual amenity and character of the area to be further mitigated. Matters relating to landscaping are addressed below, however it should be noted that the Landscape Officer has raised no objections.
61. Officers consider the scale and appearance of the buildings to be acceptable and to have taken account of the scale of the existing factory building on the site and the dwellings to the north-east.
62. The detached dwellings would be one and a half storey in height with a maximum ridge height of 7.3m. There would be slight design variations between Plots 5 and 7 and Plot 6, however the overarching character and form would be similar. The dwellings would have a barn-like appearance with red brick plinths, stained black timber clad elevations and stained black timber window frames. The roofs would be gabled with asymmetric roofs featuring catlides to the front elevations. The roofs would be punctuated with conservation style roof lights, which would be set flush to the roof. The barn-like appearance of the dwellings is considered suitable for their location to the south-western boundary of the site, furthest from the established residential built form along Duxford Road and proposed in this application.
63. The four semi-detached dwellings would be two storeys in height with a maximum ridge height of 7.9m and would be traditional in form and design with a gabled roof, shared gable projection to the rear and a chimney on each gable end. Tradition brick detailing is proposed to the front elevation, alongside window cill and lintel details which are considered to create interest in the elevations. The proposed materials are buff brickwork, natural slate tiles to the roofs and timber door frames.
64. The proposed car parking arrangement and provision of cycle stores are considered to be ancillary to the development and would not result in significant harm to the character or appearance of the area.

65. Officers considered it reasonable and necessary to impose a condition requiring the submission of materials for the proposed buildings, should permission be granted.
66. Overall, the design, layout, scale and appearance of the proposed development is considered acceptable and Officers consider that the visual impacts of the proposed development can be adequately mitigated against. The proposal accords with Policy HQ/1 of the Local Plan.

Residential Amenity

67. The proposed dwellings would be located to the south-west of the row of dwellings at Nos.86-100 Duxford Road, with the rear garden of No.102 along the south-eastern boundary. The proposed dwellings at Plots 1-2 would not have side (north-eastern) elevation first floor windows, and therefore direct overlooking of the gardens at Nos.86-100 would not be possible. It is noted that a ground floor side window is proposed to the northern elevation to serve a kitchen/living area, however views from these windows would be obstructed by boundary treatments
68. There would be two first floor rear elevation windows to each of the four semidetached dwellings which would allow for views toward the south-east of the site, over the rear garden of No.102 Duxford Road. This would result in direct views of the rear garden space, and would have the potential for oblique views toward the main dwelling. The overlooking of the south-westernmost areas of the rear garden is not considered to result in significant harm to the privacy of the occupiers of the dwelling at No.102 as the primary amenity space immediately to the rear and side of the dwelling would not be overlooked as a result of the proposal due to the separation distance of approximately 15-20m and due to the oblique angle of views. The overlooking from these windows is not considered to result in a significant impact upon the occupiers of No.104 as there would be separation distance of approximately 33m between the two site boundaries.
69. It is noted that the window to Plot 1 which is set to the rear of the main part of the dwelling rather than the rear projection may allow for views toward the rear garden of No.100 Duxford Road, however these views would be at an oblique angle making direct overlooking views very difficult to achieve.
70. Plot 7 would have first floor rooflights and windows to the front (north-east) elevation which would be capable of creating views toward the rear garden spaces of Plots 1-4. The proposed plans indicate that the first floor window would be obscured glazed, which would preserve the privacy of the primary amenity space directly rear of the rear elevation French doors to Plots 3-4 and should be secured via condition should planning permission be granted. The bedroom would be served by a side elevation window so this would not result in an unacceptable negative impact upon the enjoyment of this bedroom. The rooflights would be capable of creating overlooking views, however these would be limited to the south-eastern ends of the rear gardens of Plots 1-4 which would be overlooked in any event by the adjoining semi-detached dwellings. The rooflights may result in views toward the rear garden of No.102, however these views would be oblique, and the separation distance between Plot 7 and the dwelling at No.102 measures

approximately 55m and therefore is such that any impact is not considered to be so significant that it would warrant refusal of the application. Whilst there may be overlooking of the rear garden, some defensible amenity space would be retained immediately to the rear and to the side of No.102.

71. On balance, the potential for overlooking of the neighbouring properties is not considered to result in significant harm to the residential amenity of the occupiers of the adjoining properties, and is considered to be acceptable in accordance with Policy HQ/1 of the Local Plan.
72. The application is supported by a Shadow Study, included within the Design and Access Statement.
73. It is acknowledged that the proposed development would result in an increase in overshadowing of the neighbouring properties at Nos.86-102 Duxford Road, as raised by the Parish Council. However the most significant additional impacts over and above the existing situation are considered to be limited to later than 5pm in the winter (on the basis of the information provided relating to 21st December, the winter solstice). The impacts would also relate primarily to the south-westernmost parts of the rear gardens of the affected properties, with impacts upon the habitable rooms of the dwellings not considered to be affected such that this would warrant refusal of the application.
74. The application is supported by an Environmental Noise Assessment. This document assesses the suitability of the site for residential development and assesses the impacts of the existing use upon the neighbouring dwellings should the existing use be retained and intensified (which is a potential site use which has been considered by the Applicant). The Environmental Health Officer has assessed the application in relation and recommended conditions for the hours of work on the site and no burning of waste.
75. A Environmental Noise Assessment carried by Loven Acoustics (Report ref: LA/1637/02bR/ML) has been submitted as part of this application and acknowledges that noise levels in the proposed residential dwellings will be within the upper threshold of limits set by BS 8233:2014 and World Health Organisation guidelines, so long as an appropriate scheme of glazing and ventilation are adopted, as stipulated in Table 4 of the aforementioned report. This should be required by condition if any permission is granted, in order to ensure that the proposal is compliant with Policy SC/10 of the Local Plan.
76. The current use of the site is for Wedd Joinery given the type of operations typically undertaken by the business, and the close proximity to the nearest noise sensitive receptors (being the adjacent residential dwellings), it was considered apparent that a business of this nature, if expanded at the site, would likely lead to complaints from nearby residents. Not only would there be the potential for noise complaints from heavy goods vehicles (HGVs) accessing and leaving the site, fork lift truck movements and reversing alarms, manufacturer associated noise (machinery and/or impact noise) but also noise from any burners if used at the premises, which could be expected for this type of use.

77. The current site is far more likely to have an adverse impact on the amenity of existing nearby residents, than if the proposal for replacement of the existing factory premises with dwellings is granted planning permission.
78. It is recommended that the conditions that have been recommended by the Environmental Health Officer are applied to this application. An informative is applied to the application regarding noisy works and the informatives recommended should be attached to any permission granted, in the interest of residential amenity of the neighbouring occupiers in accordance with Policy HQ/1 of the Local Plan. This is considered to address the concerns of neighbours regarding noise and disturbance throughout the construction phase, should permission be granted.
79. Concerns raised by neighbours in relation to noise could be considered to relate to noise and disturbance created following the occupation of the development, should permission be granted. The siting, layout and scale of the development is not considered to result in noise and disturbance over and above what may be expected of a residential area.
80. No details of any external lighting have been provided as part of the application. Should planning permission be granted, Officers consider it reasonable and necessary to impose a condition that no external lighting is installed on site without written approval, given the sites location in the countryside and Green Belt and potential impacts of external lighting, which have not been fully considered as part of this application.
81. The proposed development has been assessed in relation to the requirements of Policy H/12 of the Local Plan which relates to residential space standards. The policy sets out requirements for rooms and dwellings as a whole to have minimum dimensions dependent on the number of people they are designed to accommodate. The proposed internal dimensions are compliant with the requirements of Policy H/12.
82. Subject to the recommended conditions, the proposed development is considered to accord with policies HQ/1, SC/9 and SC/10 of the Local Plan.
83. It is noted that should planning permission be granted, the dwellings would benefit from Permitted Development Rights once occupied. Officers note that the development is only considered acceptable in Green Belt terms due to the reduction in floor space and overall volume to the existing development and the positive impact upon the openness of the Green Belt, an argument which could be undermined should the owners of the dwellings carry out development which would not ordinarily require planning permission.
84. It is recommended that a condition is attached to any permission granted to restrict the Permitted Development Rights associated with the development. It is recommended that Permitted Development Rights within Classes A (extensions and alterations to dwellings), B (additions and alterations to roofs of dwellings), D (porches) E (outbuildings), and F (hardstanding) of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order

2015 (as amended) and Class A (means of enclosure) of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in order to protect the openness of the Green Belt.

Highway Matters

85. The Local Highway Authority has commented on the application and whilst no objections are raised, the Authority has confirmed that it will not be adopting any part of the development in its present format and requests that a condition is attached to any permission granted to require the developer to confirm that the site will not be presented for adoption now or at any time in the future. This condition is not considered to be reasonable or necessary in planning terms, however this wording could be attached to any permission granted as an informative.
86. The Local Highway Authority requests that conditions are attached to any permission granted to require the submission of details of the proposed access arrangements for future management and maintenance of the proposed streets within the development, to require that the access is a minimum width of 5m for the first 5m, to require a bin collection point to be located no more than 25m from the highway, and to require the submission of a traffic management plan. These conditions are considered to be reasonable and necessary and should be attached to any planning permission granted in the interest of highway safety.
87. The Parish Council objected on the basis that the access road to the 7 dwellings has no pavement and there is a narrow road with a right-angled blind bend to be able to access the site. The Local Highway Authority has not raised any objections in this regard.
88. The proposed development would contain two on-plot car parking spaces for Plots 5-7, with one on-plot car parking space provided for Plots 1-4 with 4 off-plot, unallocated car parking spaces provided within a grassed area to the north of the site. Cycle stores for four bicycles would be provided on-plot for each dwelling.
89. The proposed provision is considered to comply with the requirements of Policy TI/3 of the Local Plan.

Ecology

90. The site consists of an industrial building with hardstanding and wooded boundaries. The site sits within the Impact Risk Zone of a nearby statutory protected site; however it has been confirmed by the South Cambridgeshire District Council Ecologist that it does not meet the criteria that would require a consultation with Natural England. There are no non-statutory protected sites in the vicinity that are likely to be impacted by the application. Species records show great crested newts, barn owls and other breeding birds, flowering plants, invertebrates, reptiles, bats, badger, and otter.

91. The application has been supported by a Preliminary Ecological Appraisal (Applied Ecology, September 2018) which has determined that the site is dominated by habitats of negligible or low biodiversity and ecological value and is of very limited value to protected animal species. The main protected animal species interest of the site relates to the probable presence of a small garden breeding bird assemblage that could make use of existing hedges, trees and introduced cover habitats for nesting.
92. The Appraisal makes recommendations regarding biodiversity enhancement which Officers consider should be required via condition should permission be granted, and advises that clearance of vegetation is to be undertaken outside of bird breeding season. It is recommended that advice to this effect is attached to any permission granted as an condition.
93. A condition is considered reasonable and necessary to ensure that the development secures an improved level of biodiversity for the site. Opportunities should be taken to achieve a minimum 10% net gain in biodiversity of through the form and design of development. This should include the incorporation of bat and bird nesting boxes in 50% of dwellings within the development, use of native planting mixes and wild grasses, the inclusion of green and brown roofs, the inclusion of green walls, or the inclusion of features such as log piles, insect hotels and hedgehog connectivity. Using tools such as the DEFRA Biodiversity Impact Assessment Calculator can help to clearly show that the development is creating a positive gain in biodiversity. This is in accordance with the policy NH/4 of the Local Plan and paragraphs 170, 174 and 175 of the NPPF, the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document (SPD) (Section 3.5), which requires that applications aim to enhance, restore and add to biodiversity.

Landscaping and Trees

94. There are some significant trees in and adjacent to the site. This application is recommending the removal of two trees, new tree planting is proposed as a part of the soft landscaping plan. The development is therefore not considered to result in the loss of any significant trees that make a positive contribution to the visual amenity of the area.
95. The Council's Trees Officer has raised no objection, commenting that an Arboricultural Impact Assessment has been submitted and is sufficient for this stage of the application, However a further detailed Arboricultural Method Statement and Tree Protection Strategy would be required by a condition. Conditions have also been recommended for the detailed soft Landscaping to be provided to the Local Planning Authority along with The proposed boundary hedgerows with the fields be retained in perpetuity. This will ensure that the development will Policy NH/4 of the Local Plan.
96. Policy NH/8 of the Local Plan states that any development proposals within the Green Belt must be located and designed so that they do not have an adverse effect on the rural character and openness of the Green Belt. Where development is permitted, landscaping conditions, together with a requirement that any planting

is adequately maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.

97. The Landscape Officer has commented on the application and had raised no objection, subject to conditions to require hard and soft landscape details, a 2m wide mixed native hedgerow to the western boundary and details of boundary treatments. Officers consider it reasonable and necessary to impose the same conditions in order to ensure that the development is acceptable in landscape terms in accordance with Policy NH/8, particularly as the landscaping around the site plays an important role in visual amenity and local character of the area and any boundary treatments needs to be carefully considered. The condition regarding boundary treatments is considered to address the comment submitted by a neighbour that clarification is required in this regard.
98. Subject to the recommended conditions, the proposed development would accord with Policies HQ/1, NH/4 and NH/8 of the Local Plan.

Contamination

99. The application has been supported by a Phase 1 Desk Study Report, which had been submitted in the previous application on this site for the same scheme (S/0029/19/FL). The Council's Scientific Officer had commented on the previous application and stated that the site has historically been used as a factory which is a potentially contaminative use, and that the desk study has identified risks associated with the former use of the land and has recommended intrusive investigation to determine any risk to future users, noting that residential use is sensitive to contamination. In accordance with the findings of the submitted report, the Council's Scientific Officer recommended that an intrusive site investigation should be carried out to investigate potential risks identified in the report, secured by condition.
100. Subject to the recommended condition, the proposed development would accord with policy SC/11 of the Local Plan. Therefore this condition is going to be applied to this application as none of the information has changed on this matter.

Sustainability Issues

101. Policy CC/3 of the Local Plan states that proposals for new dwellings will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies. Should planning permission be granted, Officers consider it reasonable and necessary to impose a condition requiring the submission of appropriate details to ensure the development accords with Policy CC/3 of the Local Plan.
102. Policy CC/4 of the Local Plan states that proposals for residential development must achieve a minimum water efficiency equivalent to 110 litres per person per day. Should planning permission be granted, Officers consider it reasonable and necessary to impose a condition requiring the submission of such details to ensure the development accords with Policy CC/4 of the Local Plan.

103. Policy TI/10 of the Local Plan states that new development (residential, employment and commercial) will be expected to contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband services across the district. As a minimum, suitable ducting to industry standards should be provided to the public highway that can accept fibre optic cabling or other emerging technology. Other forms of infrastructure, such as facilities supporting mobile broadband and Wi-Fi, should be included where possible and viable. Should planning permission be granted, Officers consider it reasonable and necessary to impose a condition requiring the submission of appropriate details, prior to the first occupation of the development, to ensure the development accords with Policy TI/10 of the Local Plan.

Other matters

104. Developer Contributions Due to the nature and scale of the development, should planning permission be granted, developer contributions would not be required under Section 106 of the Town and Country Planning Act 1990 (as amended).
105. Other nearby applications One response received from a neighbour queries a refusal of householder planning permission on their property on the grounds of impact upon the openness of the Green Belt. Each application is to be assessed on its own merits, and therefore the particulars of that application cannot be assessed further in this report.
106. The fire and rescue officer has recommended that a S106 is applied to the application for the installation of fire hydrants. It is considered that this is not necessary and it is recommended that a condition is applied to the application on this matter.
107. The agent of the application has agreed to the Prior to commencement Conditions.
108. Due to the current Covid-19 restrictions a site visit by the Planning Committee Members has not been undertaken.

Conclusion

109. In balance it is recommended that this application is recommended for approval. The application is considered to be acceptable in the Green Belt, it would not harm the openness of the Green Belt and there would be no harm on the surrounding landscape. The Local Plan allows for the development in the Green Belt where it accords with the NPPF. This application accords with the NPPF as the proposal is on previously developed land.
110. Additional marketing has been provided as part of this application from the previous application. It is considered that it shows that there has been no interest in this site as an employment site and therefore Policy E/14 is satisfied.

111. This proposal site is not located in a development framework as defined by Policy S/7. The Development Framework of Whittlesford and to the south is the development framework of Whittlesford Bridge which is defined by Policy S/10 of the adopted local plan as Group Villages. The application site is on previously developed land as required by part 3 of the Policy, but it is not within the development framework. Therefore the whole of the policy is not fully applicable. This is not an exception site, as it is not affordable dwellings.
112. The character and design of the application is considered to be acceptable, there would be no harm to the amenity of the neighbouring properties. There would be no harm to the highway network and the level of parking that is being proposed is acceptable. The ecology, landscape, trees, contamination and sustainability is acceptable subject to conditions.
113. On that basis it is recommended that the application is recommended for approval subject to the recommended conditions.

Recommendation

114. Officers recommend that the Committee approves the application, subject to the following conditions:
1. Time limit
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. Plans
The development hereby permitted shall be carried out in accordance with the following plans:

Preliminary Ecological Appraisal (Applied Ecology, September 2018)
Environmental Noise Assessment carried by Loven Acoustics (Report ref: LA/1637/02bR/ML)
Preliminary Ecological Appraisal (Applied Ecology, September 2018)
An Arboricultural Impact Assessment (dated 28/11/2018)
Drawings and reports reviewed within the application:
Arboricultural impact assessment, Arboricultural Site Plan (existing) 01,
Arboricultural Site Plan (proposed) 01,
EXISTING SITE PLAN SHEET 1 OF 2 (Revision 103-PL(11)01-P1) 29.06.2020
EXISTING PLANS AND ELEVATIONS (Revision 103-PL(11)03-P1) 29.06.2020
EXISTING PLANS AND ELEVATIONS (Revision 103-PL(11)04-P1) 29.06.2020
PROPOSED PLANS AND ELEVATIONS PLOTS 1-4 (Revision 103-PL(21)01-P1) 29.06.2020
PROPOSED PLANS AND ELEVATIONS PLOTS 5 AND 7 (Revision 103-PL(21)02-P1) 29.06.2020
PROPOSED PLANS AND ELEVATIONS PLOT 6 (Revision 103-PL(21)03-P1) 29.06.2020

PROPOSED CYCLE STORE DETAILS (Revision 103-PL(21)04-P1) 29.06.2020
PROPOSED SITE PLAN SHEET 1 OF 2 (Revision 103-PL(21)05-P1) 29.06.2020
PROPOSED SITE PLAN SHEET 2 OF 2 (Revision 103-PL(90)02-P1) 29.06.2020
PROPOSED SITE BLOCK PLAN (Revision 103-PL(90)03-P1) 29.06.2020
4118_100_A_SOFT LANDSCAPE PROPOSALS (Revision 4118_100_A)
(Reason - To facilitate any future application to the Local Planning Authority
under Section 73 of the Town and Country Planning Act 1990

3. Materials

No building work shall commence until details of the following have been submitted to and approved in writing by the local planning authority:

- Details of external materials
- Details of windows

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details. (Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building: the application does not include the necessary details for consideration.)

4. Contamination

No Development shall commence, unless otherwise agreed, until:

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

b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

c) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

(Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018.)

5. Landscape and Ecological Management Plan

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development above slab level. 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, including how a minimum of 10% in biodiversity net gain will be

achieved. 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 ensure that the protected species on and near to the site are protected in accordance with Policy NH/4 of the adopted Local Plan.)

6. Landscape - Details

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed. (Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policy HQ/1 and of the adopted Local Plan.)

7. Landscape - Tree protection scheme

No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered,

nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme. (Reason: This condition is a pre commencement condition to prevent damage to trees during construction and to meet the requirements of Policy HQ/1 of the adopted Local Plan.)

8. future management and maintenance of the proposed streets

No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until a Private Management and Maintenance Company has been established). (Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.)

9. Traffic management plan

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

(i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)

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

(iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.

(iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

(Reason: in the interests of highway safety)

10. Fire Hydrants

No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. (Reason - To ensure an adequate water supply is available for emergency use.)

11. Landscape management

Prior to the occupation of the development hereby permitted, a landscape management plan is to be submitted to and agreed with the Local Planning Authority, for the development demonstrating the management and maintenance of the public areas of landscaping for the purpose of the development.

(Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policy HQ/1 and of the adopted Local Plan.)

12. Boundary – Details

Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter. (Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policy HQ/1 of the Adopted Local Plan.)

13. Adoption of the highway

Prior to the occupation of the development hereby permitted the developer of the site is to deposit a letter and drawing showing the site with the Local Planning Authority confirming that this site will not be presented for adoption now or at any time in the future. (Reason: to ensure that the roads are maintained and the ownership is clarified, to ensure that there is no harm to the amenity of the future residents of the site, in regards of Policy HQ/1 of the adopted local plan.)

14. Hours of work

No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays. (Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy HQ/1)

15. No burning of waste

There shall be no burning of any waste or other materials on the site, without prior consent from the Environment Agency. A D7 exemption registered with the Environment agency is required. (Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy HQ/1)

16. Lighting - No external

No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences. (Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies HQ/1 and NH/4)

17. Removal of all PD rights

Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class B - enlargement consisting of an addition to the roof

Class D - erection of a porch
Class E - provision of any building or enclosure
Class F - any hard surface

Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

(Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).)

18. carbon emissions

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 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 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.)

19. water efficiency consumption

The dwelling 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.)

20. Wi-Fi

The dwelling 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.)

21. Boundary- Retention of existing

The existing boundary treatments shall be retained or if removed replaced by another imperforate fence/wall of similar type and height for so long as the development remains in existence. (Reason: In order to safeguard the amenities of the occupiers of neighbouring properties and in accordance with Policy HQ/1).

22. Contamination – Remindiation statement

If, during remediation and/or construction works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority. (Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the adopted South ambridgeshire Local Plan 2018.)

Informatives

Under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2011 permitted development rights were granted to the development of ground source or air source heat pumps for dwelling houses and flats. The MCS Planning Standards were developed to act as a resource for this and contains the requirements, including noise prediction methodologies, that ground source or air source heat pumps must comply with to be permitted development under the above Act.

Development would not be permitted development if it failed to comply with The MCS Planning Standards. It would be a reasonable step to require that any new ground source or air source heat pump complies with the MCS Planning Standards. This should ensure that internal and external noise levels are kept to a reasonable level at any nearby residential premises.

The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level. To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features.

In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced

satisfactory and any defects remedied to ensure that the noise levels do not increase over time.

Before the existing building is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which it will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.

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

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.

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
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)

Report Author:

Jane Rodens - Senior Planning Officer
Telephone Number - 07704 018 433

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Agenda Item 8



South
Cambridgeshire
District Council

14 Oct 2020

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic
Development

S/3215/19/DC – LONGSTANTON (THE RETREAT, FEWS LANE, LONGSTANTON, CB24 3DP)

Proposal: Discharge of condition 4 (foul water drainage) and 5 (surface water drainage) of planning permission S/2937/16/FL

Applicant: Mr Gerry Caddoo, Landbrook Homes Ltd

Key material considerations: Foul Water Drainage, Surface Water Drainage and Flood Risk

Date of Member site visit: None

Is it a Departure Application?: No

Decision due by: 11 December 2019

Officer recommendation: Condition 4 (foul water drainage) – Approve
Condition 5 (surface water drainage) – Approve

Application brought to Committee because: This application has been referred to the Committee on the basis of a Parish Council objection, third party objections and the public interest in this application.

Presenting officer: Emma Ousbey

Executive summary

1. Planning permission S/2937/16/FL was previously allowed on appeal for the erection of a 3no. bedroomed dwelling with parking on 27 September 2018. This current application seeks the discharge of condition 4 of S/2937/16/FL, which requires the submission of full details of the foul water drainage strategy for written approval by the local planning authority. The application also seeks discharge of condition 5 of S/2937/16/FL, which requires the submission of full details of the proposed surface water drainage, both from the building itself and from the proposed driveway area for written approval by the local planning authority. Both conditions were imposed by the Planning Inspector on the decision notice in order 'to prevent flooding'.

2. The submitted details, as amended, have been reviewed and assessed by officers and a drainage consultant appointed to review the submission on behalf of the local planning authority. A detailed report prepared by this consultant has been appended to this report for Members to consider as part of their review of this application.
3. Longstanton Parish Council objects to the discharge of condition 5. Third party representations have been received objecting to the discharge of both condition 4 and condition 5. Numerous concerns have been raised, as summarised, in respect of technical details relating to the proposed foul water and surface water drainage; accordance of the proposals with the surface water drainage hierarchy; accordance of the proposals with adopted Local Plan policies CC/7, CC/8 and CC9, as well as national policy and guidance; lack of information; that the proposals will increase water runoff into Longstanton Brook increasing flood risk; that the proposed surface water runoff will be greater than the existing runoff rate for this site (as undeveloped); and that the proposed outfall into the existing watercourse is outside of the red line application boundary.
4. Both officers and the appointed drainage consultant are satisfied that the proposed submission details are in accordance with adopted national and local policy and guidance. It is considered that it has been satisfactorily demonstrated that the scheme provides a viable and fully justified foul and surface water drainage strategy that will not increase flood risk elsewhere. In officers' judgment, the extension (if any) of the development beyond the red line boundary would be de minimis, and in any event into an area within the same ownership as the site. Even if the development could be said to extend beyond the red line boundary, it would not be appropriate or proportionate, nor in the public interest, to require a planning application to extend the red line in those circumstances.
5. Members are therefore requested to support the application.

Relevant planning history

6. Applications relating to the application site:

S/2439/18/FL – The erection of a 3 bedroom bungalow with parking - Approved

S/2937/16/FL – Proposed erection of a 3-bedroomed bungalow and parking – Allowed on appeal

S/0999/14/FL – Extension and alteration to existing bungalow to provide a house with ground, first and second floors (second floor attic rooms) – Approved

S/2561/12/FL – Erection of two bungalows - Approved

7. Applications adjacent to the application site:

20/02453/S73 – Variation of condition 7 (traffic management plan) pursuant to planning permission S/0277/19/FL to reflect the proposals in the traffic management plan to substitute the current wording with 'the development hereby permitted shall be carried out in accordance with the traffic management plan prepared by SLR consulting, version Final 1 and dated December 2019'. – pending consideration

S/0277/19/COND9 – Condition 9 – foul and surface water drainage – pending consideration

S/0277/19/CONDA – Submission of details required by condition 11 (scheme that demonstrates a minimum of 10% carbon emissions) and 12 (water conservation strategy) of planning permission S/0277/19/FL – pending consideration

S/4471/19/DC – Discharge of condition 7 (traffic management plan) pursuant to planning permission S/0277/19/FL – pending consideration

S/3875/19/DC – Discharge of conditions 4 (hard and soft landscaping), 6 (boundary treatment), 9 (foul and surface water drainage), 11 (renewable energy) and 12 (water conservation) pursuant to planning permission S/0277/19/FL - Refused

S/2508/19/DC – Discharge of condition 7 (traffic management plan) pursuant to planning permission S/0277/19/FL - Refused

S/0277/19/FL – Demolition of the existing bungalow and construction of two dwellings including car parking and landscaping - Approved

S/1059/16/DC – Discharge of condition 3 (materials), 4 (boundary treatment), 5 (hard and soft landscaping), 7 (surface water drainage), 8 (finished floor levels), 13 (traffic management plan) and 14 (archaeology) of S/1498/15/FL - Approved
S/1498/15/FL – Erection of two dwellings – Approved

Planning policies

8. National Planning Policy Framework (2019) (NPPF)
National Planning Practice Guidance (PPG)
9. South Cambridgeshire Local Plan 2018
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
HQ/1 Design Principles
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
10. Greater Cambridge Sustainable Design and Construction Supplementary Planning Document (SPD) 2020
Cambridgeshire Flood and Water SPD 2016

Consultation

11. Longstanton Parish Council:

Comments received 11 August 2020: Continue to object to this application as it continues to propose discharge of the surface water drainage directly into the village watercourse which is in contravention of policies CC8 and CC9 of the South Cambridgeshire Local Plan.

Comments received 15 October 2019: recommend this application for objection as it proposed to discharge the surface water drainage directly into the village watercourse which is in contravention of planning condition 5 requiring surface

water drainage to be filtered through soil. Longstanton Parish Council support the comments made to the planning authority by neighbours in the letter dated 8 October 2019.

12. **SCDC Sustainable Drainage Engineer:** comments dated 26 October 2019 – the condition can be discharged in full.

13. **Anglian Water:** comments dated 26 June 2020 and 1 July 2020 - the foul water drainage strategy is acceptable to Anglian Water, we can therefore recommend the discharge of condition 4. The surface water drainage strategy does not involve discharge to Anglian Water owned assets, we therefore have no comments to make regarding the discharge of condition 5.

14. **Stantec consultants, appointed on behalf of Greater Cambridge Shared Planning Service to provide further specialist drainage advice:** full report of 20 August 2020 has been attached and is provided at Appendix A. Their report concludes that:

- Based on the information submitted we find that it has been satisfactorily demonstrated that the scheme can provide a viable drainage strategy that will not increase flood risk elsewhere.
- We conclude that the application would accord with policy CC/7, for foul drainage.
- We conclude the application would accord with policies CC/7, CC/8, CC/9 for surface water drainage.
- We recommend the applicant undertakes ordinary watercourse consent prior to the installation of the outfall arrangement.
- The future owner will need to be informed on the location of the underground storage tank, the maintenance responsibilities for the tank and covenant to ensure the driveway remains permeable in the future.
- The submission is considered consistent with the Cambridgeshire Flood and Water SPD for design of surface water drainage and paragraph 163 of the NPPF, which requires local planning authorities, when determining any planning applications, to ensure that flood risk is not increased elsewhere.
- We recommend the discharge of conditions 4 and 5 for the site.

Representations from members of the public

15. Representations have been received from The Elms, Fews Lane dated 18 October 2019 and The Fews Lane Consortium dated 8 October 2019; 2 June 2020; 13 July 2020; 16 July 2020 and 13 August 2020 in relation to the application. The following concerns have been raised (as summarised):

- Object to the discharge of any part of condition 5 (surface water drainage)
- Details provided with this application are insufficient to assess whether the surface water scheme proposed complies with relevant local and national policies.
- Reconsultation should be undertaken to allow consultees to make representations on the application as amended.

- Condition 4 proposes discharge of foul water into the public sewerage system, but no evidence has been provided to demonstrate that the existing public sewerage system has capacity for the additional flows from the proposed development or that discharge into the public sewerage system has been agreed with the relevant sewerage undertaker.
- Surface water drainage arrangements fail to comply with policies CC/7, CC/8 and CC/9 of the Local Plan.
- No surface water drainage arrangements for the proposed driveway are shown on the submitted plans. Unclear if it is intended that permeable paving should be used to discharge the driveway surface water by infiltration. Minimum information required typically includes infiltration testing conducted in accordance to BRE Digest 365, including plan showing locations of tests. If infiltration is suitable for the driveway area of the site, no explanation has been submitted as to why it is not being used to discharge the surface water from the building.
- Council's drainage consultation response fails to consider the relevant particulars of the development proposed, the applicable local and national policies and basic principles of sustainable urban drainage system design.
- Drainage consultation comments for S/3875/19/DC comment on the arrangements under this application, stating 'the dwelling towards the north appears too close to the watercourse to enable soakaways to be positioned 5m from the dwelling without impacting on the hedge and bank of the watercourse'. There are numerous locations within the application site greater than 5m from the building foundations. The 5m rule is a rough rule of thumb that can be assumed safe for any building on any type of soil. Without proper geotechnical assessment it may be possible in many soils to install infiltration features and traditional soakaways much closer to the foundations.
- The following three material considerations preclude the discharge of condition 5:
 - 1) The scheme proposes an increase in surface water discharge from the site into Longstanton Brook from the pre-development discharge volume, thereby increase the flood risk of nearby properties. Contrary to the stated reason for the condition 'to prevent flooding'.
 - 2) Scheme positions the outfall for surface water drainage system outside of the red line boundary of the site. An application to discharge a planning condition cannot extend the boundaries of land to which planning permission relates.
 - 3) The relevant policies of the development plan are a material consideration and policies CC/8 and CC/9 of the Local Plan militate against approval of the application.
- Planning conditions are to be interpreted in a common sense way, having regards to the underlying purpose for the condition as is demonstrated by the reasons stated for the imposition of the condition or conditions in question (*R (Sevenoaks District Council) v Secretary of State* [2004] EWHC 771 (Admin)).
- The Appeal Decision granting permission in regards to application reference S/2937/16/FL states that, "in particular, conditions relating to foul and surface water drainage are necessary, to prevent flooding".
- However, under the scheme submitted by the applicant, the risk of flooding to nearby properties would actually be increased because the runoff volume from

the development to the nearby surface watercourse for nearly all rainfall events would exceed the runoff volume for the same event prior to redevelopment.

- The increase in surface water proposed to be discharged from the site would flow into Longstanton Brook, which has an extensive history of flooding.
- The relevant local and national planning policies indicate that development of brownfield sites should seek to reinstate greenfield runoff rates wherever possible and, in any case, that the post-development discharge rate should never exceed the rate of discharge from the development prior to redevelopment.
- The land proposed to be used for the outflow of the surface water drainage system falls outside the red line boundary on the location plan identifying the land to which the planning permission relates. No planning permission has been granted for any development to take place in, on, over, or under land outside of the boundaries of the application site.
- If the applicant wishes to extend the red line boundaries of the application site to include the land proposed for the surface water outflow, an application must be submitted under section 73 of the 1990 Act. The Council cannot use an application to discharge a planning condition to effect the same result that would properly be effected through an application submitted under section 73 of the 1990 Act.
- Policy CC/8 of the Local Plan 2018 states that: "Development proposals will be required to demonstrate that [...] surface water drainage schemes comply with *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems* and the *Cambridgeshire Flood and Water Supplementary Planning Document* or successor documents."
- *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems* states in paragraph S3 that: "For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event."
- *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems* states in paragraph S5 that: "Where reasonably practicable, for developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event."
- The *Cambridgeshire Flood and Water Supplementary Policy Document* states in paragraph 6.3.8 that: "Brownfield (previously developed land) sites must reduce the existing runoff from the site as part of the redevelopment. Where possible, in order to provide betterment, redevelopments should look to reinstate greenfield runoff rates."
- Under the scheme submitted by the applicant, the peak runoff rate of discharge from the development to the nearby surface watercourse would exceed the peak runoff rate of discharge of the site prior to redevelopment,

which is contrary to policy CC/8 of the Local Plan 2018, contrary to paragraph S3 of *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems*, and contrary to paragraph 6.3.8 of the *Cambridgeshire Flood and Water Supplementary Policy Document*.

- Under the scheme submitted by the applicant, the runoff volume from the development to the nearby surface watercourse for the 1 in 100 year, 6 hour rainfall would exceed the runoff volume for the same event prior to redevelopment, which is contrary to policy CC/8 of the Local Plan 2018 and contrary to paragraph S5 of *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems*.
- Policy CC/9 of the Local Plan 2018 states that: “In order to minimise flood risk, development will only be permitted where: [...] The destination of the discharge obeys the following priority order: i. Firstly to the ground via infiltration ii. Then, to a water body; iii. Then, to a surface water sewer; iv. Discharge to a foul water or combined sewer is unacceptable.”
- The information submitted by the applicant indicates that opportunities to use infiltration to discharge the surface water collected from the impermeable areas of the proposed development have not been adequately explored.
- It is a material consideration that the applicant owns other land immediately adjoining the application site that could be used to discharge the collected surface water through infiltration. (See Section 72(1) of the Town and Country Planning Act 1990.)
- Policy CC/9 of the Local Plan 2018 states that, “In order to minimise flood risk, development will only be permitted where: [...] there would be no increase to flood risk elsewhere”. The increase in surface water proposed to be discharged from the site would flow in Longstanton Brook, which has an extensive history of flooding. This would be contrary to policy CC/9 of the Local Plan 2018.
- Policies CC/8 and CC/9 of the Local Plan 2018 clearly militate against the approval of the details submitted with this application. Pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- The Fewes Lane Consortium Ltd has received legal advice that residential gardens within built-up areas are classified as greenfield land for planning purposes, not brownfield land, as was implied in the Consortium’s letter dated 13 July 2020.
- Whilst this does not change the substance of the Consortium’s objections to the proposed development, it does mean that different paragraphs of *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems* and the *Cambridgeshire Flood and Water Supplementary Policy Document* should have been quoted in the Consortium’s representations.
- *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems* states in paragraph S2 that: “For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.”

- *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems* states in paragraph S4 that: “Where reasonably practicable, for greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event. “
- The *Cambridgeshire Flood and Water Supplementary Policy Document* states in paragraph 6.3.6 that: “All new developments on greenfield land are required to discharge the runoff from the impermeable areas at the same greenfield runoff rate, or less than, if locally agreed with an appropriate authority or as detailed within the local planning policies of District and City Councils.”
- Under the scheme submitted by the applicant, the peak runoff rate of discharge from the development to the nearby surface watercourse would exceed the greenfield runoff rate for the 1 in 1 year and 1 in 100 year rainfall events, which is contrary to policy CC/8 of the Local Plan 2018, contrary to paragraph S2 of *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems*, and contrary to paragraph 6.3.6 of the *Cambridgeshire Flood and Water Supplementary Policy Document*.
- Under the scheme submitted by the applicant, the runoff volume from the development for the 1 in 100 year, 6 hour rainfall event would exceed the greenfield runoff volume for that event, which is contrary to policy CC/8 of the Local Plan 2018 and contrary to paragraph S4 of *Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems*.
- The use of Sustainable Drainage Systems (“SuDS”) and the ability to integrate appropriate SuDS features into any development should be considered from the earliest phases of site selection and design. When considered at the appropriate time early in the design process, even the smallest sites can effectively integrate SuDS features, which can provide benefits in terms of reduced flood risks and provide positive contributions in terms of landscaping, residential amenity, and opportunities to enhance biodiversity.
- In the case of this development, no consideration was given to the issues of surface water drainage at the design phase, and as a result, the applicant has proposed to discharge the collected surface water into the village’s watercourses.
- The proposed rate of attenuation of discharge is insufficient and would result in an increased volume and rate of surface water discharge from the site, which would increase the risk of flooding elsewhere. This outcome is contrary to the inspector’s stated reason for imposing the surface water condition, which was to prevent flooding.
- The applicant has failed to consider any of the numerous options to discharge the collected surface water through infiltration. The details submitted by the applicant are also, by objective measures, contrary to policies CC/8 and CC/9 of the development plan.
- Having failed to consider appropriate SuDS solutions at the design phase, the applicant cannot now reasonably expect the Council to approve details that are contrary to the relevant policies of the development plan and that would increase the risk of flooding. This application should therefore be refused by the Council.

16. Two letters of support for the application have been received from the following addresses:
67 Duddle Drive, Longstanton
The Beeches, Fewes Lane, Longstanton
Their comments relate to the delay in the consideration of this application and the impact of this on the delay on construction of the bungalow, of which they/a family member are prospective purchasers.
17. Full copies of all representations can be viewed on the public file available online.

The site and its surroundings

18. The application site is within the development framework boundary of Longstanton village. It lies outside of the conservation area and sits to the rear of 'The Retreat', an existing bungalow of late 1960s masonry and tile construction. Extant planning permission exists for the demolition of 'The Retreat' and replacement with 2no. dwellings (S/0277/19/FL). To the west of the application site are 2no. recently constructed dwellings (S/1498/15/FL). The application site is currently residential garden associated with 'The Retreat' and benefits from planning consent for the erection of a 3-bedroom bungalow with parking (S/2937/16/FL).
19. The application site is accessed off the High Street via Fewes Lane, an unadopted access drive and public right of way. Immediately to the north of the garden lies an existing watercourse (ditch) which outfalls into the Longstanton Brook. The site lies within Flood Zone 1 and therefore has a low probability of flooding from rivers and sea. The Environment Agency Surface Flood Water Map shows that this site is in an area of Low to Very Low Surface Water Flood Risk. Longstanton Brook is shown nearby to be at medium to high risk of surface water flooding.

The proposal

20. Planning permission S/2937/16/FL was allowed on appeal at this site for the erection of a 3-bedroomed bungalow with parking. This permission was granted subject to the following pre-commencement conditions which are now sought to be discharged under this current application:

Condition 4 – no construction work shall be commenced until full details of the proposed arrangements for foul water drainage have been submitted to the local planning authority and approved in writing. The new dwelling shall not be occupied or brought into use until the foul water drainage system has been installed and made operational, in accordance with these approved details.

Condition 5 – no construction work shall be commenced until full details of the proposed surface water drainage, both from the building itself and from the proposed driveway area, have been submitted to the local planning authority and approved in writing. The new dwelling shall not be occupied or brought into use until the surface water drainage system has been installed and made operational, in accordance with these approved details.

21. In imposing these conditions the Planning Inspector states, 'conditions relating to foul and surface water drainage are necessary, to prevent flooding, and these need to take effect prior to commencement, to ensure an orderly sequence of works...However, a specific condition controlling run-off from the new dwelling's driveway is unnecessary, as this can be controlled by the condition that I have imposed relating to surface water drainage'.
22. During the course of the application additional and revised information and details have been submitted and some of the information initially issued to discharge the relevant planning conditions has been superseded.
23. The proposed foul water drainage system details discharge of foul drainage into an existing foul sewer in Fews Lane.
24. The proposed surface water drainage system details discharge of surface water to an attenuation tank located within the rear garden of the dwelling. The proposed tank is 1.5m x 7.0m x 0.4m and is stated to be capable of storing to up to the 1 in 100 year plus 40% climate change event. A hydrobrake flow control chamber is shown at the outfall to the proposed storage attenuation tank, which discharges to the existing watercourse (ditch) to the north. The flow control is proposed to limit flow to a rate of approximately 1 litre per second.
25. The submitted information shows the existing watercourse to be at an approximate depth of 1.39m. The width has been measured as approximately 5.3m wide, at the top of the bank, and 2m wide at the base of the watercourse.
26. The driveway serving the dwelling is proposed as a gravel driveway, operating as an infiltration feature.

Background

27. This application was submitted to and validated by the Council on 16 September 2019. A delegated decision was issued on 28 October 2019 confirming discharge of conditions 4 and 5 attached to S/2937/16/FL (allowed on appeal), subject to installation of the foul water and surface water drainage systems in accordance with the approved details.
28. This decision was subject to judicial review from an interested third party who wished to submit comments on the proposed foul and surface water drainage scheme prior to the local planning authority's determination of the application. A consent order was issued on 12 May 2020 quashing the Council's delegated decision to discharge conditions 4 and 5 dated 28 October 2019. The application has subsequently been passed back to the local planning authority for re-consideration and to allow for third party comments to be submitted. These third party comments have since been received and are summarised within this report. Officers can confirm that this application has been subject to re-consultation, including further re-consultation following receipt of additional submissions from the applicant.

29. This application for discharge of conditions is now brought to the planning committee for their consideration of the officers' recommendation in respect of the discharge of conditions 4 and 5 attached to planning permission S/2937/16/FL relating to foul and surface water drainage respectively.
30. The Greater Cambridge Shared Planning Service has appointed expert advice on drainage matters to allow the local planning authority to fully consider the submission details provided by the applicant, to consider any third party comments and to assess the proposed scheme for foul and surface water drainage at this site having full regard to adopted national and local planning policy, as well as published and acknowledged approaches and best practice. A full copy of the report prepared by the appointed consultant, Stantec, is provided at Appendix A, which also includes details of the qualifications and expertise of the consultant providing the advice to the local planning authority.

Planning assessment

31. The National Planning Policy Framework (NPPF) aims to ensure that flood risk is considered at all stages of the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas of highest risk. In exceptional circumstances, where new development is necessary in flood risk areas the policy also aims to ensure it is safe, without increasing flood risk elsewhere, and where possible reducing flood risk overall. For sites less than 1ha in size, such as the application site subject to this discharge of conditions request, and not at risk of flooding, a Flood Risk Assessment is not required, but nevertheless, the principles of ensuring the appropriate and sustainable management of drainage, to mitigate or prevent future flooding, should still form the basis for a sustainable drainage strategy and be used in support for the promotion of sustainable development. The proposed submission details have been assessed taking into account the requirements of the NPPF, in particular paragraph 163.
32. Third party representations refer to the Sustainable Drainage Systems Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and state that the discharge of condition request should be refused on the basis of the contents of these Technical Standards. A statement from the Secretary of State for Communities and Local Government dated 18 December 2014 makes clear that these Technical Standards only apply to developments of 10 homes or more or major commercial development. On this basis, these Technical Standards are accordingly not relevant in the assessment of this application.
33. The Cambridgeshire Flood and Water SPD provides guidance on the approach taken to the design of new development to manage and mitigate flood risk, including sustainable drainage systems. The SPD promotes the surface water hierarchy as follows:
1. To ground in an adequate soakaway or some other adequate infiltration system; or where that is not reasonably practical
 2. A watercourse; or where that is not reasonably practical
 3. A surface water sewer; or where that is not reasonably practical

4. A combined sewer.

34. The Flood and Water SPD provides further guidance on drainage strategies, including suitability of infiltration measures on a site, encouraging opportunities to integrate SuDs being maximised and where obstacles to their use persist, requiring this to be fully justified by an applicant. The SPD also advises that where discharge into a third party asset (such as a watercourse or public sewer) is proposed, then appropriate permissions and consents should have been discussed with the asset owner. The SPD additionally outlines the information required to be submitted as part of any surface water drainage strategy, noting that the level of information provided should be proportionate to the size and complexity of the site. Officers are satisfied that the level of information provided as part of this submission is appropriate, proportionate and in accordance with the adopted SPD.
35. Policies CC/7, CC/8 and CC/9 of the adopted South Cambridgeshire Local Plan 2018 are pertinent to the assessment of the details submitted. Policy CC/7 Water Quality requires all development proposals to demonstrate that there is adequate water supply, sewerage and land drainage systems to serve the whole development. It also expects that foul drainage to a public sewer should be provided wherever possible.
36. Policy CC/8 Sustainable Drainage Systems requires development proposals to incorporate surface water drainage systems (SuDs) appropriate to the nature of the site. Development proposals are required to demonstrate that:
- a) Surface water drainage schemes comply with the Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems and the Cambridgeshire Flood and Water Supplementary Planning Document or successor documents;
 - b) Opportunities have been taken to integrate sustainable drainage with the development, create amenity, enhance biodiversity, and contribute to a network of green (and blue) open space;
 - c) Surface water is managed close to its source and on the surface where it practicable to do so;
 - d) Maximum use has been made of low land take drainage measures, such as rainwater recycling, green roofs, permeable surfaces and water butts;
 - e) Appropriate pollution control measures have been incorporated, including multiple component treatment trains; and
 - f) Arrangements have been established for the whole life management and maintenance of surface water drainage systems.
37. Policy CC/9 Managing Flood Risk states that in order to minimise flood risk, development will only be permitted where:
- a) The sequential test and exception tests established by the National Planning Policy Framework demonstrate the development is acceptable (where required).
 - b) Floor levels are 300mm above the 1 in 100 year flood level plus an allowance for climate change where appropriate and where appropriate and practicable also 300mm above adjacent highway levels.

- c) Suitable flood protection / mitigation measures are incorporated as appropriate to the level and nature of flood risk, which can be satisfactorily implemented to ensure safe occupation, access and egress. Management and maintenance plans will be required, including arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime;
- d) There would be no increase to flood risk elsewhere, and opportunities to reduce flood risk elsewhere have been explored and taken (where appropriate), including limiting discharge of surface water (post development volume and peak rate) to natural greenfield rates or lower, and
- e) The destination of the discharge obeys the following priority order:
 - i. Firstly, to the ground via infiltration;
 - ii. Then, to a water body;
 - iii. Then, to a surface water sewer;
 - iv. Discharge to a foul water or combined sewer is unacceptable.

Policy CC/9 continues further, setting out the requirements for site specific flood risk assessments.

38. In January 2020, the Greater Cambridge Sustainable Design and Construction SPD was adopted. This update is an addendum to the wider Cambridgeshire Flood and Water SPD (2016), and specifically incorporates updates following the publication of the adopted Local Plan in 2018. Whilst it is acknowledged that the adoption of the Sustainable Design and Construction SPD was post the approval of the development under application S/2937/16/FL and therefore the imposition of the conditions currently under consideration, it is a material consideration in the assessment of this application and therefore must be afforded some weight in the decision-making process. In addition, policy CC/8, criteria a) makes reference to ‘...the Cambridgeshire Flood and Water Supplementary Planning Document or successor documents.’ Paragraph 3.7.2 of the Sustainable Design and Construction SPD states ‘this section of the SPD focuses on guidance for the implementation of SuDs policy in the Cambridge Local Plan (2018). This guidance supplements the wider guidance on flooding and drainage provided for in the Cambridgeshire Flood and Water SPD. For applications in South Cambridgeshire, further guidance on policy implementation, alongside drainage checklists, is provided in the Cambridgeshire Flood and Water SPD.’ On this basis, Officers are satisfied that no further assessment of the submission details is required against the recently adopted Sustainable Design and Construction SPD in this instance, and that the guidance within the Cambridgeshire Flood and Water SPD remains relevant to the decision-making for this application.

Condition 4 – Foul Water Drainage

39. Condition 4 relates to discharge of the foul water drainage strategy for the approved 1no. dwelling within the application site. The submitted proposals detail discharge of foul water from the dwelling into an existing public sewer within Fews Lane. This arrangement is considered acceptable in principle, in accordance with policy CC/7 of the South Cambridgeshire Local Plan 2018.

40. A third-party representation raises concern that there has been no evidence provided to demonstrate that the existing public sewerage system has capacity to accommodate additional flows from the development or that discharge into the public sewerage system has been agreed with the relevant sewerage undertaker.
41. As part of the consultation process for this application, a response has been received from Anglian Water, the relevant public sewerage undertaker for this site, who has reviewed the submitted foul water drainage strategy. Anglian Water has confirmed within its written response to the local planning authority that it recommends the discharge of condition 4.
42. On the above basis, and in accordance with the recommendation of our appointed drainage consultant, officers consider that the details provided by the applicant seeking discharge of condition 4 of planning permission S/2937/16/FL are in full accordance with both national and local planning policy and guidance, including Policy CC7 of the South Cambridgeshire Local Plan 2018 and the Cambridgeshire Flood and Water SPD.

Condition 5 – Surface Water Drainage

43. This application also seeks to discharge condition 5, relating to the proposed surface water drainage strategy for the application site, including surface water arising from both the dwelling itself and the associated driveway area. As set out above, the surface water drainage strategy, in summary, seeks to discharge surface water from the dwelling to an attenuation tank located within the rear garden. Surface water from that attenuation tank is then controlled via a hydrobrake flow control chamber into an outfall that falls into the existing watercourse (ditch) to the north. The attenuation tank has been designed to accommodate a 1 in 100 year plus 40% climate change event, and to discharge at a control rate of 1l/s to the adjacent watercourse.
44. The driveway is proposed to be laid to gravel and operate as an infiltration feature.
45. Geotechnical investigation and infiltration tests, in accordance with industry standards, have been undertaken by the applicant, the results of which have been submitted and used to inform the proposed design of the drainage strategy for the application site.
46. The use of permeable surfacing for the driveway is in full accordance with the SuDs hierarchy set out within both policy CC/8 and the Cambridgeshire Flood and Water SPD, which directs discharge, as a first priority, to the ground via infiltration. Infiltration tests supplied by the applicant demonstrate suitable ground conditions for use of infiltration in this location.
47. Surface water run-off from the roof of the dwelling via infiltration, in accordance with the first priority of the SuDs hierarchy set out within Local Plan policy and the Flood and Water SPD, has been discounted by the applicant. Officers and our appointed drainage consultant (Stantec) consider that this has been sufficiently evidenced and justified due to the constricted space within the site for

conventional soakaways or an alternative means of infiltration and due to the geological conditions of the site.

48. Third party representations have been received, stating that the proposed surface water drainage strategy does not accord within the SuDs hierarchy set out within the Local Plan.
49. Officers agree with the third-party objector that the submitted surface water drainage strategy is required to fully accord with the SuDs hierarchy. The SuDs hierarchy sets out a priority order, however it does also allow for discharge not via infiltration, where it can be fully justified as being inappropriate due to site specific reasons or conditions. Accordingly, where fully justified, a surface water strategy that discharges into a water body, such as that proposed, remains in full accordance with adopted national and local planning policy and guidance, being the next suitable option in the SuDs hierarchy priority order.
50. Use of a soakaway results in a concentrated point source of water within the ground. It is advised by the appointed drainage consultant that the risk of water affecting the soils under shallow foundations can be quite high if a soakaway is located close to a building. The Building Regulations, part H, advises against soakaways within 5m of building and roads.
51. In addition, geotechnical information supplied by the applicant evidences clay rich soil of a high plasticity index is present at the site. Again, our appointed drainage consultant has advised that the soil characteristics at this site, are therefore more likely to be at risk of failure through the introduction of soakaways, due to the swelling and shrinkage characteristics of this soil type. Therefore, soakaways or another infiltration feature accepting concentrated run-off, are not recommended within 5m of the building foundations or in proximity to the banks of the existing watercourse. Application of a 5m offset from the building footprint would leave an area of c. 2.5m from the bank of the existing watercourse. Locating soakaways adjacent to a watercourse is also not recommended.
52. Whilst it is agreed with the third-party comments that the 5m rule is not conclusive, given the site characteristics, geology, and proximity of the watercourse, sufficient evidence and justification exists to discount discharge via solutions which concentrate infiltration at this site. Subsequently, in accordance with the priority order of the SuDs hierarchy, discharge to the local watercourse is the next suitable option to deal with the roof run-off for this site, as proposed.
53. Third party representations further state that there are numerous locations for soakaways within the application site greater than 5m from the foundations of the buildings. This has been assessed by the appointed drainage consultant and it is advised that all possible locations within the site have been reviewed and ruled out. Locations outside of the application boundary have not been considered, as this is not deemed to be appropriate.
54. The appointed drainage consultants and officers are subsequently satisfied that the priority SuDs hierarchy order of policy CC/9 is fully accorded with, in respect of discharge to the local watercourse for roof run-off for this site.

55. Greenfield discharge rates have been provided by the applicant for this site. These being:
- 0.1l/s for the 1 year
 - 0.2 l/s for Qbar (mean annual flood)
 - 0.4l/s for 30 years
 - 0.6 l/s for 100 years
56. The proposed discharge rate for the site is 1l/s using a hydrobrake; this being a mechanism used to control the flow of water from the attenuation tank into the outfall and existing watercourse.
57. It is acknowledged that the proposed development runoff rate will exceed the existing greenfield runoff rate for this site. The third party has raised an objection to this application on that basis, stating that as 'the scheme proposes an increase of surface water discharged from the site into Longstanton Brook from the pre-development discharge volume, thereby increasing the flood risk of nearby properties, this is contrary to the stated reason for the condition, which is to prevent flooding'. A similar objection is raised by Longstanton Parish Council.
58. The appointed drainage consultant has advised that the development is for a single dwelling, therefore the equivalent greenfield runoff rates for such a scheme will always be minimal. Therefore, to provide attenuation at the greenfield rate, then this would require the use of a water flow control feature of such a small size that it would be at a high risk of blockages, which itself would then be considered a flood risk. This position is supported by the 'Rainfall Runoff Management for Developments' national guidance, as advised by our appointed drainage consultant.
59. In addition, the Cambridgeshire Flood and Water SPD states that hydrobrakes should be used where rates are between 2l/s – 5l/s and that pipes below 2l/s are prone to blockage, but that this can be overcome with product selection and design. The appointed drainage consultant advises that since the publication of the SPD (2016) manufacturers have now developed hydrobrakes that can operate at 1l/s, as proposed, and that this is the minimum viable runoff flow rate for sustainable control without high risk of blockage (which would cause a greater risk of flooding).
60. Our appointed drainage consultants' report, attached, provides further assessment of the 1l/s flow rate and assesses it having regard to the potential flood risk associated with this. This work concludes that, modelled on a worst-case scenario, the discharge rate of 1l/s will amount to 0.05% capacity of the existing watercourse for the proposed site. Therefore, runoff from this development site would amount to a negligible impact on level and flows associated with the existing watercourse.
61. In addition, the applicant has submitted calculations for the operation of the proposed attenuation during a 10 year 60-minute winter storm plus 40% climate change, with a fully submerged outfall scenario. The submitted information

demonstrates that even in this worst-case scenario, the proposed site will not flood, nor will it cause off-site flooding.

62. It is acknowledged that SPD guidance is to ensure that proposed development does not exceed existing greenfield runoff rates, however such a requirement would likely hinder any small-scale development such as this and the implementation of controls to reduce runoff rates to greenfield below the proposed 1l/s is considered a higher potential flood risk, due to the potential for blockages. The approach set out within the proposed surface water drainage strategy is therefore recommended by the appointed drainage consultant, acting on behalf of the local planning authority, and officers agree that it is overall in accordance with the NPPF, Local Plan policies and the Cambridgeshire Flood and water SPD.
63. The site is not deemed to be at risk of flooding and is below 1ha in size, therefore the requirements for a Flood Risk Assessment are not relevant for this application. Similarly, the site is not subject to the Sequential tests. This is in full accordance with policies CC/8 and CC/9 of the Local Plan.
64. As required by policy CC/9, a below ground operation and maintenance strategy report has been submitted by the applicant, and this will form part of the Health & Safety file for the site. The responsibility for future management and maintenance is secured by this strategy and will be the responsibility of any future owner. These details been reviewed by our appointment drainage consultant and confirmed as being acceptable.
65. In summary, given the above details, and in accordance with the recommendation of our appointed drainage consultant, officers consider that the details provided by the applicant seeking discharge of condition 5 of planning permission S/2937/16/FL are overall in accordance with both national and local planning policy and guidance, including policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018 and the Cambridgeshire Flood and Water SPD.

Other matters

66. Third party representations have been made on the basis that condition 5 should not be discharged as the position of the final outfall for the proposed surface water drainage system is located outside of the red line boundary of the site and that an application to discharge a planning condition cannot extend the boundaries of land to which planning permission relates. The third party recommends that a planning application is made to extend the red line boundary of the application site to include the land proposed for the surface water outflow into the existing watercourse.
67. Officers have considered the red line application boundary against the extent of the development proposed. In officers' judgment, whilst it is arguably the case that the pipe outlet does not extend beyond the red line boundary, if it does, the development beyond that boundary is considered to be so minor that it is de minimis. The query raised by the third party relates to a relatively small part of a pipe outlet, which is underground, and which will not protrude past the profile of the existing ditch. In any event, given that the watercourse immediately adjoins

the northern boundary of the site, the area up to the mid-point of the ditch would be presumed to be within the same land ownership as the application site, and the pipe outlet falls well short of that mid-point.

68. In summary, discharging condition 5 either, does not require an extension of the red line boundary, or, in the event that it does, any extension of development beyond that boundary is considered to be de minimis. It is officers' view that, in the circumstances, it would not be necessary, appropriate, or proportionate to require an application to extend the red line boundary in the public interest. As such, officers recommend that the application to discharge conditions 4 and 5 can be determined in accordance with the recommendation provide below.

Conclusion

69. The submitted details to discharge condition 4, foul water drainage, and condition 5, surface water drainage, are acceptable and in accordance with national and local planning policy and guidance.

Recommendation

70. Officers recommend that the Planning Committee approve this application to discharge conditions 4 and 5 attached to planning permission S/2937/16/FL as follows:

Condition 4 (Foul Water Drainage)

The following details are acceptable to the local planning authority and therefore approved:

Site Plan, Drawing Reference FLL-345-Site 01
Drainage Layout, Drawing Reference 19/0321/100 Rev P9
Below Ground Construction Details, Drawing Reference 19/0321/110 Rev P2

Condition 4 shall be fully discharged once the foul water drainage system has been installed and made operational in accordance with the approved details.

Condition 5 (Surface Water Drainage)

The following details are acceptable to the local planning authority and therefore approved:

Site Plan, Drawing Reference FLL-345-Site 01
Drainage Layout, Drawing Reference 19/0321/100 Rev P9
Ditch Plan and Section 1, Drawing Reference 19/0321/101 Rev P3
Below Ground Construction Details, Drawing Reference 19/0321/110 Rev P2
Document titled Below Ground Drainage Operation and Maintenance Strategy Report, prepared by Andrew Firebrace Partnership Limited

Condition 5 shall be fully discharged once the surface water drainage system has been installed and made operational in accordance with the approved details.

Background Papers

Fews Lane, Longstanton: Drainage Review, Project Ref. 49304, Revision A, dated 20 August 2020. Prepared by Stantec UK Limited.

Appendices

Appendix A: Fews Lane, Longstanton: Drainage Review, Project Ref. 49304, Rev A

Report Author:

Emma Ousbey – Principal Planning Officer
Telephone: 07394 572822

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Agenda Item 9



14 October 2020

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development
Sumaya Nakamya

S/0150/20/FL – 11 Home Close, Swavesey, Cambridge, Cambridgeshire, CB24 4AF

Proposal: Construction of a Two storey and single side extension.

Applicant: Mr Kevin Sherwood

Key material considerations: Principle of Development
Loss of Small units of accommodation
Character and Appearance of the Area
Residential Amenity
Landscaping
Parking provisions

Date of Member site visit: None

Is it a Departure Application: No

Decision due by: 16th March 2020

Application brought to Committee because: Swavesey Parish Council requests the application is determined by Planning Committee.

Presenting officer: Sumaya Nakamya, Planning Officer

Officer Recommendation: Approval

Executive Summary

1. This application seeks planning permission for the development of a two storey and single side extension.
2. Objections have been received from the Parish Council as a result of the application.
3. The application is being recommend for approval by Planning Officers.

Relevant planning history

4. S/2312/13/FL - Construction of 20 affordable dwellings – Approved (Amendment to the S106 - Deed of Variation of S106 to allow the right to buy).

Planning policies

National Guidance

5. National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

South Cambridgeshire Local Plan 2018

6. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
HQ/1 Design Principles
H/13 Extensions to Dwellings in the Countryside

South Cambridgeshire Supplementary Planning Documents (SPD)

7. Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
Greater Cambridge Sustainable Design and Construction Supplementary Swavesey Village Design Guide – Adopted January 2020

Consultation

8. **Parish Council:** Sawevsey Parish Council objects to this planning application for the following reasons:
 - Loss of a 2-bed 'starter' home on an Exception Site which was granted permission specifically to provide smaller starter homes for local residents.
 - Loss of front garden area to create parking area
 - Contrary to the Village Design Guide SPD:
 - paragraph 6.2.1: Maintain hedges, front gardens, verges, irregular building line. New development could continue these features.
 - paragraph 6.2.2: Maintain rural views and gaps
9. The Parish Council comments can be found on the Councils website in full, a summary of the comments are above.

Representations from members of the public

10. There have been no third party representations received on this application.

The site and its surroundings

11. The site is located outside the village framework of Swavesey on the edge of the village. 11 Home Close, Swavesey was part of a major development scheme (Permission: S/2312/13/FL) for 20 Affordable Housing units on what was a Rural Exception Site.

12. The site comprises a two-storey semi-detached dwelling constructed of facing brickwork. On the front of the site there is a sizeable front garden. On the east side of the site, there is a driveway capable of accommodating two vehicles.

13. The properties in this location consist of pitched roof design with a simple and proportionate front elevation with standard fenestrations design finished in white Upvc for the windows and timber for the doors. The properties in this area also have a consistent separation gap between the buildings which are used as car parking spaces. The rear gardens vary in size for each property, but all are adjacent to the open countryside. There is also a consistent front setback forming the front garden adjoining a shared access off Fen Drayton Road. On the south of the road frontage adjacent to the shared access to the site are mature trees and vegetation acting as a screen from Fen Drayton Road. On the extreme east and west side of the site there are mature trees and landscaping.

The proposal

14. The proposal is for the construction of a part two-storey and part single-storey side extension.

15. To compensate for the loss of the side access, it is proposed to site the bin storage area at the front of the site. Also three onsite parking spaces are proposed in the garden area at the front of both the existing property and the proposed extension.

Planning assessment

16. The key considerations in this application are:

- Principle of Development
- Loss of Small units of accommodation
- Character and Appearance of the Area
- Residential Amenity
- Landscaping
- Parking provisions

Planning balance and conclusion

Principle of Development

Principle of development in the countryside

17. The site lies outside the defined village framework. Local Plan Policy H/13 states that extensions to dwellings outside framework boundaries will be permitted subject to compliance with 5 criteria (parts a-e). Parts d and e of the policy are not of relevance to this application. Parts a-c are considered in further detail below.
18. Policy H/13 part a) refers to development not creating a separate dwelling or being capable of separation from the existing dwelling. The proposed side extension would be built almost up to the side boundary. The proposed extension would comprise a new bedroom on the first floor and on the ground floor both the existing lounge and kitchen and dining area will be extended showing a functional link to the main house. Given the plan layout of the proposed extension it is considered that there is no potential for separation from the existing dwelling.
19. Policy H/13 part b) requires any extension to be in scale and character with the existing dwelling and to ensure it would not materially change its impact on its surroundings. This is considered in further detail in paragraphs 22-28 of this report, which concludes that the proposal would not have an adverse impact on its surroundings, and will be in character with the existing dwelling by virtue of its scale and design. As such, the proposed development would not materially change its impact on its surroundings and therefore would accord with Policy H/13 b) of the South Cambridgeshire Local Plan, 2018.
20. In accordance with part c) of Policy H/13, the existing home is considered to be of permanent design and construction.
21. For the reasons outlined above, the proposed development is in accordance with Policy H/13 of the South Cambridgeshire Local Plan, 2018.

Loss of Small Unit of Accommodation

22. The Parish Council has raised an objection to the proposal due to the loss of a 2-bed 'starter' home on an Exception Site, contrary to the aims of the permission, specifically to provide smaller, 'starter' homes for local residents.
23. The South Cambridgeshire Local Plan, 2018 does not contain any policies seeking to prevent smaller dwellings being extended, and the permission is not subject to any conditions that prohibit enlargements to existing dwellings on this site.
24. Therefore, Officers consider that the proposed development is acceptable as it accords with the local plan policies and there is no reason in policy terms to warrant a refusal in this instance.

Character and Appearance of the Area

25. Policy HQ/1 states that all new development must be of high quality design, with a clear vision as to the positive contribution the development will make to its local and wider context..
26. The proposed extension would have a high quality design with features that will match those on the existing dwellinghouse. The proposal will be located on the east elevation of the dwelling measuring at ground floor level a depth of approximately 6.8m and, a depth of 4.8m on the upper level. The width of the extension on both floors will be approximately 2.5m with an eaves height of approximately 5.2m and a maximum ridge height of approximately 6.8m. Compared to the existing dwellinghouse which has a width of approximately 5.2m and a depth of approximately 7.8m with a ridge height of approximately 7.9m, the proposed extension would be comparably subservient and lower in scale to the original dwelling. The single storey element would have a height of 2.3m to the eaves with an overall height of 3.6m. The proposed external finishing materials of the extension will be facing brickwork to match the existing house and, the proposed fenestrations will also match those on the original dwellinghouse. It is considered that the proposed development is acceptable by virtue of its design, location, height, and scale against the original house. Furthermore, the proposal will be offset by approximately 0.9m from the front elevation of the main house which would result in a subservient addition to the host building and it would not result in an incongruous and visually intrusive addition in the street scene.
27. The Parish Council has raised concern that the proposed extension would result in the loss of a rural vista through to open fields and that the proposal would not maintain hedges, front gardens, verges and irregular building line. Therefore, the proposal would be contrary to paragraphs 6.2.1 and paragraph 6.2.2 of the adopted Village Design Guide (SPD).
28. The paragraphs referred in the Parish Council's comments do not relate to the application site but rather they relate to development proposals along the main road south of the historic core of the village. The paragraphs that relate to development on Home Close are paragraphs 6.3.1 and 6.3.2 (mixed linear development), which state that new development should maintain existing landscape features, and should take cues from the street section, hedges and verges, off-street parking, views through to the landscape, and the harmonious variety of houses.
29. The Village Design Guide notes that these areas are characterised by a simple arrangement of houses with front gardens onto secondary roads, and with small breaks in the frontage giving views through to the landscape behind. Officers acknowledge that the introduction of the proposed development would reduce the separation gap between the site and No.10 to the east, thus impacting on views through the site. However, given that there would still be a gap between the two properties,, it is considered that views into the open countryside behind the site

would not be significantly impacted in this instance, and that the development would not compromise the aims of the Design Guide. Therefore, the proposed extension is considered to be acceptable and to meet the objectives of the Village Design Guide (SPD), 2020.

30. For the reasons outlined above, it is considered that the proposed extension is acceptable by virtue of its location, design, scale, and height and would accord with Policy HQ/1 of the South Cambridgeshire Local Plan, 2018, and paragraphs 6.3.1 and 6.3.2 of the Village Design Guide (SPD) adopted 2020.

Access to Rear Garden

31. The Parish has asked for clarification as to how access will be obtained to the rear garden. The proposed two storey side extension will be set away from the side boundary by approximately 0.4m. The applicant's agent has noted that there is no planning requirement for access to rear gardens. However, as the width of the path would be too narrow to wheel bins and bikes, the proposal includes a small bin store to the front of the proposed extension as well as space for bike storage. Details for the bike storage have not been submitted however, this can be achieved by an imposition of a condition to the approval.

Landscaping

32. The Parish Council objects to the loss of the front garden area to create car parking spaces. The lawn on the front garden has already been replaced with permeable paving and, as permitted development rights haven't been removed for the properties, this does not require planning permission. Additionally, whilst the approved permission ref: S/2312/13/FL was subject to a landscaping management condition, the 5 year requirement for landscaping maintenance has expired, and the works carried out with respect to removal of the landscaping is acceptable and not in breach of planning control.

Residential Amenity

33. Given its interface with the neighbouring property, the proposal would not be unneighbourly with respect to overlooking, overbearing and loss of light. The proposal would be positioned significantly at a distance from No.10 which is the closest neighbour to the proposed development, and the site visit revealed that on the flank wall of No.10 there are no windows that would be impacted as a result of the proposed extension.
34. Therefore, it is considered that the proposed development would not create any significant detrimental impacts upon the residential amenity of neighbouring properties, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018

Parking Provision

35. This application proposes to provide 3 no. onsite parking spaces in the front garden and to the front of the extension.
36. Policy TI/3 of the South Cambridgeshire Local Plan states an indicative minimum car parking provision of 2 spaces per dwelling. There is sufficient space at the front of the property to accommodate two parking spaces in accordance with this policy.

Conclusion

37. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

38. Officers recommend that the Committee APPROVES the application, subject to the following recommended 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 permission for development, which have not been acted upon).
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 01 Revision A date amended 03 July 2020.
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
 3. No development shall take place above ground level, until full details of facilities for the covered, secure parking of bicycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided and thereafter retained in accordance with the approved details.
(Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policies HQ/1 and TI/3 of the South Cambridgeshire Local Plan, 2018.)

Background Papers

39. 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 Plan Supplementary Planning Documents (SPD's)
- Planning File Refs: S/2312/13/FL and S/0150/20/FL

Report Author:

Sumaya Nakamya - Planning Officer
Telephone Number - 07704018455

Agenda Item 10



South
Cambridgeshire
District Council

Report to:

Planning Committee

14 October 2020

Lead Officer:

Director of Planning and Economic Development

20/02217/FUL – Cottenham (8 Millfield)

Proposal: Change of use of land to form part of residential curtilage and the erection of a double garage.

Applicant: Mr Paul Levitt

Key material considerations:

- Principle of development in relation to development framework
- Visual encroachment of the open countryside

Date of Member site visit:

Is it a Departure Application: Yes

Decision due by: 25/06/2020

Application brought to Committee because: Departure from policy S/7

Presenting officer: Rebecca Claydon

Officer recommendation: Approval

1. Executive Summary

1.1 The proposal is for the change of use of 0.05 hectares (ha) of land to the southwest of 8 Millfield to C3 residential use to form part of the curtilage of the property, as well as the erection of a double garage. Whilst the proposal is outside of the development framework and contrary to Policy S/7 of the South Cambridgeshire Local Plan (2018), the extent of conflict with the Local Plan is limited. It is considered that the proposal would preserve the character and appearance of the area, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

2. Relevant planning history

- 2.1. S/3768/19/19/FL – Two storey side extension, single storey rear extension and loft conversion - Permitted

3. Planning policies

South Cambridgeshire Local Plan (2018), policies HQ/1 and S/7
National Planning Policy Framework (NPPF)
Cottenham Neighbourhood Development Plan (Referendum Version, February 2020; significant weight to be given) COH/2-1
District Design Guide

4. Consultation

- 4.1. Cottenham Parish Council - Location of the site is well outside the development framework and is therefore contrary to Neighbourhood Plan policy COH/2-1 (development proposals outside the development framework will be supported where they are designed to provide facilities for rural enterprise, agriculture, forestry or leisure, or where they otherwise accord with national or local planning policies) and Local Plan policy S/7 (criterion 2). The Parish recommend refusal. Should the Officer be minded approve then we would like this application to go to SCDC Planning Committee.
- 4.2. Sustainable Drainage Engineer – The development proposed is acceptable subject to the imposition of the condition outlined below: Surface water.
- 4.3. Environmental Health – Conditions and informatives recommended.
- 4.4. Trees Officer – No objection.

5. Representations from members of the public

- 5.1. No representations received from members of the public.

6. The site and its surroundings

- 6.1. Millfield is a single-track road located outside the development framework of Cottenham, to the east of the village. 8 Millfield is located on the south side of the track and is separated from neighbouring properties by fields. There are also fields to the rear of the property. There are 5 dwellings situated opposite No.8, all of which have on-site parking and/or garages, as well as large rear gardens. 8 Millfield itself is a two-storey detached building with a single storey rear element.

6.2. The parcel of land that is proposed for the change of use is 0.05ha in size and, whilst its lawful use is for agricultural purposes, the land is not currently part of a wider agricultural land holding in active agricultural use.

6.3. The site is not located within the green belt.

7. The proposal

7.1 The proposal is for a change of use of the land to form part of the residential curtilage of the host property and the erection of a double garage. The land is 0.05ha and is located to the southwest of 8 Millfield. It would extend the garden of the host property some 23.5m along the road at a depth into the site of 28.5m.

7.2 There would be associated landscaping to the front of the garage, behind which would be two car parking spaces, as well as a guest parking space adjacent to the southwest elevation of the existing property. The proposed double garage would be set back from the roadway, single storey and would be clad in horizontal timber cladding and tiled to match the existing house. The garage would be approximately 2.20m to its eaves and 4m to its ridge. It would be 6.2m in length and width. There would be a distance of 17.78m between the southwest elevation of the existing dwelling and the proposed garage, and 7.62m between the highway and the proposed garage. It would be used to accommodate a larger car as well as cycle storage, other storage and wheeled bins.

8. Planning assessment

8.1. The key issues to consider in the determination of this planning application are the principle of the development and the impact of the proposal on the visual amenity of the area and encroachment into the countryside.

Principle of Development

8.2. The site sits outside of the Cottenham development framework.

8.3. Policy S/7 seeks to control development which is proposed outside of the development framework, only allowing allocations within Neighbourhood Plans 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 the plan. The proposal is therefore, at face value, contrary to this policy and to the Neighbourhood Plan policy COH/2-1, which is subject to referendum, and which in respect of the proposal in question, re-iterates the principles established by S/7.

- 8.4. Para 2.52 of S/7 recognises that large gardens on the edge of development frameworks are often dissected by the framework boundary and that this is to limit the potential for further residential development. Para. 2.52 states that the policy is not operated to establish a presumption against the grant of planning permission for domestic buildings in those parts of residential curtilages excluded from the framework. Where permission is required for such development, the policy indicates that applications will be considered on their own merits.
- 8.5. 8 Millfield is detached and is opposite a stretch of semi-detached houses with large rear curtilages. Whilst not on the edge of the Cottenham development framework boundary, the conflict with the policy should be weighed against the visual impact and encroachment arising from the change of use and development proposed to the open countryside.

Visual Impact and Encroachment

- 8.6. The change of use would result in an extension of the residential curtilage of 8 Millfield. The change of use to residential curtilage itself would not harm visual amenity or the openness of the land. It would be compatible with the location and size of the property and context of the surrounding area which includes existing housing with large gardens.
- 8.7. The proposed double garage is set back from the roadway, landscaped to its front and modest in height (2.20m to its eaves, 4m to ridge). It would incorporate a pitched roof form and be subservient in scale. It would constitute a minor encroachment into the countryside of built form, but no visual harm would result from its siting or scale.
- 8.8. It is therefore considered that the proposal would preserve the character and appearance of the area, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

Other Matters

- 8.9. The proposal would not create any significant impacts in respect of any other material planning considerations, including on residential amenity. To ensure the residential garden is not subject to further encroachment of built form, proposed condition 4 removes permitted development rights in respect of outbuilding.

9.0 Recommendation

- 9.1 Officers recommend that the Planning Committee **APPROVES** the application, subject to the following 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 permission for development, which have not been acted upon).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 3 No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy.

- 4 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To safeguard the land from encroachment of building (South Cambridgeshire Local Plan policies S/7 and HQ/1)

- 5 Prior to commencement of the development of the garage a scheme for the disposal of surface water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.

This would need to include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- c) A site plan identifying indicative locations for sustainable drainage features;
- d) Evidence to support b) which must include infiltration / percolation testing.

All external areas should utilise permeable surfaces.

Reason: To ensure that the scheme is compliant with South Cambridgeshire Local Plan (2018) policies CC/7 and CC/8.

Informative

6. There shall be no burning of any waste or other materials on the site, without prior consent from the Environment Agency. A D7 exemption registered with the Environment agency is required.

Reason: To ensure nuisance is not caused to local residents

Background Papers

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Plan Supplementary Planning Documents (SPD's)

Report Author:

Rebecca Claydon – Planning Officer
Telephone: 07704018459

Agenda Item 11



14 October 2020

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

20/03308/CL2PD – 51 Brookfield Way, Cambourne

Proposal: Lawful certificate for a proposed single storey side extension to both sides of detached house

Applicant: Ms Ayre

Key material considerations: Whether the proposal constitutes permitted development

Date of Member site visit: None

Is it a Departure Application?: No

Decision due by: 24 September 2020

Application brought to Committee because: The applicant is a member of staff at South Cambridgeshire District Council

Presenting officer: John McAteer. Planner

Officer Recommendation: Approval

Executive Summary

1. This application is for a lawful development certificate for two proposed single storey side extensions to the existing property. The proposed development complies with the criteria set out within the Town and Country Planning General (Permitted) Development Order 2015 (as amended) and is therefore lawful.

Relevant planning history

2. None.

Planning policies

3. None of relevance. The application seeks to demonstrate, in accordance with Section 192 of the Town and Country Planning Act (1990) that the development proposed to be carried out is lawful. The planning merits and policies within the development plan are not therefore of relevance to the application.

Consultation

4. Cambourne Town Council None received (consulted for information only).

Representations from members of the public

5. None consulted.

The site and its surroundings

6. The property is 51 Brookfield Way, a three-storey detached property located within the development framework of the village of Cambourne.

The proposal

7. This is an application for a Lawful development certificate for two proposed single storey side extensions, one to either side of the existing detached house.

The application is supported by the following evidence: **Plans, Application Form**

The application is made under Section 192 of the Town and Country Planning Act 1990.

Planning assessment

8. The application proposes to erect a single storey flat-roofed extension on each side of the dwelling. Each extension would measure 2.6 metres wide x 7.725 metres deep and would be constructed from materials to match those of the ground floor of the existing house.

The property is in C3 residential use and has the permitted development rights associated with that use, as detailed in Schedule 2 of the Town and Country

Planning (General Permitted Development) Order 2015. These rights have not been restricted or removed by any previous planning conditions.

The two proposed single-storey side extensions on either side of the existing house comply with the requirements of sections (a), (b), (c), (d), (e), (f), (i) and (j) of Part 1 Class A of the above regulations in terms of the use of the dwelling house, total area of ground covered, the overall height, the principle elevation, the distance from the boundary, and the width of the extension beyond the side elevation.

The proposal does not conflict with the requirement of section (h) as it would not add more than a single storey.

Recommendation

9. From the plans submitted it is considered that the proposed works comply with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 thereby falling within the scope of permitted development. It is therefore recommended that a Lawful Development Certificate be granted.

Report Author:

John McAteer – Planning Officer
Telephone: 7514926553

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Agenda Item 12



Report to: Planning Committee

14th October 2020

Lead Officer: Joint Director of Planning and Economic Development

Enforcement Report

Executive Summary

1. On 30 September there were 196 open cases.
2. 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.
3. Statistical data is contained in Appendices 1 and 2 to this report. A summary of enforcement action at 5 Church End, Arrington is attached at Appendix 3.

Updates to significant cases

Updates are as follows:

Chaplin's Farm, Fulbourn

Land used as caravan site without planning permission or site licence.

Hearing at Cambridge Crown Court on 28 May 2020, Sentence and Proceeds of Crime Act.

The Judge was content to proceed in the absence of Mr Adrian Chaplin as he had signed the consent and agreed the papers.

Sentence was passed in line with the basis of his plea advanced in the Magistrates Court previously and he was given full credit.

Adrian Chaplin was sentenced to a conditional discharge (on each offence) for 6 months.

Confiscation order made in the sum of £200,000 (POCA Lifestyle Offence).

A £25,000 costs order was also made against Mr Chaplin.

All the above are to be paid by 28 August 2020. £200,000 confiscation confirmed paid to ARIS on 28 August. Costs have yet to be received via the court.

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. Legal case officer now allocated waiting for further information as to timing. Magistrates Courts are currently only dealing with emergency cases. Advised that courts are starting to list cases with firm dates.

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 – Appeal allowed; Enforcement Notice quashed. Replacement notice to be drafted and served. Enforcement Notice served on 9th July 2020. Compliance visit to be carried out after 7th October.

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. Awaiting issue of summons. Magistrates Courts are currently only dealing with emergency cases. Advised that courts are starting to list cases with firm dates.

14A, Colts Croft, Great and Little Chishill, Royston, SG8 8SF

Not constructed as approved plans in that section of the existing garage has not been demolished and rebuilt to a reduced size to allow for parking spaces and parking spaces have not been paved as specified. Breach of Condition Notice issued 05 November 2019.

Owners have failed to comply with the requirements of the notice. 10 February 2020 prosecution file submitted to legal. 20 February 2020, Legal Officer allocated, awaiting issue of summons. Hearing set for 02 April 2020, postponed, Magistrates Courts are currently only dealing with emergency cases. Provisional court date 01 September 2020. Confirmation from Legal that case will not proceed on 01 September. Advised that courts are starting to list cases with firm dates. Advised by legal that defendants have written to the court entering a guilty plea. Court date fixed for 19th October at Cambridge Magistrates.

Elmwood House 13A High Street, Croxton, PE19 6SX

Extension and garage granted permission by S/2126/18/FL, not constructed as approved plans and approved materials not used. Retrospective application S/0865/19/FL to retain as constructed refused. Enforcement Notice requiring garage and extension to be demolished served, 18 December 2019. Enforcement Notice appealed. Appeal process commenced.

29 April 2020.

Appeals resulted,

Appeal A, allowed on ground (f), the appellant now has three options, (i) Demolish completely, (ii) Demolish to brick plinth level and rebuild as S/2126/18/FL or (iii) Remove exterior render finish and replace with brick tiles to match existing and construct roof as approval S/2126/18/FL.

Appeal B, planning permission should be allowed for development as built, dismissed.

Background Papers

Planning Enforcement Register.

Statistical Analysis of Uniform Planning Enforcement Software Program.

Appendices

Appendix 1: Enforcement Cases Received and Closed.

Appendix 2: Notices Served.

Appendix 3: Plots 1 & 2, Land adjacent to 5 Church End, Arrington.

Report Author:

Alistair Funge – Acting Principal Enforcement Officer

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Enforcement Cases Received and Closed

Month – 2020	Received	Closed
January 2020	45	47
February 2020	37	12
March 2020	41	25
April 2020	22	12
May 2020	33	19
June 2020	46	29
July 2020	35	10
August 2020	51	10
September 2020	49	13
July 2019	68	56
August 2019	68	65
September 2019	41	33
October 2019	62	81
November 2019	56	64
December 2019	39	53
1 st Qtr. 2020	123	84
2 nd Qtr 2020	101	60
3 rd Qtr 2020	135	33
1 st Qtr. 2019	135	134
2 nd Qtr. 2019	146	155
3 rd Qtr. 2019	177	154
4 th Qtr 2019	157	198
1 st Qtr. 2018	161	148
2 nd Qtr. 2018	156	167
3 rd Qtr. 2018	176	160
4 th Qtr. 2018	177	176
1 st Qtr. 2017	122	122
2 nd Qtr. 2017	157	165
3 rd Qtr. 2017	148	118
4 th Qtr. 2017	175	158
2020 - YTD	359	177
2019 - YTD	615	641
2018 - YTD	670	651
2017 - YTD	602	563
2016 - YTD	565	563
2015 - YTD	511	527
2014 - YTD	504	476

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Notices Served

1. Notices Served in September 2020

Type of Notice	Period	Calendar Year to date
	September 2020	2020
Enforcement	2	7
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	0
S215 – Amenity Notice	0	0
Planning Contravention Notice	0	0
Injunctions	0	0
High Hedge Remedial Notice	0	0

2. Details of Notices served in September 2020

Ref. no.	Village	Address	Notice issued
SCD-EN-1239-20B Unauthorised Material Change of Use from Agricultural to Residential Curtilage and Construction of a Sports Pitch	Fen Ditton	Land to rear of 41a Green End	Enforcement Notice
SCD-EN-01326-20 Material Change of Use from Agricultural to Construction Training Centre	Fulbourn	Grange Business Park, Babraham Road	Enforcement Notice

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Appendix 3 - Plots 1 & 2, Land adjacent to 5 Church End, Arrington.

From 2018 to date there have been nine enforcement investigations in response to complaints.

Reference	Date	Issue	Outcome
ENF/0310/18	25/06/18	Boundary posts erected to peg out plots following grant of outline planning permission	No Breach – Permitted Development
ENF/0642/18	07/12/18	Fencing erected to divide building plots	No Breach – Permitted Development
ENF/0473/19	02/10/19	Access to highway created & public footpath obstructed	No Breach – Express Consent Granted
ENF/0478/19	02/10/19	Development commenced prior to discharge of pre-commencement conditions	No Breach – Archaeology Survey
EN/01077/20	05/03/20	Topsoil removed from site prior to discharge of pre-commencement conditions	No Breach – Archaeology Survey
EN/01094/20	13/03/20	Breach of	No Breach –

		Condition restricting working hours	Archaeology Survey
EN/01158/20	29/04/20	Ground levels not measured to ensure dwelling constructed to approved height	No Breach – Datum level specified in approved plan.
EN/01173/20	12/05/20	Breach of Condition restricting working hours	Complied no further breaches reported
EN/01403/20	07/09/20	Building material unloaded into resident parking space	No Breach – Building materials removed

All investigations have been finalised.

In May complaints were received that work was being carried out in breach of the working time restrictions. Since the involvement of an Enforcement Officer no further breaches of working hours have been reported.

The most recent complaint received on 7th September, concerned building materials being deposited in a resident parking space.

The complaint was not a breach of planning; however, the site was visited within 2.5 hours and the materials had been removed. Both plots appeared tidy and well organised and the dwellings were well advanced in their construction.

Agenda Item 13



Report to: Planning Committee

14 October 2020

Lead Officer: Joint Director of Planning and Economic Development

Appeals against Planning Decisions and Enforcement Action

Executive Summary

1. This report informs Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as at 29 September 2020. Summaries of recent decisions of importance are also reported, for information.

Appendices

Appendix 1: Decisions Notified by the Secretary of State

Appendix 2: Appeals received

Appendix 3: Local Inquiry and Informal Hearing dates scheduled

Report Author:

Ian Papworth
Telephone Number:

Technical Support Officer (Appeals)
01954 713406

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Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/4041/19/FL	38 School Lane Thriplow	Demolition of existing bungalow & shed and the construction of a new dwellinghouse (Re-submission of S/2140/19/FL)	Dismissed	07/09/2020	Refused
S/3624/19/FL	2A, North Brook End Steeple Morden	Change of use of garage/gardeners store to dwelling	Dismissed	07/09/2020	Refused
S/3376/19/FL	36, Whittlesford Road, Newton	One and two storey rear extension and single storey front extension as resubmission of S/0322/19/FL	Dismissed	11/09/2020	Refused
EN/01239/20	41A Green End Fen Ditton	Artificial turf being laid on land in conservation area.	Withdrawn	15/09/2020	Enforcement
S/4193/19/FL	9, Hunts Road, Duxford	Proposed Single Storey Side Extension and Loft Conversion	Dismissed	17/09/2020	Refused

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Appeals Received

Reference	Address	Details	Date Appeal lodged
S/0030/20/FL	38 Moorfield Road Duxford	Single storey side extension, first floor rear extension, first floor front extension, the demolition of existing garage and the erection of one and half storey garage with studio above	04/09/2020
S/4518/19/FL	7 Back Lane Barrington	Demolition of the existing bungalow, the erection of two new dwellings and works	26/08/2020
20/02088/HFUL	Evergreens, Annexe, Newmarket Road Stow Cum Quy	Extension and associated works	28/09/2020
20/02094/FUL	Land At 26 South End Bassingbourn	Construction of 1 No. 1/2 Storey Detached Dwelling	28/09/2020

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Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- Local Inquiries

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
NIL	NIL	NIL	NIL	NIL

- 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	9/11/2020 Virtual (to be confirmed)
S/1625/18/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	9/11/2020 Virtual (to be confirmed)
S/0913/19/VC	Mr J Hart	Apple Acre Park, London Road, Fowlmere	Non determination	To be confirmed
S/4518/19/FL	Mr Jamie Wardley	7 Back Lane Barrington	Non Determination	To be confirmed

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