

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500

f: 01954 713149

www.scambs.gov.uk



2 August 2021

To: Chair – Councillor Pippa Heylings
Vice-Chair – Councillor Henry Batchelor
All Members of the Planning Committee - Councillors Dr. Martin Cahn,
Peter Fane, Geoff Harvey, Dr. Tumi Hawkins, Judith Rippeth,
Deborah Roberts, Heather Williams, Dr. Richard Williams and
Eileen Wilson

Quorum: 3

Substitutes Councillors Nick Wright, Sue Ellington, Grenville Chamberlain,
if needed: Mark Howell, Dr. Shrobona Bhattacharya, Graham Cone,
Dr. Claire Daunton, Anna Bradnam, Brian Milnes and Jose Hales

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held in the **Council Chamber - South Cambs Hall** on **Wednesday, 11 August 2021** 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 relevant page of the Council's website , 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

Important information for public speakers and those wishing to observe proceedings

Pages

Following the end of temporary legislation allowing for public meetings to be conducted entirely virtually, it is now possible for public speakers to attend a meeting and speak in person. However, because we still need to follow government advice on indoor gatherings and social distancing, the seating available for members of the public will be severely restricted. We therefore would urge you to observe proceedings or participate remotely if possible. If you feel you really need to be present in person, please contact Democratic Services and request a place. Seats might only become available when other people leave the meeting. We regret that there is currently no public car parking available on site.

1. Chair's announcements

2. Apologies

Councillor Judith Rippeth has sent Apologies for Absence. 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 a Previous Meeting

To authorise the Chair to sign the Minutes of the meeting held on 14 July 2021 as a correct record.

1 - 8

5. 20/01992/FUL - Toft (Bennell Farm, West Street)

9 - 72

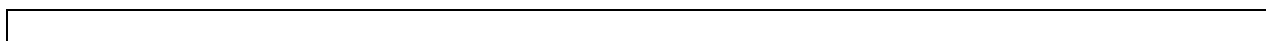
Erection of 41 dwellings, including two self-build plots and associated development

6. 20/04754/HFUL - Girton (Reston, Huntingdon Road)

73 - 86

Removal of existing rear conservatory and replace with larger rear extension with canopy. Extension of existing rear and front gables. Loft conversion with the addition of rooflights. Replacement garage with workshop above and new detached outbuilding with tennis court and gym to rear.

7.	21/02538/HFUL - Over (30 Hilton Street)	87 - 92
	Two-Storey rear extension and two additional gable windows	
8.	21/02726/HFUL - Fowlmere (6 Westfield Road)	93 - 102
	Single-storey rear extension replacing existing outbuilding with associated internal alteration	
9.	21/0794/TTHR - Cottenham (Land at the junction of Smithy Fen and Twentypence Road)	103 - 106
	Removal of one section of hedgerow, seven metres long, to facilitate the pipelaying of a new sewer	
10.	To make a provisional Tree Preservation Order - Fulbourn (14 Doggett Lane)	107 - 110
11.	To revoke a Tree Preservation Order - Haslingfield (New Road)	111 - 112
12.	To revoke a Tree Preservation Order - Coton (44 High Street)	113 - 114
13.	To revoke a Tree Preservation Order - Balsham (17 Woodhall Lane)	115 - 116
14.	Enforcement Report	117 - 124
15.	Appeals against Planning Decisions and Enforcement Action	125 - 132



Guidance for visitors to South Cambs Hall. Please also refer to the Covid-security measures relating to meetings in the Council Chamber which are on the website page for each relevant meeting.

Members of the public wishing to view the meeting will be able to watch the livestream via the link which will be publicised before this meeting.

Members of the public wishing to attend the meeting in person, please contact Democratic Services at democratic.services@scambs.gov.uk

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

Security

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

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

Emergency and Evacuation

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

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

First Aid

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

Access for People with Disabilities

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

Toilets

Public toilets are available on each floor of the building next to the lifts. These include facilities for disabled people.

Recording of Business and Use of Mobile Phones

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

Exclusion of Press and Public

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

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

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

Notes

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

This page is left blank intentionally.

Agenda Item 4

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 14 July 2021 at 10.00 a.m.

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

Councillors: Dr. Martin Cahn Peter Fane
Geoff Harvey Dr. Tumi Hawkins
Judith Rippeth Deborah Roberts
Heather Williams Dr. Richard Williams

Officers in attendance for all or part of the meeting:

Sharon Brown (Assistant Director (Planning Delivery)), Christopher Carter (Delivery Manager - Strategic Sites), Richard Fitzjohn (Senior Planning Officer), Miriam Hill (Trees Officer), Paul Hunt (Planner), Charlotte Peet (Planning Officer), Richard Pitt (Principal Planning Lawyer), Ian Senior (Democratic Services) and Alice Young (Planning Officer)

1. Chair's announcements

The Chair made several brief housekeeping announcements.

2. Apologies

Councillor Eileen Wilson sent apologies.

3. Declarations of Interest

Councillor Judith Rippeth declared a non-pecuniary interest in Minute 5 (20/05253/FUL - Waterbeach (Cambridge Innovation Park, Denny End Road)) as one of the local Members for Milton and Waterbeach. Councillor Rippeth had met the applicant three years ago when the application was in a different iteration and subsequently withdrawn. Councillor Rippeth was considering the matter afresh.

Councillor Deborah Roberts

- declared a non-pecuniary interest in Minute 6 (S/4252/19/FL - Fowlmere (Cherry Tree Field, Shepreth Road)) as a member of Fowlmere Parish Council. Councillor Roberts stated that she had taken no part in drafting the Parish Council's written response.
- Stated that she would not take part in, or vote upon, Minute 9 (21/0662/TTHR - Cottenham (Land at Setchel Drove and Smithy Fen)) because it related to a Travellers site.

Councillor Heather Williams

- Declared a non-pecuniary interest in Minute 7 (21/01390/HFUL - Fulbourn (24 Shelford Road)) because she was friends with, and members of the same political group at South Cambridgeshire District Council as, Councillor Graham Cone, one of the applicants. Councillor Heather Williams took no

- part in the debate and did not vote.
- Declared a non-pecuniary interest in Minute 14 (Enforcement Report) as the local Member for Arrington.
- Stated that she was a member of the Greater Cambridge Partnership Joint Assembly.

Councillor Dr. Richard Williams declared a non-pecuniary interests in Minute 7 (21/01390/HFUL - Fulbourn (24 Shelford Road)) because he was friends with, and members of the same political group at South Cambridgeshire District Council as, Councillor Graham Cone, one of the applicants. Councillor Dr. Richard Williams took part in the debate and did not vote.

In respect of Minute 6 (Minute 6 (S/4252/19/FL - Fowlmere (Cherry Tree Field, Shepreth Road)), Councillors Dr. Martin Cahn, Peter Fane, Dr. Tumi Hawkins, Judith Rippeth, Deborah Roberts, Heather Williams, and Dr. Richard Williams all declared that they were considering the matter afresh having been present at the meeting on 11 November 2020 when this application had first been considered.

4. **Minutes of Previous Meeting**

The Committee authorised the Chair to sign, as a correct record, the minutes of the meeting held on 19 February 2021 subject as follows:

Minute 2 – Apologies

Replace “...for apologies...” with “...for absence...”.

Minute 4 – Bourn Airfield

In the final line of the paragraph immediately following the first set of bullet points relating to Part 2 of the presentation, replace “...the Busway...” with “...a Busway...”.

Councillors Pippa Heylings and Judith Rippeth were not present at the meeting on 19 February 2021 so did not take part in authorising the Chair to sign the minutes.

The Committee authorised the Chair to sign, as a correct record, the minutes of the meeting held on 26 May 2021 subject as follows:

Minute 4 – Minutes of the meeting held on 13 April 2021

Between the words “...there was...” and “...need to...” delete the word “...no...” from the additional wording so that it reads

“Councillor Judith Rippeth spoke as a local Member and articulated that her main concerns with the application could be addressed as Reserved Matters rather than at the Outline stage. She added that there was need to attribute significant weight to the inspector’s decision to allow the planning application on the neighbouring site, where the inspector had stated that the Bannold Road was no longer of a rural nature and was now more suburban in character.”

Minute 6 - 20/03802/FUL - Orchard Park (Development Parcel L2, Topper Street)

To the list of bullet points add “significant open space contribution”

Minute 10 - 20/02593/OUT - Weston Colville (Garage Plot to North of 14 Horseshoes Lane)

The first paragraph should read

“Members briefly discussed access to the adjacent farmyard, historical flooding on site, and car parking. In relation to the final point, the case officer said that while the Council could require the applicant to submit a traffic management plan, this would not usually be warranted in the case of a single dwelling.”

The Committee authorised the Chair to sign, as a correct record, the minutes of the meeting held on 9 June 2021 subject as follows:

Minute 5 - S/2896/19/FL - Duxford (Imperial War Museum, Royston Road)

Replace the paragraph beginning “For Councillor Geoff Harvey...” with

“For Councillor Geoff Harvey, the benefit to tourism and leisure was significant. He said that the design of the hotel should protect future residents of it from noise from the airfield.”

At the end of that minute, “...in favore...” should be “...in favour...”

5. 20/05253/FUL - Waterbeach (Cambridge Innovation Park, Denny End Road)

The case officer reported that the Drainage Manager had no objection and outlined the business case supporting the application.

Professor John French (applicant), Councillor Jane Williams (Waterbeach Parish Council) and Councillor Judith Rippeth (in her capacity as one of the local Members) addressed the meeting. The Delivery Manager Strategic Sites read out a statement from Councillor Paul Bearpark, another of the local Members.

There was some concern relating to the phasing of the footpath lighting along the north side of Denny End Road. Cambridgeshire County Council had not requested this as provision would be made by Urban & Civic as part of the development of the New Town. Following an intervention from the Delivery Manager (Strategic Sites), the agreed by affirmation to ask officers to negotiate with Urban & Civic the early delivery of said footpath and lighting.

The travel plan was commended as innovative and comprehensive.

In response to Councillor Judith Rippeth, an assurance was given that the developer would not be allowed to begin work on Phase 2 unless Phase 1 was seen to be successful. Accordingly, it was in the developer’s interest to make sure that the shuttle bus service was effective.

Further debate surrounded

- Policy E/16: The Delivery Manager (Strategic Sites) suggested that this one of the policies overriding Policy S/7 to permit development outside the village framework.
- The temporary car park: officers undertook to amend the wording so as to require retention of the temporary car parking area until the decked car park is in use, and its retention should Phase 2 not proceed
- Landscaping, including fencing around the ponds

Following further comments, and by seven votes to three, the Planning Committee **approved** the application subject to

1. the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms referred to in the report from the Joint Director of Planning and Economic Development, subject to the parties exploring
 - a. the viability of the shuttle buses being electric in accordance with the Committee's aspiration; and
 - b. together with Waterbeach Parish Council, the possibility of a scheme being brought forward by Urban & Civic that would secure street lighting and footpath improvements along the footpath to the north of Denny End Road as part of Phase 1A of the current application; and
2. the Conditions set out in the report from the Joint Director of Planning and Economic Development with the final wording thereof being agreed by officers in consultation with the Committee Chair and Vice-Chair, including (but not limited to) rewording so as to require retention of the temporary car parking area until the decked car park is in use, and its retention should Phase 2 not proceed, and a landscaping Condition including details of fencing to the ponds; and
3. the Informatives set out in the said report.

(Councillors Henry Batchelor, Cahn, Fane, Harvey, Hawkins, Heylings and Rippeth voted in favour. Councillors Roberts, Heather Williams and Richard Williams voted against.)

6. **S/4252/19/FL - Fowlmere (Cherry Tree Field, Shepreth Road)**

The case officer corrected the date of the Local Highways Authority response to 13 May 2021 and not 2020 as shown in the report. A revised prior approval provided a fall-back position. The application had been advertised as a departure from the Development Plan.

James Fulton (applicant) and Philip Kratz (agent for Fowlmere Parish Council) addressed the meeting.

The Delivery Manager (Strategic Sites) confirmed that the Class Q prior approval was a material consideration in considering the current application. Policy H/17 of the South Cambridgeshire Local Plan 2018 was also relevant.

Following debate, and by six votes to four, the Planning Committee **refused** the application contrary to the recommendation in the report from the Joint Director of Planning and Economic Development. Members agreed that the application conflicted with Policies S/7 (Development Frameworks) and H/17 (Reuse of Buildings in the Countryside for Residential Use) of the South Cambridgeshire Local Plan 2018 specifically with regard to the enlarged curtilage, height, bulk, form and visual harm.

(Councillors Cahn, Fane, Hawkins and Rippeth voted to approve the application, while Councillors Henry Batchelor, Harvey, Heylings, Roberts, Heather Williams and Richard Williams voted to refuse it.)

7. **21/01390/HFUL - Fulbourn (24 Shelford Road)**

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

(Councillors Heather Williams and Dr. Richard Williams did not vote and were not part of the affirmation.)

8. 21/01024/OUT - Harston (Land adjacent to 12 Church Street)

The case officer highlighted that the application's description had been amended to 'up to two-storey' to allow for a single-storey Reserved Matters application to be submitted if desired. Further objections had been received from Harston Parish Council and from neighbours, but these had either been addressed in the report or could be addressed at the Reserved Matters stage.

In response to Councillor Dr. Richard Williams, officers confirmed that the Local Plan did not designate the site as allotment land and was not currently in use as such. As it was not registered as allotment land there was no need to refer the matter to the Secretary of State. Councillor Dr. Martin Cahn pointed out that the Committee's purpose was to consider land use rather than any legal restrictions that might prevent the implementation of any planning permission granted.

Following further comments, and by seven votes to three, the Planning Committee **approved** the outline planning application subject to the Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development.

(Councillors Henry Batchelor, Cahn, Fane, Harvey, Hawkins, Heylings and Rippeth voted in favour. Councillors Roberts, Heather Williams and Richard Williams voted against.)

9. 21/0662/TTHR - Cottenham (Land at Setchel Drove and Smithy Fen)

Noting officers' opinion that the notice served by Anglian Water on South Cambridgeshire District Council was reasonable and that the lengths of hedgerow would be replaced, and by affirmation, the Planning Committee **agreed** not to object to the Hedgerow Removal Notice.

Councillor Deborah Roberts did not take part in the debate and was not part of the affirmation.

10. Tree Preservation Order 0011 (1985) - Land to the north of Eltisley Wood, Eltisley

Members received evidence that the tree had not existed on site for over 20 years and that there had not been any enforcement action.

By affirmation, the Planning Committee **revoked** Tree Preservation Order number 0011 (1985) on land to the north of Eltisley Wood, Eltisley.

11. Tree Preservation Order 0016 (1989) - 8 Old Camps Castle, High Street, Castle Camps (also known as New Inn)

Members received evidence that the tree had been removed before 2003 and there had

not been any enforcement action.

By affirmation, the Planning Committee **revoked** Tree Preservation Order number 0016 (1989) at New Inn, Castle Camps (8 Old Camps Castle. High Street).

12. Caxton (Firs Farm, St Peters Street, Caxton, CB23 3PJ)

Following a few comments, and by affirmation, the Planning Committee **approved** the service of a Tree Preservation Order in line with a Condition imposed on development land at Firs Farm, St. Peters Street, Caxton

13. Review of Local List of Validation Requirements for Planning Applications

The Assistant Director (Delivery) presented a report reviewing the Local List of Validation Requirements for Planning Applications.

In response to Councillor Heather Williams, the Assistant Director said that the review had been subject to an 'open consultation'. Parish Councils had been informed informally but none had commented. Planning agents had also been made aware.

Officers acknowledged that, when updating documents, the use of tracked changes would be beneficial.

By affirmation, the Planning Committee **approved** the revised Local Validation List to provide an up-to-date basis for assessing the validity of planning application requirements.

14. Enforcement Report

The Committee received and noted an Update on enforcement action. In the absence of the Principal Planning Enforcement Officer, the Delivery Manager (Strategic Sites) reported that regarding

- The Croudace Homes Ltd. site, land off Horseheath Road, Linton – A further meeting had taken place between South Cambridgeshire District Council planning officers and the developers to progress the matter. Planning Enforcement had not been instructed to take any further action at this stage.
- Burwash Manor – South Cambridgeshire District Council had sent a letter under caution to the owner advising that a prosecution is to commence.
- Whitehall Farmhouse, 29 Ermine Way, Arrington – South Cambridgeshire District Council had contacted the owner's planning agent who responded that an application would be submitted by 19 July 2021.

15. Appeals against Planning Decisions and Enforcement Action

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

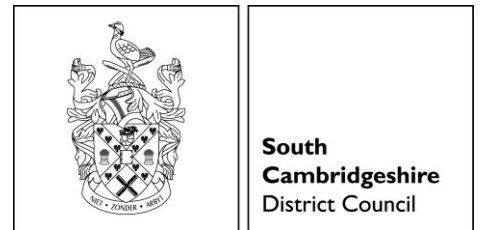
The hearings relating to Mill Lane, Sawston and New Road, Over had been postponed to a date as yet unknown because appropriate notices had not been displayed on site. In

response to a question from Councillor Heather Williams, the Delivery Manager (Strategic Sites) undertook to discover whether the Committee would be invited to say what its decision would have been regarding New Road, Over, which had been appealed for non-determination.

The Meeting ended at 2.55 p.m.

This page is left blank intentionally.

Agenda Item 5



11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

20/01992/FUL – Toft (Bennell Farm, West Street, Toft, CB23 7EN)

Proposal: Erection of 41 dwellings, including two self-build plots and associated development

Applicant: Bennell Developments Ltd.

Key material considerations: Principle of development
Housing and open space provision
Character and appearance of the area and adjacent Green Belt
Highway impacts and parking
Residential amenity
Flood risk and drainage,
Landscaping and trees
Biodiversity
Contamination
Developer contributions

Date of Member site visit: N/A

Is it a Departure Application? No

Decision due by: 7 July 2020 (requested extension of time 12 August 21.)

Application brought to Committee because: To allow consideration of the Parish Council objections.

Presenting officer: Richard Fitzjohn (Senior Planning Officer)

Executive Summary

1. This application seeks full planning permission for the erection of 41 dwellings, including 2 self-build plots, 16 affordable homes and associated development. The application originally proposed the erection of 45 dwellings, however amended plans have been accepted during the course of the application which includes the removal of 4 dwellings from the proposal.
2. The application site is located within the Comberton development framework, however it is within the Parish of Toft. The site forms part of a larger site which was allocated for residential development (site reference H/1:h) within policy H/1 of the South Cambridgeshire Local Plan 2018, however it forms part of the allocated site to the west of the access road which was not planned to have dwellings built on it. The allocation of the site through policy H/1:h resulted in the land being released from the Green Belt and being included in an extension of the development framework for Comberton.
3. The remainder of the allocated site, to the east of the access road and outside of the current application site, is currently being built out with 90 dwellings approved by outline planning permission S/1812/17/OL and reserved matters permission S/4552/17/RM.
4. Pre-application advice was provided by the Local Planning Authority prior to receipt of this planning application, which was supportive of the principle of residential development on the site.
5. Officers consider that the principle of residential development within the development framework is acceptable, and the proposed development would have acceptable impacts in respect of all other material planning considerations. Furthermore, there are no outstanding objections from any technical consultees. Officers therefore recommend that the Planning Committee approves the application, subject to the recommended conditions and the completion of a S106 agreement in accordance with the Heads of Terms set out in this Committee Report.

Relevant planning history

6. S/3881/19/NM - Non material amendment of planning permission S/0351/19/VC to amend approved materials schedule and plan – Approved.

S/1459/19/DC - Discharge of conditions 12 (Foul drainage) and 16 (Scheme for the provision of infrastructure to increase the capacity of the foul water drainage network) of planning permission S/1812/17/OL – Conditions discharged.

S/0822/19/DC - Discharge of condition 17 (Travel Plan) of planning permission S/1812/17/OL – Condition discharged.

S/4690/18/DC - Discharge of conditions 2 (External Materials), 3 (Management and Maintenance of Streets) & 7 (Hard Landscape Layout) of Reserved Matters permission S/4552/17/RM – Conditions discharged.

S/4248/18/DC - Discharge of Conditions 10 (Minimisation of dust noise), 11 (Phasing programme), 18 (Construction access and contractor parking) and 19 (water management plan) of planning permission S/1812/17/OL – Conditions discharged.

S/4203/18/DC - Discharge of conditions 9 (contaminated land), 14 (energy requirements), 15 (noise impact assessment), 20 (waste management plan for occupation) and 25 (screened storage of waste) of planning permission S/1812/17/OL – Conditions discharged.

S/4552/17/RM - Application for reserved matters details of appearance layout landscaping and scale for 90 dwellings with associated roads footpaths landscaping and open space following outline planning permission S/1812/17/OL – Approved.

S/1812/17/OL - Outline planning application for up to 90 dwellings and associated infrastructure works (all matters reserved except for access) – Approved.

S/2204/15/OL - Outline planning application for up to 90 dwellings car park football pitch and changing facilities and associated infrastructure works – Approved.

S/1623/15/E1 - Request for screening opinion – Not EIA development.

Planning policies

7. National Planning Policy Framework (NPPF) 2021
National Planning Practice Guidance (PPG)
National Design Guide 2019
8. South Cambridgeshire Local Plan Policies 2018 (the Local Plan)
 - S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in favour of Sustainable Development
 - S/5 Provision of New Jobs and Homes
 - S/6 The Development Strategy to 2031
 - S/7 Development Frameworks
 - S/9 Minor Rural Centres
 - CC/1 Mitigation and Adaptation To Climate Change
 - CC/3 Renewable and Low Carbon Energy
 - 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
 - H/1 Allocations for Residential Development at Villages
 - 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/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/6 Green Infrastructure
NH/8 Mitigating the Impact of Development In and Adjoining the Green Belt
NH/14 Heritage Assets
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/9 Education Facilities
TI/10 Broadband

9. South Cambridgeshire Supplementary Planning Documents (SPDs):

District Design Guide – Adopted March 2010
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009
Sustainable Design and Construction - Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

Consultations

10. **Toft Parish Council** – Objects to the planning application.

- The scheme is not included in the approved South Cambridgeshire Local Plan 2018 which should be followed.
- Comberton is a Minor Rural Centre which permits a residential development of up to 30 houses. This scheme proposes 45 which greatly exceeds the maximum permitted development. This on top of the 90 houses previously approved.
- The Local Plan has been approved as it provides the housing needs of the area and therefore additional homes are not deemed necessary.
- Comberton is lacking pleasant green space at the west end of the village and this area was designated as green belt until the approval of the adjacent development. The loss of this area as green land is detrimental at a time when the value of green areas is being increasingly recognised. Furthermore the development is contrary to policy NH/8 of the Local Plan which aims to mitigate the Impact of development adjoining the Green Belt.

- There is limited employment opportunity in this area, most residents will need to travel by car to employment sites.
- Do not view the application as being design led, but more a ploy to maximise the numbers of houses, exceeding the number proposed on the site within the approved Local Plan.
- 135 households exiting onto the B1046, almost opposite the entrance to the Village College, is bound to cause additional congestion and safety issues.
- The Local Highway Authority has not commented on or addressed the capacity and safety of the road junction with the B1046.
- Toft Parish Council have recently been approached by Bennell Farm Business Park asking for a reduced speed limit on the Toft to Comberton Road due to safety concerns at their junction on to the road. This junction is close to the junction to the new development and reflects the general concern about road safety in this location.
- Currently the entrance to the village has a soft transition from the harsh agricultural land to the village environment. The proposed design has three storey buildings prominently located on its south western edge. This will give a stark approach and entrance to the village, completely out of character with the general appearance of the rest of the properties on the road which are a mixture of pleasant single and two storey designs and historically interesting buildings. Toft Parish Council would like to see these three storey properties towards the rear of the development should it be approved.
- Noted that the Landscape Officer recommended refusal. The Landscape Officer response reflects Toft PC's views. Before the area of this development became a builders' compound area it was a pleasant rural meadow area with copses of trees. This type of environment is valuable and lacking in the area.
- Concerns regarding the capacity of the infrastructure to manage the drainage from the 90 house development and this development. The Drainage Engineer highlighted the lack of supporting data for this application.
- The main concern is the doctors. It is already stretched and it's difficult to get appointments. Its premises and location make it impossible to increase its capacity for patients or cars. The dentist is now only accepting private patients.

11. **Comberton Parish Council** – Objects to the planning application.

- Supports the objections of Toft Parish Council.
- The proposed development is contradictory to the Local Plan and does not alleviate the removal of the originally proposed green space and recreational area to the west of Comberton which was proposed in the Local Plan allocation.

- Raise concerns about surface water and foul water, including inadequate mains drainage.
- Raise concerns about intrusion into the landscape.
- Raise concerns about significant impact on road traffic around Comberton College and through the village.
- Welcomes the lowering of the height of the dwellings but considers that most of its previous objections still apply to the revised proposal.
- Raise concerns that any S106 disbursements might be reduced due the need to reduce the dwelling numbers.
- Raise concerns regarding lack of notification of the application originally by the Local Planning Authority and lack of engagement with the Parish Council by the developer.
- The size of the proposed development exceeds the indicative capacity for residential development in Comberton and Toft.
- The proposed development does not meet the criteria of a design-led approach
 - The application does not include views of elevations from the B1046 showing high rise flats on the edge of the rural village and does not include 3D views.
Design-led implies that any development should mirror / adopt / adapt other aspects of historic and contemporary housing in the village, however Comberton Parish Council excludes the adjacent development of 90 dwellings from this as they also consider that development fails in this respect. Multi-storey residential buildings are not compatible with the rest of the village.
 - The road layout is not characteristic of roads in Comberton.
 - Raise concerns about high brick walls within a village that has minimal boundary treatments of this type.
- Raise concerns regarding lack of local facilities. Understands the all of the village health and education facilities are oversubscribed. Raise concerns regarding provision and distribution of contributions. Wish for all contributions to be allocated to Comberton.
- Raise concerns regarding road layout and comment on lack of mitigation for additional traffic and cycleway provision.
- Requests that all site traffic enter and exit the site from the B1046 west, not through Comberton, on weekdays only.

- Raise concerns that the affordable housing is clustered at the front of the site and therefore does not accord with policy H/10 of the Local Plan.
- Raise concerns regarding the impacts to the visual amenity and character of the rural village edge, adjacent Green Belt and wider landscape.
- States that the application lacks a current Tree Survey.
- The development is not need within Comberton.

12. Cambridgeshire County Council Transport Assessment Team (Comments received 18th June 2021) –

Proposal Description - Accepted.

Study Area - Accepted.

Traffic Data - Accident data agreed, few accidents in area.

Trip Generation - TRICS trip rates accepted.

Travel Plan - Accepted.

Mitigation - To be agreed.

No Objection subject to the below mitigation package:

- Condition requiring a Travel Plan to be agreed prior to occupation.
- Condition requiring the installation of bus shelters on the north and south side of the B1046, outside Bennell Farm and Comberton Village College prior to occupation.
- Condition requiring the Installation of solar studs to the cycle path between Bennell Farm and Toft.
- Section 106 contribution of £20,000 for maintenance of bus stop shelters

13. Cambridgeshire County Council Highways Development Management –

- Request conditions requiring:
- Details of the proposed arrangements for future management and maintenance of the proposed streets within the development to be agreed with the Local Planning Authority prior to commencement of development.
- Pedestrian visibility splays to be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

The falls and levels of the proposed driveways are constructed such that no private water from the site drains across or onto the proposed adopted public highway.

The use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

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 basins 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.

Request an informative is provided to the applicant to the effect that 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.

14. **Cambridgeshire County Council Archaeology** – Confirms that the proposed development area has previously been subject to geophysical survey and an archaeological evaluation carried out against a condition of prior permission S/2204/15/OL for the development of the wider site (Cambridgeshire Historic Environment Record references ECB4583, ECB4584). The evaluation results have made a significant contribution to our understanding of the medieval and post medieval development of the area, however it is unlikely that further investigation would add significantly to this new information. Do not consider further archaeological work to be necessary within the development redline indicated and have no objections or requirements to the development from proceeding as proposed.
15. **Contaminated Land Officer (Comments received 27th April 2021)** – No objections in terms of contamination as assessment has already been completed. The site has been investigated and assessed in terms of potential contamination and a proposed residential use, with a resulting report submitted with Reserved Matters application S/4552/17/RM. The assessment concluded the site to be suitable for use. No further assessment is required and no objections to the application.
16. **Highways England** - No objection. Unlikely to have any adverse effect upon the Strategic Road Network.
17. **SCDC Affordable Homes department** – The Affordable Homes department are in support of this application as the development will provide much needed affordable housing in the district and will meet some local housing need in Toft and Comberton.

Policy H/10 of the Local Plan requires developments of 10 or more dwellings to provide 40% affordable housing. The proposed scheme is for 41 dwellings; therefore 16 dwellings should be provided as affordable housing.

The district wide tenure split is 70% Rented and 30% Shared Ownership, as stated within the Affordable Housing SPD.

The site of the proposed development, and the site currently under construction to the east, are part of an allocated site (site reference H/1:H within policy H/1 of the Local Plan). Site reference H/1:h requires affordable housing provision to meet the

affordable housing needs of the villages of Toft and Comberton, proportionate to the level of need in each village.

The mix is based on the district and local housing need. There are around 1,300 applicants registered on HomeLink in South Cambridgeshire; the greatest demand is for 1 and 2 bedroom accommodation. Also, there are around 200 applicants registered on the Help to Buy register in South Cambridgeshire and the largest demand is for 2 bedroom dwellings.

The combined local housing need in Comberton and Toft is 50, as shown below:

Specific Village Local Connection	Bedroom Requirements for applicants aged under 60				Bedroom Requirements for applicants aged 60+			Total
	1 Bed	2 Bed	3 Bed	4+Bed	1 Bed	2 Bed	3 Bed	
Toft	4	1	1	1	1	0	0	8

Specific Village Local Connection	Bedroom Requirements for applicants aged under 60				Bedroom Requirements for applicants aged 60+			Total
	1 Bed	2 Bed	3 Bed	4+Bed	1 Bed	2 Bed	3 Bed	
Comberton	12	13	5	5	7	0	0	42

There are 36 affordable properties being developed on the site under construction to the east.

The proposed application should follow the same lettings policy, in that the priority for allocations should be those applicants with a Comberton or Toft local connection.

The following mix and tenure split for the 16 affordable dwellings has been proposed by the developer:

- Affordable Rented - 6 X 1 Bed Flats and 5 X 2 Bed Flats
- Shared Ownership - 4 X 2 Bed Flats and 1 X 2 Bed House

Requested that ground floor flats were 2 bed units to support families and provided garden space and plan to have 1 bed units on floors one and above, however this has not been proposed. Although this would be preferred by the Affordable Homes department, they have confirmed that they remain supportive of the application in its current form.

The layout of affordable housing is not in accordance with policy H/10 of the Local Plan and is not distributed throughout the site. All affordable units are planned to be placed in the South West corner of the site and haven't been distributed. Although

small clusters would be preferred by the Affordable Homes department, they have confirmed that they remain supportive of the application in its current form.

Advised that units should comply with National Space Standards, as required by policy H/12 of the Local Plan.

Requested confirmation of the appointed Registered Provider for the affordable housing, to allow them to have discussions with the Registered Provider about the delivery of the affordable housing

Policy H/9 of the Local Plan states that 5% of homes on a new development should be built to M4(2), accessible and adaptable standards. The provision should be split evenly between market and affordable homes. Two properties should be provided to the M4(2) standard for this development, 1 affordable and 1 market property. Requested confirmation of which units this will be provided upon once decided.

18. **Environmental Health** - Having considered the potential implications of the proposal, has no comments to make.
19. **Environment Agency** – No objection in principle to the proposed development, but state it is necessary for the LPA to consult the Lead Local Flood Authority in respect of drainage. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and / or designed infiltration. Consider any infiltration greater than 2.0m below ground level to be a deep system and are generally not acceptable.

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

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

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

Site operators should ensure there is no possibility of contaminated water entering and polluting surface or underground waters.

Foul water drainage:

Foul water drainage should be discharged to the public foul sewer with the approval of Anglian Water, unless it can be satisfactorily demonstrated that a connection is not reasonably available. Anglian Water should be consulted and demonstrate that there is sufficient capacity for additional sewerage flows generated from the development without causing pollution or flooding. The Environment Agency should be re-consulted with alternative methods of disposal if there is not capacity.

Contaminated Land:

Do not consider the proposal to be high risk, therefore do not provide detailed site-specific comments.

Recommend that if any unexpected contamination is found during development, no further development shall be carried out until a remediation scheme has been agreed by the LPA.

Recommend informatives in respect of any potential oil storage tanks and advising that site operators ensure there is no possibility of contaminated water entering or polluting surface or underground waters.

Conservation:

Opportunities should be provided for wildlife habitat enhancement through enlargement and / or appropriate management of existing habitats and through creation of new habitats. Subsequent proposals must demonstrate enhancement.

20. **Trees Officer** - The specification for hardstanding removal and decompaction of soil etc can be included within a landscape condition. This is quite a large area and if undertaken without care and to a sufficient standard will result in a poor-quality open space.

The Arboricultural Impact Assessment & Method Statement (dated 07/02/2020) can be listed as an approved document.

No further comments or observations relating to the proposed planting plan.

21. **Drainage Officer** – Following a review of additional information submitted during the course of the application (Flood Risk Assessment and Drainage Strategy Report ref 221/2019/FRADS, Rev P8, dated April 2021) and associated appendices, states that, given the increased pluvial risk of the site to future residents, would like to obtain confirmation from the applicant, if they wish to submit the following information prior to planning conditions being recommended, or are willing to accept them as pre-commencement condition, as the outcome of the study may affect the overall proposal:

Notes that in Appendix G [of the Flood Risk Assessment and Drainage Strategy Report ref 221/2019/FRADS, Rev P8, dated April 2021] the extent and level of flooding has been made estimated on lowest spill level of 29.73mAOD in the south west corner of the site. The applicant has proposed minimum finished floor levels in Section 11.21 of the Drainage Strategy Report based on this high-level assessment. Environment Agency flood maps indicate flood depths of 300mm to 900mm.

Due to the increased pluvial flood risk to the site, it will be useful to undertake detailed hydraulic modelling and simulation to confirm the maximum flood level (up to the 3.3% AEP) for the site, in order to establish the finished floor level of the proposed dwellings to protect future occupants from flooding.

Informative:

Environment Agency Preparing a Flood Risk Assessment Standing Advice states that “When developments cannot be located in a lower flood risk area, you need to

consider flood resistance and resilience measures if you cannot raise your development's ground floor levels above the estimated flood level for the site”

22. **Anglian Water** - Anglian Water Assets - There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water request the following text be included within the Decision Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Wastewater Treatment - The foul drainage from this development is in the catchment of Haslingfield Water Recycling Centre that will have available capacity for these flows

Used Water Network - The sewerage system at present has available capacity for these flows. Provides informatives for the developer in respect of separate non-planning-related consents required for drainage connections, and in respect of protection of existing assets (public sewer) within the site.

Surface Water Disposal - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, Anglian Water are unable to provide comments on the suitability of the surface water management and advise the Local Planning Authority to seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. State that the Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, request to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

23. **Landscape Officer** – Following additional information / amendments, details of the drainage basin, hard landscaping and soft landscaping can be secured by condition.

Layout – Acceptable.

Drainage – 1 in 3 slopes of attenuation basin is unacceptable and too engineered. Suggest applicant relooks at basin and create a natural approach varying in slope gradients. Headwall details to reflect rural location. Precast concrete series to be replaced with an alternative approach. Can be secured by condition.

Existing vegetation – Protection of existing vegetation acceptable.

Soft landscape specification – Acceptable.
Hard works – Welcomes confirmation of unadopted and adopted roads. Hard details to be secured by condition.
Boundary treatment – Acceptable.
Scale – Acceptable.
Self build plots – Acceptable.
Lighting – No details provided.
Site sections – No further comments.

24. **Urban Design** –

- Raised concern that the floor area for bedroom 3 of house type F (plots 24-26 and 31) did not comply with the minimum space standards in policy H/12 of the Local Plan.
- Raised concern that the floor area for bedroom 4 of house type G1 (plots 32 and 40) did not comply with the minimum space standards in policy H/12 of the Local Plan.
- It is welcome that the floor area for all 3 bedrooms for house type D2 are now meeting the minimum space standards in policy H/12 of the ‘Local Plan’.
- It is welcome that an additional first floor bedroom window has been added to the dwelling at plot 26 (house type F) to provide some additional activity to the main spine road which it faces.
- Officers are satisfied that the size of the gross internal floor area of both the first-floor one-bedroom (2 bed spaces) apartment and second-floor two-bedroom apartment (3 bed spaces) for both apartment types (plots 4-8 and plots 9-18) do meet the minimum space standards in policy H/12 of the Local Plan.
- The application does not include the hard landscaping details of the materials for the proposed roads, footways and parking drives. Recommend these details are conditioned.
- Although the application does include a materials palette, the precise materials and colours for all the building elevations, roofs, doors, garage doors, windows and barge boards are not provided. Recommend these details are conditioned.

25. **Ecology Officer** - The Ecology Officer is satisfied that any residual impacts to protected species can be removed through conditions.

The site is an agricultural grassland, a ditch along the southern boundary, wooded boundaries, and scattered trees. The site sits within the Impact Risk Zone of the nearby Eversden and Wimpole Woods SAC/SSSI and requires consultation with Natural England on any direct effects to that site, including from any potential increase in visitor pressure. There are no non-statutory protected sites in the vicinity that are likely to be affected by the application. Species records show great crested

newt, barn owl and other breeding birds, flowering plants, invertebrates, reptiles, bats, brown hare, badger, and water vole have been found in the local area.

The Ecological Assessment (Ecology Solutions, January 2020) found no evidence of protected species on site and suggested a non-licensable strategy to remove any residual risk of harm to protected species during construction. The Ecology Officer was in general agreement with the Ecological Assessment; however requested clarification relating to water vole records found in the local area and why no further analysis was included for water vole.

A soft landscaping plan will be required to show how the development has achieved a measurable net gain in biodiversity and recommends that any planting plan aims to provide a minimum of 10% net gain in measurable biodiversity. The Ecology Officer is satisfied that this can be dealt with by condition.

An updated Ecological Assessment (Ecology Solutions, October 2020) addressed the issue regarding water vole and provided an avoidance strategy to remove any residual risk.

Natural England have not lodged any objection to the scheme.

A further updated Ecological Assessment (Ecology Solutions, April 2021) does not provide any further evidence of the presence of protected species beyond what has already been submitted. Therefore, maintains the request for the conditions requiring the following:

- A Construction Ecological Management Plan (CEcMP) to be agreed with the Local Planning Authority, prior to the commencement of development (including demolition, ground works, vegetation clearance) authority. Implementation of the CEcMP through the construction period.
- A lighting design strategy for biodiversity features or areas to be lit to be submitted to be agreed with the Local Planning Authority, prior to occupation of the development. Installation and future retention in accordance with the strategy.
- A Landscape and Ecological Management Plan (LEMP) to be agreed with the Local Planning Authority, prior to commencement of the development above slab level. Implementation of the approved LEMP.

26. Lead Local Flood Authority - No objection in principle.

The application demonstrates that surface water from the proposed development can be managed through the use of permeable paving over private drive areas.

Surface water will be attenuated in an attenuation basin in the south of the site, before discharge to the adjacent watercourse at a rate of 2.5 l/s

Request conditions requiring:

- Detailed design, and management and maintenance, of the surface water drainage of the site to be agreed with the Local Planning Authority, prior to laying of services, creation of hard surfaces or erection of a building.
- Details of measures indicating how additional surface water run-off from the site will be avoided during the construction works to be agreed with the Local Planning Authority, prior to commencement of development, including preparatory works. Implementation of the approved measures to be brought into operation before any works to create buildings or hard surfaces commence.
- Details and implementation of the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be agreed with the Local Planning Authority, prior to the first occupation of any of the dwellings.

Provide informatives for the applicant in respect of Ordinary Watercourse consent and pollution control.

27. **Natural England** – The proposed development is unlikely to have significantly different impacts on the natural environment than the original proposal.
28. **Public Health England** – As Public Health England are not a statutory consultee, do not provide comments unless there are specific chemical and environmental hazard concerns which have the potential to impact on the health of local communities. Impacts on health from local air quality, noise and contaminated land fall under the remit of the local authority and it is their responsibility to comment on these aspects of the application. The Local Planning Authority can contact Public Health England if there are any specific queries relating to potential impacts on public health from chemical and environmental hazard exposures.
29. **Cambridgeshire Constabulary Crime Prevention Design Team** – No objections. Request to be consulted on the lighting plan once it is available. Would be happy to discuss Secured by Design and measures that reduce risk to vulnerability of crime.
30. **SCDC Waste Project Officer** – No objection.
31. **SCDC Sustainability Officer** – Support the application from a sustainable construction point of view, subject to conditions, as the submitted calculations demonstrate that the development would achieve compliance with Local Plan Policy CC/3.

The application includes SAP calculations for the development which give total site wide carbon dioxide emissions, after the inclusion of improved building fabric and energy efficiency measures, of 27,358 kgCO₂/yr. This is a reduction of 36,229

kgCO₂ compared to their baseline scenario, which equates to an overall saving of 56.98 % over the regulated emissions.

Recommend conditions requiring:

- The renewable / low carbon energy technologies set out in the Energy Statement (dated October 2020) to be installed and operational prior to occupation, and thereafter maintained in accordance with a maintenance programme to be agreed with the LPA. If grid capacity issues arise, written evidence from the District Network Operator and a new Energy Statement shall be agreed with the LPA which will be implemented and maintained in accordance with details agreed with the LPA.
- A water efficiency specification for each dwelling type to be agreed with the LPA prior to occupation of the dwellings. 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.

32. **Cambridgeshire and Peterborough Clinical Commissioning Group** – The following comments are with regard to the primary healthcare provision on behalf of Cambridgeshire and Peterborough Clinical Commissioning Group (CAPCCG).

Existing healthcare position proximate to the planning application site

The proposed development is likely to have an impact on the services of 1 main GP practice operating within the vicinity of the application site. On reviewing the current footprint of the practice, it would appear that they do not have capacity for the additional growth resulting from this development.

Review of planning application

CAPCCG acknowledge that the planning application does not appear to include a Health Impact Assessment (HIA) or propose any mitigation of the healthcare impacts arising from the proposed development.

A Healthcare Impact Assessment (HIA) has been prepared by CAPCCG to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.

Assessment of development impact on existing healthcare provision

The primary healthcare service directly impacted by the proposed development and the current capacity position is shown in Table 1 (below).

Table 1: Summary position for primary healthcare services within 2km catchment (or closest to) the proposed development

Premises	Weighted List Size ¹	NIA (m ²) ²	Capacity ³	Spare Capacity (NIA m ²) ⁴
Comberton Surgery	7843	389.7	5683	-148.11

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice
3. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the East DCO). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
4. Based on existing weighted list size

The development would have an impact on the primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

Healthcare needs arising from the proposed development

The intention of CAPCCG is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View.

The development could give rise to a need for improvements to capacity, in line with emerging STP estates strategy; by way of reconfiguration of existing premises or providing additional resource for the benefit of the patients of Comberton Surgery; a proportion of the cost of which would need to be met by the developer.

Table 2 (below) provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

Table 2: Capital Cost calculation of additional primary healthcare services arising from the development proposal

Premises	Additional Population Growth (41 dwellings) ⁵	Additional floorspace required to meet growth (m ²) ⁶	Spare Capacity (NIA) ⁷	Capital required to create additional floor space (£) ⁸
Comberton Surgery	98	6.75	-148.11	£15,500

Notes:

5. Calculated using the South Cambridgeshire District average household size of 2.4 taken from the 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number). Additional population growth for the extra care facility calculated at 1 per unit
6. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the East DCO). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
7. Existing capacity within premises as shown in Table 1
8. Based on standard m² cost multiplier for primary healthcare in the East Anglia Region from the BCIS Public Sector Q3 2015 price & cost Index, adjusted for professional fees, fit out and contingencies budget (£2,300/m²), rounded to nearest £100.

A developer contribution will be required to mitigate the impacts of this proposal. CAPCCG calculates the level of contribution required, in this instance to be £15,500. Payment should be made before the development commences.

CAPCCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

Conclusions

In its capacity as the healthcare provider, CAPCCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

Assuming the above is considered in conjunction with the current application process, CAPCCG would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

The terms set out above are those that CAPCCG deem appropriate having regard to the formulated needs arising from the development.

CAPCCG is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

CAPCCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

33. **SCDC Section 106 Officer** - In respect of this application, planning obligations are sought in relation to:

a) Public Open Space

(i) Formal sports being a contribution of £42,610.10 all of which is proposed be allocated towards the delivery of a new sports pavilion and community room at Comberton recreation ground

(ii) Formal children's play space being a contribution of £57,190.23 of which £20,000 is proposed be allocated to the provision of and improvement to play equipment in Toft and £37,190.23 is proposed be allocated to the provision of a new multi-use games area in Comberton

(iii) Informal children's play space in the form of onsite space provision

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

b) Indoor Community Space being a contribution of £19,345 of which £8,000 is proposed be allocated to the reconfiguration of the first floor of Toft Peoples Hall and £11,345 is proposed be allocated to the delivery of a new sports pavilion and community room at Comberton recreation ground

c) Green Infrastructure being a contribution of £4,100 of which £3,000 is proposed be allocated to fund an 'Explorers Walk' project in Comberton and Toft and £1,100 is proposed be allocated to fund improvements at Hardwick Wood SSSI

d) Allotments and Community Orchards being a contribution of £2,000 towards improvements to Toft allotments

e) Monitoring Fees being a contribution of £500.

Insofar as infrastructure planning is concerned it is important to assess the impact of this development alongside the larger site allocation at Bennell Farm.

On 21 December 2017, the Council granted outline consent for up to 90 dwellings pursuant to a section 106 planning obligation securing (among other things):

(a) £150,000 towards the upgrade of the Comberton Village Collage 3G Pitch

(b) £67,000 towards the provision of the extension to Comberton Pavilion

(c) £10,000 towards the refurbishment of Comberton tennis courts

(d) £7,500 towards the provision of drainage Improvements to Comberton Primary School sports pitches

(e) £20,000 towards carrying out Improvements to Toft recreation ground

(f) £53,251 towards the drainage of sports pitches on Comberton recreation ground

(g) £20,000 towards Toft People's Hall

Public open space

Local Plan Policy SC/7 says that all housing developments will contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities), and Informal Open Space to meet the need generated by the development in accordance with the standards set out in the policy.

The outdoor play space, informal open space and allotments and community allotments requirement is 3.2 hectares per 1,000 people comprising:

- a. Outdoor Sport – 1.6 hectares per 1,000 people
- b. Open Space – 1.2 hectares per 1,000 people
- c. Allotments and community Orchards – 0.4 hectares per 1,000 people

Subject to the needs of the development the open space requirement will consist of:

- d. Formal Children's Play Space – 0.4 hectares per 1,000 people
- e. Informal Children's Play Space – 0.4 hectares per 1,000 people
- f. Informal Open Space – 0.4 hectares per 1,000 people

The Council's Open Space in New Developments Supplementary Planning Document sets out the threshold at where onsite provision will be required and therefore where it is appropriate to secure offsite financial contributions. It also provides a method by which offsite financial contributions will be calculated in respect of new development.

The open space requirements (on a per dwelling basis) are shown in Table 1 below.

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

Table 1: Open space requirements per dwelling

Based on the proposed housing mix, the following would be required:

- Formal sports space – 1,460 m²
- Formal children's play space – 332 m²
- Informal children's play space – 332 m²
- Informal open space – 365 m²

Para 2.15 and 2.28 of the Open Space in New Developments SPD explains in full detail how financial contributions (both capital and maintenance payments) are calculated if the necessary provision of onsite open space is not satisfied in full.

Contributions and/or provision towards Outdoor Sport, Formal Children's Playspace, Informal Children's Playspace and Informal Open Space are sought by the Local Planning Authority to mitigate the impacts of the proposed development.

Outdoor Sports Provision:

The Recreation and Open Space Study 2013 showed that Toft needed 0.91 ha but has no outdoor sports space resulting in a full deficit. Comberton was identified as needing 3.81 ha but has 2.57 ha i.e. a deficit of 1.24 ha of Outdoor Sport Provision. Since the audit was undertaken additional land to the north of the recreation ground has been made available for sports use.

Comberton village has one recreation ground with a senior football pitch, cricket square, bowls green, two tennis courts. An outdoor gym area comprising 5 items has also been installed in recent years.

In accordance with policy SC/7, the applicant will be required to contribute towards the increase in demand for provision of outdoor sports provision to mitigate the impacts of the proposed development.

Toft Parish Council has advised that it has ambitions to provide tennis courts within the village at a cost of around £30,000. However, the Parish Council does not benefit from sufficient land, and it is not known whether the Parish Council may be able to purchase suitable land to facilitate this project. Furthermore, tennis courts are available at the Village College and Comberton.

Comberton Parish Council has advised of its aspirations to provide a new sports pavilion / community hub on the recreation ground. The Comberton pavilion was assessed as being 'Poor' in the South Cambs recreation study of 2013. Whereas previously the Parish Council were looking to extend and improve the existing building, it is now understood that such modifications would still not meet the Sports England standard.

Comberton Parish Council are looking at a basic replacement building with all the facilities needed for current and future use. The new building would have 4 x changing rooms – each 20m² (to include showers and toilets), 2 x Officials Room, Separate toilets – ladies, gents, disabled, Commercial Grade Kitchen, Club/Community Room, Storage, Cleaning cupboard, Plant Room. A traditional construction 4 team Pavilion with Club Room is estimated to cost £690,000. Comberton have started to set money aside for the project and have requested S106 contributions to be allocated towards this project.

A contribution of £42,610.10 is required based on the housing mix which is proposed being directed towards the Comberton pavilion project.

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

Table 2: Contribution towards Outdoor Open Sports Space per dwelling

Formal and informal Playspace:

The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Toft needed 0.46 ha Children's Play Space whereas the village had 0.17, i.e. a deficit of 0.29 ha of Children's Play Space.

Toft is served by a small recreation ground to the west of the High Street comprising 2 play towers with multiple elements for ages 4 to 12, a ladybird rocker, a cradle swing, a single toddler swing, 2 picnic benches and a circular balancing beam. The play area also benefits from 2 goal posts creating an informal 5 a side pitch.

The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Comberton needed 1.90 ha Children's Play Space whereas the village had 0.23, i.e. a deficit of 1.67 ha of Children's Play Space.

Comberton has a single play area located on the eastern side of the recreation ground. This contains a wide variety of play equipment for 2-8 year olds with many items of equipment having been installed in recent years. Other items are showing signs of ageing and will also require repairing at some point.

For older children there is a table tennis table and a youth shelter. To the north of the recreation ground is a skate park containing 2 x pipes and a central grind ledge. Use of the skate park is actively discouraged during cricket matches.

Children's Play Space is defined as 'Designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play. Also includes informal playing space within housing areas'.

The open space in new developments SPD goes on to clarify that the 'starting point for the mix of the Children's play space will be 50% formal and 50% informal. A lower percentage of formal space may be acceptable if it can be demonstrated that provision of the LAPS / LEAPS / NEAPs hierarchy can be achieved appropriately with less than 50% formal provision'.

The Open space in new development SPD sets out the different forms of children's play spaces:

Local Area for Play (LAP) caters for a target age group of 2-6 and provides soft and hard landscaping with features and design to help stimulate imaginative play. LAPs are generally required onsite for developments of 10 dwellings or more. A LAP requires an activity zone of 100 m².

Local Equipped Area for Play (LEAP) has a target age group is 2-8 (focussing mainly at 4-8) and has 9 pieces of play equipment (which will comprise at least 6 pieces of play equipment for 4-8 year olds and at least 3 pieces of equipment for toddlers). LEAPs are generally required onsite for developments of 50 dwellings or more. A LEAP requires an activity zone of at least 500 m2.

Neighbourhood Equipped Area for Play (NEAP) has a target age group of 8-14 and may comprise informal ball courts, wheeled sports facilities and/or more traditional equipped areas with a minimum of 8 pieces of play equipment suitable for the age group. NEAPs are generally required onsite for developments of 200 dwellings or more. A NEAP requires an activity zone of at least 1200 m2.

The SPD says that 'Where full provision of outdoor play space is not made on site, additional land or funding will be secured through the Section 106 Agreement or via planning obligations / conditions for improvements and / or extension to existing recreation facilities. This will be based on considerations within the village or adjoining area and will be determined in consultation with the Parish and District Councils'. Logically an offsite contribution is needed to provide children's play equipment for those age ranges not being provided for onsite.

It is clear the SPD intended securing the land for children's play space onsite (in this case through a LAPs and LEAPs), but that an offsite contribution be payable to provide the play equipment for older children elsewhere in the village.

Based on the housing mix the development would be required to provide 332 m2 of formal play space and 332 m2 of informal play space. No form of children's play space is being provided onsite and so a financial contribution is required in lieu.

The area of amenity land provided within the development is around 2660 m2. Whilst this includes water attenuation features it is sufficient to satisfy policy requirements in relation to informal play space.

Toft Parish Council has said advised that the £20,000 section 106 contribution secured as part of the main Bennell Farm development is to be used to replace and enhance some of the existing play equipment, in particular the young children's 13 climbing frame/slide setup. The Parish Council confirm that any new funding would enable the installation of new ground safety surface around the older children's climbing equipment and the installation of more play equipment.

Toft Parish Council also wishes to install an outdoor table tennis table (£1k) and provide equipment for sports day events (£1k).

Comberton Parish Council has identified several short to medium term children's play projects including a new multi-use games area (£46k), a replacement slide (£13k), 2 x covered shelters for parents and children (£14k), additional outdoor fitness equipment (£3k), resurfaced skate park (£16k).

The primary objective of Comberton Parish Council is to provide a multi-use games area on the Recreation Ground which could be used for five a side football,

basketball, netball, hockey, cricket, etc. The cost for a 20m x 12m MUGA is in the region of £46,000.

A contribution of £57,190.23 is necessary based on the housing mix of which £20,000 is proposed being used to fund children’s play equipment for young children in Toft and £37,190.23 to fund a multi-use game area for older children in Comberton.

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

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

Informal Open Space:

In accordance with policy SC/7 the applicant will be required to contribute towards the increase in demand for provision of informal open space.

The application scheme shows the provision of onsite informal open space sufficient to meet this policy.

Community Facilities

In accordance with South Cambridgeshire Local Plan Policy SC/6 All housing developments will contribute towards the provision of indoor community facilities to meet the need generated by the development. Contributions will be based on a standard of 111m² of such floorspace per 1,000 additional population.

Only very large developments could justify provision of new facilities within the development, therefore contributions for off-site provision will be sought, whether via a planning obligation or through a Community Infrastructure Levy.

The cost of providing offsite community space provision equates to £212 per person (comprising £166.50 for capital cost and £45.50 for maintenance cost).

Toft is served by Toft Peoples Hall located in the heart of the village. The ground floor comprises the Main Hall and Social Area. The Main Hall is ideal for clubs, private parties, lectures, exhibitions, concerts, keep-fit sessions or large meetings. It has fully sprung wooden floor, and a versatile sound system. It is capable of holding up to 120 people when combined with adjoining Social Area. The extended lounge area offers pleasant surroundings with comfortable seating for up to 30 people and can be closed off from the main area with a soundproof partition. The adjacent, recently refurbished kitchen is fully equipped. Access to the well-stocked bar, run by the Social Club, can be made available by arrangement. The first floor comprises 2

meeting rooms. Limited parking is available in front of the buildings, but additional parking is available off School Lane.

Comberton is served by Comberton Village Hall. The main hall is the setting for a variety of productions which take advantage of the stage facilities, specialist stage lighting and hearing loop for the deaf or hard of hearing. There are also good facilities for the disabled including a stair lift. There are good meeting rooms available upstairs and downstairs. Parking is very good and there is also space for users to lock up bikes.

Toft Parish Council has said that there are three projects associated with the hall which will be funded from the £20,000 of section 106 funding secured as part of the main Bennell Farm development. These are (1) Replacement and reconfiguration of the kitchen including a new Oven/cooker (2) Refurbishment of the Bar area including new furniture and (3) Installation of Air Conditioning in the hall. Toft Parish Council has identified a fourth project to reconfigure the first floor to better utilise the space and create additional capacity. The estimated cost of this work is £8,000. In the longer term the Parish Council advise that People’s Hall needs extending. This may take the form of an enlarged kitchen by extending into the car park or a larger extension adjacent land becomes available.

Comberton Parish Council has advised that the new pavilion will include a hireable community room and kitchen and has requested contributions towards this project.

A financial contribution of £19,345 is required in accordance with the submitted housing mix of which £8,000 is proposed being used to reconfigure the first floor of Toft Peoples Hall and £11,345 used to fund the Comberton pavilion project.

Dwellings with number of bedrooms	(£) Contribution per Dwelling
One bed	284.08
Two bed	371
Three bed	513.04
Four bed	703.84

Table 4: Requirement for indoor community space per dwelling

Green Infrastructure

Local Plan Policy S/2 (Objectives of the Local Plan) states “The vision for the Local Plan will be secured through the achievement of 6 key objectives: e. To ensure that all new development provides or has access to a range of services and facilities that support healthy lifestyles and well-being for everyone, including shops, schools, doctors, community buildings, cultural facilities, local open space, and green infrastructure”.

Local Plan policy NH/6 (Green Infrastructure) states that the Council will aim to conserve and enhance green infrastructure within the district. Proposals that cause loss or harm to this network will not be permitted unless the need for and benefits of the development demonstrably and substantially outweigh any adverse impacts on

the district's green infrastructure network. All new developments will be required to contribute towards the enhancement of the green infrastructure network within the district. These contributions will include the establishment, enhancement and the on-going management costs.

The villages of Toft and Comberton benefit from Hardwick Wood SSSI, an ancient woodland located 5 km to the north west of the development site and connected to the site via the public highway and right of way network. Hardwick Wood is managed by the Wildlife Trust who have advised that the site is experiencing an increase in visitor numbers and that investment in the site is required to better manage visitors. Short term measures include:

- New access gates to both improve the attractiveness of entrances, but also direct and manage visitors at a cost of around £2,000
- New signage to both to explain the importance and sensitivity of the wood encouraging responsible visits, and to help inform people of the wildlife and history of the wood to help improve their enjoyment at a cost of around £1,000
- Fencing to protect coppice plots is essential to protect the woodland ground flora as increased visitors will mean paths will become widened (particularly in wet conditions) at a cost of around £3,600

Comberton Parish Council has proposed several projects including the restoration of Comberton village pond (£15k), footpath improvements throughout the village (£2.5k) and an extended 'Explorers Walk' (£3k) to encourage walking throughout the two villages and public right of way network through the installation of wayfinders and an online map.

A financial contribution of £4,100 (representing £100 per dwelling) is requested towards Green Infrastructure mitigation of which £3,000 will be used to fund the an extended 'Explorers Walk' project (incorporating Toft village) which will ease some of the burden on Hardwick Wood SSSI and £1,100 for the Wildlife Trust to fund some of the Hardwick Wood interventions.

Allotments and Community Orchards

Local Plan Policy SC/7 (Outdoor Play Space, Informal Open Space and New Developments) states that all housing developments will contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities), and Informal Open Space to meet the need generated by the development in accordance with the policy standards.

The policy states that the minimum standard for outdoor play space, informal open space and allotments and community allotments is 3.2 hectares per 1,000 people, of which allotments and community orchards shall comprise 0.4 ha. per 1,000 people.

Whilst both Parish Councils operate allotments, the legal responsibility to provide allotments to the residents of this development will fall to Toft Parish Council. Although Toft Parish Council provides 12 allotment plots in the village, only 7 are let and this is to only 4 tenants.

The main issue with the allotments, and the reason for the lack of interest, is the lack of water supply. Toft Parish Council have requested a contribution of £2,000 to install water supply to the allotments which will increase demand for the current supply and address the policy ambition.

Monitoring Fees

To ensure the proper and timely provision and perpetual usage of onsite infrastructure (including public open space and affordable housing) and to cover the cost associated with reporting to Government on section 106 matters, the District Council requires a monitoring contribution of £500. A contribution of £500 covers the cost of 20 hours officer time to publish the agreement, undertake several site visits, record and publish information on compliance of the agreement and produce an infrastructure funding statement as required by the CIL Regulations.

34. **SCDC Development Officer, Health** - As per the Council's Supplementary Planning Document on Health Impact Assessment, (HIA SPD), this application (small, major) meets the requirements of a rapid or Desktop HIA. Has therefore reviewed the outline application and is satisfied that this application will have no significant negative impacts to health and wellbeing.

Access to Services and Facilities:

Would like to see Active Travel Plans provided for all new residents upon moving in, to help encourage lifestyle behaviour change and adoption of more active forms of travel.

Access to Health Services:

S106 contributions should be sought from the CCG to mitigate any impacts to the delivery of health care as a result of this application being approved.

Education:

Availability of places in all education settings was not clarified in the report and should be sought prior to the application being approved.

Physical Environment:

Supports a condition requiring a Construction Management Plan to mitigate for any noise disturbance, light pollution and changes to air quality during construction.

35. **Cambridgeshire County Council Education, Library and Strategic Waste S106** – Requests the following S106 contributions:

Table 1: S106 contributions – summary table				
	Contribution	Project	Indexation date	Trigger
Early Years	n/a	n/a	n/a	n/a
Primary	n/a	n/a	n/a	
Secondary	n/a	n/a	n/a	
Libraries	£5,959	Expansion of Comberton Library	2Q2020	100% prior to occupation of 50% of the dwellings
Strategic Waste	n/a			

Gives consideration to the cumulative impacts of the proposed development and other approved developments in the surrounding area.

Early years, primary and secondary education

States that it is not necessary to seek developer contributions to mitigate the impacts of this development on early years, primary or secondary education as it is forecast that there is capacity.

Libraries and lifelong learning

There is not sufficient existing capacity at Comberton Library for the amount of residents generated by the proposed development, which will increase demands for the local library service and put considerable pressure on the local library and lifelong learning service. Therefore consider it reasonable to seek a contribution towards library and lifelong learning provision and mitigate the impact of the development. The County Council seek a contribution to increase capacity at Comberton Library to help mitigate the impact of the increased use through an upgrade of the facilities. This will be used to fund the purchase of additional shelving to meet the demands of the growing population and additional study provision required. The development would need to pay a library and lifelong learning contribution of £5,959; 100% of which will be required prior to occupation of 50% of the dwellings. The Section 106 agreement will need to contain provision for increases in indexation.

Strategic waste

No strategic waste contribution requested.

Representations from members of the public

- 36. 18 third party representations have been received, all of which object to the application. The concerns raised by the third party representations are summarised below:

- Traffic congestion.
- Insufficient infrastructure.
- Foul and surface water drainage impacts.
- Inadequate provision of school place, GP and dental services.
- Concerns regarding lack of consultation.
- Erosion of green space between Comberton and Toft.
- Continuation of ribbon development and joining of Comberton and Toft together.
- Noise pollution from proposed East-West railway line.
- Cumulative impacts of the amount of dwellings from the proposed development and the 90 dwellings under construction to the east.
- The application is within the village of Comberton and Comberton residents should be heard first and foremost.
- There is a need for recreational facilities and the land should be used for recreational purposes.
- Insufficient parking at existing local services and amenities.
- Noise disturbance from construction.
- Highway and pedestrian safety impacts.
- Discharge of water and mud onto road.
- Loss of greenfield and agricultural land.
- Partial loss of hedging along West Road.
- Dwellings of the size proposed are out of place in Comberton.
- An application for 135 properties on adjacent land was rejected because of its size would adversely affect the infrastructure of the village and the original reasons for rejection remain.
- The original approved application for 90 dwellings was only accepted when the amenity space was allocated to that development. The proposed dwellings would be located in that area.
- There is no longer a requirement for Comberton to provide extra affordable housing.
- Overdevelopment of the site.
- Developer contributions.
- The extra houses exceed the capacity of an application under policy H/1h of the Local Plan.
- Housing mix.
- Queries if there is a need within the village for additional housing.
- Pollution.
- Over development of the village
- Impact on the rural character and countryside.
- Toft is a Group Village with a maximum size of 8 properties.
- The proposed house design which include 3-storey blocks are out of character with a rural village context.
- Harm to Green Belt.
- The green space left to the front of the proposed development is small compared with green spaces lost through the current application and the adjacent approved development.
- Lack of community facilities.

- The proposed development is not in line with the Cambridgeshire and Peterborough Doubling Nature Investment Plan or with the OxCam Natural Capital Plan. This is supposed to give importance to natural capital protection through protecting or enhancing the natural environment. The proposed development does nothing for the environment, indeed it is totally negative for the environment, turning one of the few pasturelands in and around Comberton into a hard-surfaced and dense housing development.

The site and its surroundings

37. The application site comprises approximately 1.8ha hectares of land located on the western edge of Comberton. The application site is located within the Comberton development framework, however it is within the Parish of Toft. The application site forms part of an allocated site for residential development within the South Cambridgeshire Local Plan 2018, however the application site was excluded from the land to be developed under the extant planning permission being built out immediately to the west. The northern section of the application site currently comprises agricultural land and the southern section of the application site is currently being used as a temporary site compound and contractor parking area for the adjacent residential development to the west. The application site is also located to the north of West Street (B1046); to the north-west of Comberton Village College; to the south of two dwellings and Bennell Court (which comprises business units). Bennell Court is served by an access road adjacent to the western boundary of the site. The application site, two dwellings to the north and the residential development of 90 dwellings currently under construction to the east are all served by an existing access road which runs adjacent to the eastern boundary of the application site. There are trees and hedges located within, and adjacent to, the application site. A path runs adjacent to the southern boundary of the application site, connecting Comberton and Toft along the B1046. The application site is located outside of, but adjacent to Green Belt land which is located immediately to the north, south and west of the site.

The proposal

38. This application seeks full planning permission for the erection of 41 dwellings, including two self-build plots and associated development. The application originally proposed the erection of 45 dwellings, however amended plans have been accepted during the course of the application which includes the removal of 4 dwellings from the proposal. The proposed development includes 16 affordable dwellings, comprising:- 6no. 1-bed flats and 5no. 2-bed flats for affordable rent; and 4no. 2-bed flats and 1no. 2-bed house for shared ownership. The 25 market dwellings would comprise:- 7no. 2-bed, 7no. 3-bed, 10no. 4-bed and 1no. 5-bed houses.

Planning assessment

39. The key considerations relevant to the determination of this application relate to the principle of development, housing and open space provision, the character and appearance of the area and adjacent Green Belt, highways impacts and parking,

residential amenity, flood risk and drainage, landscaping and trees, biodiversity, contamination and developer contributions.

Principle of Development

40. The starting point when considering applications is to assess them against the Development Plan. In this instance, the South Cambridgeshire Local Plan 2018 (the Local Plan) is the primary document. Decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise.
41. Policy S/7 of the Local Plan supports residential development within development frameworks, subject to consideration of other Local Plan policies that seek to ensure the development is sustainable.
42. Although the application site is located within the Parish of Toft, it forms part of an allocated site (site reference H/1:h) within the Local Plan which resulted in the land being included within the Comberton development framework.
43. Policy S/9 of the Local Plan states that residential development up to an indicative maximum scheme size of 30 dwellings will be permitted within the development frameworks of Minor Rural Centres, as defined on the Policies Map. However, it is important to note that this figure of 30 dwellings is indicative and the supporting text to policy S/9 states that the indicative scheme size does not apply to allocations forming part of the overall development strategy of the Local Plan. Given that the application site forms part of an allocated site for residential development and given the context of the surrounding development including the development of 90 dwellings immediately to the east of the site, it is considered that proposed development of a greater number of dwellings than the indicative scheme size has been justified through a design-led approach.
44. Policy H/1 of the Local Plan identifies specific allocated sites for residential development and requires that they are developed in accordance with the development requirements outlined with policy H/1, in addition to other relevant Local Plan policy requirements. The application site comprises part of a larger allocated site, referenced within policy H/1 as site reference H/1:h which specifies an indicative dwelling capacity of 90 dwellings for the allocated site. The development requirements of policy H/1:h are as follows:
 - Residential development will be located to the east of the access road running through the site and be at a low density to take account of the character of this part of Comberton;
 - Will be required to incorporate a full size football pitch and changing facilities for Toft village;
 - Will be required to provide community car parking that is also available for overspill parking for Comberton Village College;

- The affordable housing provision to meet the affordable housing needs of the villages of Toft and Comberton, proportionate to the level of need in each village.

45. 90 dwellings have already been approved on the allocated site, on land to the east of the site access road, by outline planning permission S/1812/17/OL and reserved matters permission S/4552/17/RM. The proposed development for 41 dwellings would therefore result in a total of 131 dwellings being erected within the allocated site. The proposed development would result in 41 dwellings more than the indicative dwelling capacity of 90 dwellings specified by site reference H/1:h, however it is important to note that it is an indicative dwelling capacity and that policy H/1 states that the number of homes granted planning permission on the site may be higher or lower than the indicative capacity and should be determined through a design-led approach.
46. Outline planning permission S/1812/17/OL and reserved matters permission 9S/4552/17/RM approved a low density development to the east of access road and provided appropriate affordable housing provision, as required by policy H/1. A financial contribution was agreed in lieu of providing the football pitch, changing facilities and community car parking on-site, which was a requirement of policy H/1. The development relating to that planning permission has commenced.
47. The proposed development is for residential development on land to the west of the site access road, which was specified within S/4552/17/RM to be retained as agricultural land and did not include any development. The location of the proposed development therefore conflicts with site reference H/1:h, which states that residential development will be located to the east of the access road running through the site.
48. Although the proposed development conflicts with site reference H/1:h, this conflict with policy H/1:h should be balanced against other Local Plan policies and material planning considerations. On balance, due to the application site being located within the development framework; the Council's previous agreement to a financial contribution in lieu of providing the football pitch, changing facilities and community car parking on-site which has resulted in the land within the site not now being required for the provision of those facilities; and the compliance of the proposed development with policies S/7 and S/9 of the Local Plan, it is considered that the principle of residential development on the site is acceptable.

Housing provision (including affordable housing)

Affordable housing:

49. Policy H/10 of the Local Plan states that all developments of 11 dwellings or more will provide affordable housing as follows:
- (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;
 - (c) In small groups or clusters distributed through the site.

In respect of policy H/10(a), the proposed development would provide a total of 16 affordable dwellings which complies with the requirement of policy H/10 for 40% of homes on site to be affordable.

50. In respect of policy H/10(b), the affordable dwellings would comprise a tenure split of 11 affordable rent and 5 shared ownership which complies with the 70% Rented and 30% Shared Ownership split specified within the Council's Affordable Housing SPD. The Council's Affordable Homes department have confirmed that the mix is based on the district housing need and are supportive of the amount, mix and tenure split of affordable housing.
51. In respect of policy H/10(c), Although the Council's Affordable Homes department are supportive of the proposed development, they have raised a concern regarding the layout of the affordable housing as it has not been distributed throughout the site. The affordable housing is provided within a small group / cluster within the site which accords with policy H/10 of the Local Plan, however the Greater Cambridge Housing Strategy 2019 – 2023 states that clusters within developments of the size proposed should be a maximum of 15 units per cluster. The proposed development would provide a cluster of 16 units, however the conflict with the Greater Cambridge Housing Strategy 2019 – 2023 is minor due to the maximum cluster size being exceeded by only 1 unit. The case officer has discussed this conflict with the Council's Affordable Homes department, and they have confirmed that they remain supportive of the proposed development despite this minor conflict. This conflict is not considered significant enough to warrant refusal of the application on this basis due to the maximum cluster size only being exceeded by 1 unit.
52. The Affordable Homes department also requested that 2-bed units be providing on the ground-floor to support families and provided garden space, and 1-bed units be provided on floors one and above; however, this has not been proposed. The case officer has also discussed this matter with the Affordable Homes department, who confirmed that although this would be preferable, they remain supportive of the application in its current form.
53. The proposed affordable housing provision is therefore considered acceptable, in accordance with policy H/10 of the Local Plan.

Housing Mix:

54. Policy H/9 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.
55. With the 10% flexibility allowance provided within policy H/9 of the Local Plan, the proposed market homes (not taking into account the affordable homes) would comprise 30% 1 or 2 bedroom homes, 30% 3 bedroom homes and greater than 30%

4 or 5 bedroom homes. The Council's Affordable Homes department has stated that they are happy with the mix and tenure to be acceptable.

56. The proposed housing mix is therefore considered acceptable in accordance with policy H/9 of the Local Plan.

Housing Density:

57. Policy H/8 of the Local Plan states that housing developments will achieve an average net density of 30 dwellings per hectare in Minor Rural Centres, though the net density of a site may vary from the above where justified by the character of the locality, the scale of development, or other local circumstances. The proposed development has a low density of less than 30 dwelling per hectare, which is considered appropriate given its sensitive location on the edge of the village and adjacent to the Green Belt.

Residential Space Standards:

58. 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.
59. Following amended plans received during the course of the application, the proposed dwellings all meet or exceed national space standards, in accordance with policy H/12 of the Local Plan.

Open Space Provision:

60. Local Plan Policy SC/7 says that all housing developments will contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities), and Informal Open Space to meet the need generated by the development in accordance with the standards set out in the policy.
61. The outdoor play space, informal open space and allotments and community allotments requirement is 3.2 hectares per 1,000 people comprising:
- a. Outdoor Sport – 1.6 hectares per 1,000 people
 - b. Open Space – 1.2 hectares per 1,000 people
 - c. Allotments and community Orchards – 0.4 hectares per 1,000 people
62. Subject to the needs of the development the open space requirement will consist of:
- d. Formal Children's Play Space – 0.4 hectares per 1,000 people
 - e. Informal Children's Play Space – 0.4 hectares per 1,000 people
 - f. Informal Open Space – 0.4 hectares per 1,000 people
63. The Council's Open Space in New Developments Supplementary Planning Document sets out the threshold at where onsite provision will be required and therefore where it is appropriate to secure offsite financial contributions. It also provides a method by which offsite financial contributions will be calculated in respect of new development.

64. Based on the proposed housing mix, the following would require informal open space of 365 m². The proposed development would provide an acceptable amount of on-site informal open space required by policy SC/7 and the Open Space in New Developments SPD. However, no form of children's play space, outdoor sport or allotments and community orchards is provided on-site. Therefore a financial contribution is required in lieu to mitigate the impacts of the proposed development, in accordance with policy SC/7 of the Local Plan.

Character and appearance of the area and adjacent Green Belt

65. Policy H/8 of the Local Plan states that housing developments will achieve an average net density of 30 dwellings per hectare in Minor Rural Centres, though the net density of a site may vary from the above where justified by the character of the locality, the scale of development, or other local circumstances.
66. The proposed development has a low density of less than 30 dwelling per hectare, which is considered appropriate given its sensitive location on the edge of the village and adjacent to the Green Belt.
67. Policy HQ/1 of the Local Plan requires all new development to make a positive contribution to its local and wider context. Development proposals should, appropriate to their scale and nature, preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape (criterion 1a); include 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 (criterion 1c); and 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 (criterion 1d).
68. The application site is located adjacent to the west of the access road and development of 90 dwellings approved by outline planning permission S/1812/17/OL and reserved matters permission S/4552/17/RM. The proposed access would be located along the east boundary of the site, which would spur off the existing access off West Street serving the approved 90 dwellings under construction. The proposed development would provide dwellings of similar heights, scale, character and appearance to the larger development of the 90 dwellings approved immediately to the east.
69. The southern section of the site would comprise an open space and a large drainage basin which, along with the existing boundary landscaping which is to be retained, would provide a modest buffer between the built form of the proposed development and West Street.
70. The proposed layout includes the provision of 3-storey apartment buildings within the south-west corner of the site, which comprises the built form proposed nearest to West Street. The remainder of the development is laid out to the north of the proposed flats and comprises 21 no. 2-storey dwellings and 5 no. 2.5 storey dwellings (which includes 2 self-build plots). The siting of the 3-storey apartment blocks towards the frontage of the site, and the heights and scale of the 2-2.5 storey

houses, are similar to that which was approved and are being constructed immediately to the east of the site. The Council's Landscape Officer and the Cambridgeshire Constabulary's Designing Out Crime Officer are supportive of the proposed layout. In addition, there are no outstanding objections from the Council's Urban Design department.

71. By virtue of its location, layout, access arrangements, scale and appearance, the proposed development would be viewed as an extension of the larger development to the east. With consideration given to the site's inclusion with the development framework and its visual context adjacent to an existing larger development of similar character and appearance, it is considered that the proposed development responds appropriately to the local visual context, would be compatible with its location, and would be appropriate in terms of scale, density, mass, form, siting and appearance. As such, it is considered that the proposed development preserve the character and appearance of the area and would not result in any harmful incursion of the countryside.
72. Materials for the external surfaces of the proposed development can be secured by planning condition in order to ensure that they are of a high quality and are appropriate to the surrounding area.
73. The application site is located outside of, but adjacent to the Green belt which is located to the north, south and west of the site. Policy NH/8 of the Local Plan states that development on the edges of settlements which are surrounded by the Green Belt must include careful landscaping and design measures of a high quality. The proposed development provides a landscape buffer between the built form of the development and the Green Belt to the south of West Street and there is also a buffer between the application site and Green Belt to the north in which there is already commercial built form located. There is a substantial tree belt between the application site and the Green Belt to the west which would significantly screen the development from the Green Belt. In addition, a soft landscaping condition can be secured by condition to ensure that further landscaping is provided to prevent harm to the Green Belt from the proposed development. It is therefore considered that the proposed development would not harm the adjacent Green Belt and complies with policy NH/8 of the Local Plan, subject to conditions.
74. It should also be noted the Council's Landscape Officer has no objections to the proposed development, subject to landscaping conditions being appended to any grant of planning permission.
75. Subject to conditions, it is considered that the proposed development would preserve the character and appearance of the area, and would not harm the Greenbelt, in accordance with policies HQ/1, NH/2 and NH/8 of the South Cambridgeshire Local Plan 2018.

Highways impacts and parking

76. The proposed development would be accessed on the west side of the existing Bennell Farm access which serves the existing dwellings to the north of the site and the 90 dwellings under construction to the east.

77. The layout of the proposed development facilitates pedestrian links to the adjacent residential development to the east and also to West Street, ensuring the proposed development has safe and convenient pedestrian links to Comberton.
78. In respect of traffic and transportation impacts, Cambridgeshire County Council Transport Assessment department has accepted the information within the submitted Transport Statement and have no objection to the proposed development, subject to the following mitigation package:
- Condition requiring a Travel Plan to be agreed prior to occupation.
 - Condition requiring the installation of bus shelters on the north and south side of the B1046, outside Bennell Farm and Comberton Village College prior to occupation.
 - Condition requiring the Installation of solar studs to the cycle path between Bennell Farm and Toft.
 - Section 106 contribution of £20,000 for maintenance of bus stop shelters.
79. In respect of highway safety impacts, Cambridgeshire County Council Highways Development Management department do no object to the proposed development, subject to conditions requiring the following:
- Details of the proposed arrangements for future management and maintenance of the proposed streets within the development to be agreed with the Local Planning Authority prior to commencement of development.
 - Pedestrian visibility splays to be kept clear of all planting, fencing, walls and the like exceeding 600mm high.
 - The falls and levels of the proposed driveways are constructed such that no private water from the site drains across or onto the proposed adopted public highway. The use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.
80. The Local Highway Authority has stated that they will not seek to adopt the proposed development until the required information has been submitted and approved by the Local Highway Authority. The proposed basins 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.
81. In terms of car and cycle parking provision, the proposed houses would have two off-road parking spaces each and the proposed flats would have 1 off-road parking space, whilst the roads within the development would provide additional space for on-street parking, in accordance with policy TI/3 of the Local Plan. Each property

would also benefit from secure cycle parking either in the form of either garages or cycle stores, in accordance with policy TI/3 of the Local Plan.

82. It is therefore considered that, subject to conditions, the proposed development would have acceptable impacts in respect of traffic and transportation and highway safety, and would provide an adequate level of parking provision, in accordance with policies TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018.

Residential amenity

83. By virtue of its significant separation distance from nearby residential properties, the proposed development would not create any significant detrimental impacts upon the residential amenity of nearby properties.
84. Amended plans have been received during the course of the application which provide policy compliant internal space standards within all plots, in accordance with policy H/12 of the Local Plan.
85. East West Rail shows a preferred route option area running through Toft and Comberton, however no route alignment has yet been confirmed. As such, any potential future noise impacts of the East West Rail to future occupiers of the proposed development cannot yet be established and are only afforded very limited weight in the determination of this application.
86. It is considered that proposed development would provide a high level of residential amenity for future occupants of the proposed dwellings.
87. It is therefore considered that the proposed development complies with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

Flood risk and drainage

88. The application site is located within Environment Agency Flood Zone 1, where the principle of residential development is acceptable in flood risk terms. The application has been supported by various revisions of a Flood Risk Assessment and Drainage Strategy Report.
89. The Environment Agency and Lead Local Flood Authority have stated that they have no objections to the application in respect of drainage.
90. The application demonstrates that surface water from the proposed development can be managed through the use of permeable paving over private drive areas and will be attenuated in an attenuation basin in the south of the site, before discharge to the adjacent watercourse at a rate of 2.5 litres per second.
91. The Lead Local Flood Authority requests that conditions are appended to any grant of planning permission requiring:

- Detailed design, and management and maintenance, of the surface water drainage of the site to be agreed with the Local Planning Authority, prior to laying of services, creation of hard surfaces or erection of a building.
- Details of measures indicating how additional surface water run-off from the site will be avoided during the construction works to be agreed with the Local Planning Authority, prior to commencement of development, including preparatory works. Implementation of the approved measures to be brought into operation before any works to create buildings or hard surfaces commence.
- Details and implementation of the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be agreed with the Local Planning Authority, prior to the first occupation of any of the dwellings.

92. The Council's Drainage Officer has requested additional drainage information and the applicants' agent has provided further clarification to the Drainage Officer in response to their latest request for more information. The Drainage Officer accepts that acceptable surface water drainage measures can be secured by a planning condition appended to any grant of planning permission.

93. It is therefore considered reasonable and necessary to append the drainage conditions recommended by the Lead Local Flood Authority to ensure acceptable surface water drainage details are secured.

94. Anglian Water has confirmed there is available sewerage capacity for foul water drainage flows.

95. Subject to conditions, it is considered that the proposed development complies with policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

Landscaping and trees

96. The proposed development would retain the trees around the boundaries of the site, however it would require the felling of some trees forming partial sections of two copses located more centrally within the site. All of the trees which are proposed to be felled are within the lower two categories which comprise poor quality trees, Category C and Category U, and the Council's Tree Officer has no objection to the felling of these trees. Therefore, it is considered that the loss of these trees is acceptable. The Arboricultural Impact Assessment & Method Statement (dated 07/02/2020) would form part of the approved documents / plans should planning permission be granted.

97. The Council's Trees Officer has stated that the additional information requested regarding the specification for hardstanding removal and decompaction of soil etc can be included within a landscape condition.

98. The Council's Landscape Officer considers that the layout, scale, self-build plots, protection of existing vegetation, soft landscape specification, boundary treatments are all acceptable.
99. The Landscape Officer considers that the 1 in 3 slopes of attenuation basin is unacceptable and too engineered, and that the Headwall details should reflect the rural location and precast concrete series should be replaced with an alternative approach. However, following receipt of additional landscaping information during the course of the application, the Council's Landscape Officer has confirmed that the details of the drainage basin, hard landscaping and soft landscaping can be secured by planning conditions.
100. It is therefore considered that the proposed development would not result in any significant harm to trees or hedgerows, in accordance with policies S/3 and NH/4 of the South Cambridgeshire Local Plan 2018.

Biodiversity

101. The application site is located within the Impact Risk Zone of the nearby Eversden and Wimpole Woods Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). Neither Natural England or the Council's Ecology raise objections to the application in respect of impacts on the SAC / SSSI.
102. There are no non-statutory protected sites in the vicinity that are likely to be affected by the application.
103. Species records show great crested newt, barn owl and other breeding birds, flowering plants, invertebrates, reptiles, bats, brown hare, badger, and water vole have been found in the local area. The Council's Ecology Officer is satisfied that any residual impacts to protected species can be removed through conditions.
104. The Ecological Assessment (Ecology Solutions, January 2020) found no evidence of protected species on site and suggested a non-licensable strategy to remove any residual risk of harm to protected species during construction. The Council's Ecology Officer is in general agreement with the Ecological Assessment; however requested clarification relating to water vole records found in the local area and why no further analysis was included for water vole. An updated Ecological Assessment (Ecology Solutions, October 2020), received during the course of the application, addressed the issue regarding water vole and provided an avoidance strategy to remove any residual risk, to the satisfaction of the Council's Ecology Officer.
105. A further updated Ecological Assessment (Ecology Solutions, April 2021) was also received during the course of the application, though it does not provide any further evidence of the presence of protected species beyond what has already been submitted. Therefore, the Ecology Officer requests conditions are appended to any grant of planning permission requiring the following:
- A Construction Ecological Management Plan (CEcMP) to be agreed with the Local Planning Authority, prior to the commencement of development (including demolition, ground works, vegetation

clearance) authority. Implementation of the CEcMP through the construction period.

- A lighting design strategy for biodiversity features or areas to be lit to be submitted to be agreed with the Local Planning Authority, prior to occupation of the development. Installation and future retention in accordance with the strategy.
- A Landscape and Ecological Management Plan (LEMP) to be agreed with the Local Planning Authority, prior to commencement of the development above slab level. Implementation of the approved LEMP.

106. A third party representation has raised concern that the proposed development is not in line with the Cambridgeshire and Peterborough Doubling Nature Investment Plan or with the OxCam Natural Capital Plan, which gives importance to natural capital protection through protecting or enhancing the natural environment. However, the Council's Ecology Officer is satisfied that the proposed development can achieve a measurable net gain in biodiversity can be achieved, subject to the recommended landscaping and ecology details.

107. In order to maintain and enhance ecology, it is considered reasonable and necessary to append planning conditions requiring landscaping and ecology details to be agreed by the Local Planning Authority. Subject to these conditions, it is considered that the proposed development would preserve and enhance ecological interests, in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

Contamination

108. The application site has been investigated and assessed in terms of potential contamination and a proposed residential use as part of Reserved Matters permission S/4552/17/RM. The assessment concluded the site to be suitable for use. The Council's Contaminated Land department state that, for the above reasons, no further assessment is required and they have no objections to the application.

109. In addition, the Environment Agency has stated that they do not consider the proposal to be high risk; though they recommend that if any unexpected contamination is found during development, no further development shall be carried out until a remediation scheme has been agreed by the LPA. A requirement for a remediation scheme to deal with any unexpected contamination could be secured by a planning condition.

110. The Environment Agency also recommend informatives relating to any potential oil storage tanks and advising that site operators ensure there is no possibility of contaminated water entering or polluting surface or underground waters. The recommended informatives could be appended to the decision notice on any grant of planning permission.

111. It is therefore considered that the proposed development would have acceptable contamination risks, in accordance with policy SC/11 of the Local Plan.

Archaeology

112. Cambridgeshire County Council Archaeology department has confirmed that the proposed development area has previously been subject to geophysical survey and an archaeological evaluation carried out against a condition of planning permission S/2204/15/OL for the development of the wider site (Cambridgeshire Historic Environment Record references ECB4583, ECB4584).
113. Cambridgeshire County Council Archaeology state that the evaluation results have made a significant contribution to the understanding of the medieval and post medieval development of the area, however it is unlikely that further investigation would add significantly to this new information.
114. As such, they do not consider further archaeological work to be necessary and have no objections to the proposed development proceeding.
115. It is therefore considered that the proposed development has acceptable archaeological impacts, in accordance with policy NH/14 of the Local Plan.

Other matters

116. The Council's Sustainability Officer supports the application from a sustainable construction point of view, subject to conditions, as the submitted calculations demonstrate that the development would achieve compliance with Local Plan Policy CC/3. They recommended conditions requiring the renewable / low carbon energy technologies set out in the Energy Statement (dated October 2020) to be installed and operational prior to occupation, and thereafter maintained in accordance with a maintenance programme to be agreed with the LPA. If grid capacity issues arise, written evidence from the District Network Operator and a new Energy Statement shall be agreed with the LPA which will be implemented and maintained in accordance with details agreed with the LPA.
117. Policy CC/4 of the South Cambridgeshire Local Plan 2018 states that all new residential developments must achieve as a minimum water efficiency equivalent to 110 litres per person per day. In order to ensure that this is achieved, a condition could be appended to the planning permission requiring this to be complied with.
118. Policy TI/10 of the South Cambridgeshire Local Plan 2018 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. In order to ensure that this is achieved, a condition could be appended to the planning permission requiring this to be complied with.
119. Consideration has been given to all representations received from third parties and the majority have been addressed through assessment of the key considerations

within other sections of this Committee Report. Other matters raised by third party representations are addressed below:

- Pollution impacts – The application has been reviewed by the Council’s Drainage Officer, Contaminated Land Officer and Environmental Health department; the County Council Lead Local Flood Authority; and the Environment Agency. The technical consultees have not raised any concerns regarding pollution which cannot be sufficiently dealt with by the recommended conditions. Although some noise disturbance is likely to be inevitable during the construction phase of the development, such noise impacts would be temporary and are not considered to result in significant harm to warrant refusal of the application. Noise impacts during the construction phase can be minimised through control of construction hours and a Construction Environmental Management Plan which could be secured by conditions.
- Consultations – Toft Parish Council, Comberton Parish Council, technical consultees and third parties have been provided with opportunities to submit representations during the course of the application. Letters were sent to some properties located near to the site to inform them of the application, a site notice was displayed near to the site and a press advert was published in the Cambridge Independent on 3rd June 2020. Representations have been received during the course of the application from both Parish Council’s. Representations have also been made by technical consultees and 18 third parties.

Developer Contributions

120. Policy TI/8 of the Local Plan states that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
121. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –
 - a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
122. Given the related transport impacts which could arise from the development, Cambridgeshire County Council Transport Assessment department has recommended several mitigations including a contribution of £20,000 for maintenance of bus stop shelters.
123. Cambridgeshire County Council has also provided comments in respect of education, libraries and strategic waste. They have stated that it is not necessary to seek developer contributions to mitigate the impacts of this development on early years, primary or secondary education as it is forecast that there is capacity. In respect of libraries and lifelong learning, there is not sufficient existing capacity at Comberton Library for the amount of residents generated by the proposed

development, which will increase demands for the local library service and put considerable pressure on the local library and lifelong learning service. Therefore a contribution of £5,959 is sought towards library and lifelong learning provision and mitigate the impact of the development. The County Council seek a contribution to increase capacity at Comberton Library to help mitigate the impact of the increased use through an upgrade of the facilities. This will be used to fund the purchase of additional shelving to meet the demands of the growing population and additional study provision required. No strategic waste contribution has been requested.

124. Cambridgeshire and Peterborough Clinical Commissioning Group has stated that the proposed development is likely to have an impact on the services of Comberton Surgery, which appears not to have capacity for the additional growth resulting from this development, and therefore the proposed development must provide appropriate levels of mitigation. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by the proposed development. Cambridgeshire and Peterborough Clinical Commissioning Group have no objection to the application subject to a developer contribution of £15,500 to mitigate the impacts of the proposed development.

125. No form of children's play space, outdoor sport or allotments and community orchards is provided be provided on-site. Therefore, the following financial contributions are required in lieu to mitigate the impacts of the proposed development:

- Children's play space - £57,190.23
- Sports - £42,610.10
- Allotments and community orchards - £2,000

126. Other financial contributions include:

- Indoor community space (£19,345)
- Green Infrastructure (£4,100)
- Householder waste receptacles (£73.50 per house and £150 per flat)
- Section 106 monitoring fee £500

127. The Heads of Terms, including detail and projects which the financial contributions would go towards, are set out in full in Appendix A of this Committee report.

128. Officers request that Members delegate powers to officers to enter into a Section 106 agreement in accordance with the Heads of Terms set out within Appendix A of this Committee Report.

Conclusion

129. The proposed development would provide an additional 41 dwellings to the District's housing supply, including 16 affordable dwellings, all of which would be located within the established development framework boundary for Comberton. The proposed development would reflect the character, appearance and density of the development of 90 dwellings immediately to the east and would preserve the character and appearance of the area and adjacent Green Belt. There are no

outstanding objections from technical consultees and, subject to the recommended conditions, the proposed development would have acceptable impacts in respect of highway impacts and parking, residential amenity, flood risk and drainage, landscaping and trees, biodiversity and contamination. In addition, the proposed development would provide a number of financial contributions towards services and facilities in Comberton and Toft. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, officers recommend that planning permission should be granted in this instance.

Recommendation

130. Approval, subject to conditions as set out below and the completion of a S106 agreement in accordance with the Heads of Terms provided within Appendix A of this Committee Report.

Recommended conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) The development hereby permitted shall be carried out in accordance with the following drawings and documents:

Site Location Plan

1-01 Rev K

1-02 Rev D

1-04 Rev D

1-05 Rev D

1-06 Rev D

Custom & Self Build Housing Plot Passports (December 2020)

Arboricultural Impact Assessment and Method Statement ref: PRI18831aia_amsB (Western)

PRI18831-03J

Ecological Assessment April 2021 ref: 8586.EcoAs.vf4

Energy Statement ref: TH/JEB/P19-1920/01 Rev A

Sustainability Statement ref: TH/CC/P19-1920/02 Rev A

221/2019/03 Rev P2

221/2019/05 - P2

PL-(1)2-01 Rev E

PL-(1)3-01 Rev E

PL-(2)2-01 Rev E

PL-(2)3-01 Rev E

(A)PL-2-01 REV D

(D1)2-01 REV D

(D2)PL-2-01 REV E

(E)PL-2-01 REV D

(F)PL-2-01 REV F
(G1)PL-2-01 REV E
(G1)PL-3-01 REV D
2-01 REV D
3-01 REV D
(H)PL-2-01 REV D
(H)PL-3-01 REV D
6-01 A
6-02 A
(BN)2-01 Rev A
(CY)2-01 Rev A
(CY)2-02 Rev A
2-01 Rev A
2-02 Rev A

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 development above base course level shall take place until details of the proposed arrangements for future management and maintenance of the streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure the satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 4) Prior to the first occupation of the hereby approved development, pedestrian visibility splays shall be provided each side of the vehicular access in full accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety, in accordance with policies TI/2 and HQ/1 of the South Cambridgeshire Local Plan 2018.

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

Reason: In the interests of highway safety, in accordance with policies TI/2 and HQ/1 of the South Cambridgeshire Local Plan 2018.

- 6) No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principle areas of concern that should be addressed are:

- a) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- b) Contractor parking, with all such parking to be within the curtilage of the site where possible
- c) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- d) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto 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 policies TI/2 and HQ/1 of the South Cambridgeshire Local Plan 2018.

- 7) The development, hereby permitted, shall not be occupied until car parking has been laid out within the site in accordance with the approved plans. The car parking spaces shall thereafter be retained as such in perpetuity.

Reason: In the interests of highway safety and ensuring adequate parking provision, in accordance with policies TI/2, TI/3 and HQ/1 of the South Cambridgeshire Local Plan 2018.

- 8) The development, hereby permitted, shall not be occupied until facilities for the covered, secure parking of cycles for use in connection with the development have been provided in accordance with drawing no's (CY)2-01 Rev A, (CY)2-02 Rev A and 1-01 Rev K. The facilities for the covered, secure parking of cycles shall be thereafter retained as such in accordance with the approved details.

Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

- 9) Prior to occupation of the development, hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify:- the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking; and how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon occupation of the development.

Reason: In the interests of encouraging sustainable travel to and from the site in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018.

- 10) During the period of demolition and construction, no power operated machinery shall be operated on, or deliveries made to or from the site before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 1300 hours on Saturdays,

nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: In the interests of residential amenity, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 11) No external lighting shall be provided or installed until an artificial lighting impact assessment and mitigation scheme if required has been submitted to and approved in writing by the local planning authority.

The assessment shall include the following:

- a) the method of lighting (including luminaire type / profiles, mounting location / height, aiming angles / orientation, angle of glare, operational controls, horizontal / vertical isolux contour light levels and calculated glare levels to receptors)
- b) the extent/levels of illumination over the site and on adjacent land and predicted lighting levels at the nearest light sensitive receptors

All artificial lighting must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notices for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

Where required, the mitigation scheme shall be carried out as approved and retained as such.

Reason: To minimise the effects of light pollution on the surrounding area and to protect biodiversity interests in accordance with Policies SC/9 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 12) No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- i) Contractors' access arrangements for vehicles, plant and personnel;
 - ii) Contractors' site storage area(s) and compounds(s);
 - iii) Parking for contractors' vehicles and contractors' personnel vehicles;
- Development shall not be carried out other than in accordance with the approved details.

Reason: In the interests of residential amenity and highway safety, in accordance with policies HQ/1 and TI/2 of the South Cambridgeshire Local Plan 2018.

- 13) No residential unit shall be occupied until the on-site storage facilities for waste, for that particular unit, have been provided in accordance with drawing no's (BN)2-01 Rev A and 1-01 Rev K. The on-site storage facilities for waste shall be thereafter retained as such in accordance with the approved details.

Reason: To ensure that the need for refuse and recycling is successfully integrated into the development in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 14) No development shall take place above ground level until samples of the external materials to be used in the construction of the development have been submitted to

and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

15) No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

e) details of hardstanding removal and decompaction of soil.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

16) All hard and soft landscape works shall be carried out and maintained in accordance with the details to be agreed by condition 15 of this planning permission. 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 as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 17) Prior to occupation of the hereby approved development, the renewable / low carbon energy technologies set out in the Energy Statement (dated October 2020) shall be installed and operational and thereafter maintained in accordance with a maintenance programme to be agreed with the Local Planning Authority. If grid capacity issues arise, written evidence from the District Network Operator and a new Energy Statement shall be agreed with the Local Planning Authority which will be implemented and maintained in accordance with agreed details.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (South Cambridgeshire District Council Local Plan 2018, policy CC/3 and Greater Cambridge Sustainable Design and Construction SPD)

- 18) 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 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.

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

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

- 20) If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material shall be agreed in writing by the Local Planning Authority before any works proceed and shall be fully implemented prior to first occupation of the dwelling hereby approved.

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 South Cambridgeshire Local Plan 2018.

- 21) Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 22) No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by GHBullard & Associates LLP (ref: 221/2019/FRADS Rev P8), dated April 2021 and shall also include:

- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA nonstatutory technical standards for sustainable drainage systems;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and / or construction works may compromise the ability to mitigate harmful impacts, in accordance with policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 23) No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts, in accordance with policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 24) Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of the National Planning Policy Framework.

- 25) No development above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018.

- 26) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:

- A) Risk assessment of potentially damaging construction activities.
- B) Identification of “biodiversity protection zones”.
- C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- D) The location and timings of sensitive works to avoid harm to biodiversity features.
- E) The times during which construction when specialist ecologists need to be present on site to oversee works.
- F) Responsible persons and lines of communication.
- G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- H) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- 27) Prior to occupation a lighting design strategy for biodiversity features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

- 28) 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

- 29) Prior to occupation of the hereby approved development, two bus stop shelters shall be installed (1 on the north side and 1 on the south side of the B1046), in accordance with a scheme to be submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall include details of the precise location and construction of the shelters, the type of bus stop shelters to be used, and the location of the real time information points, bus stop posts and bus stop cage road markings.

Reason: In order to mitigate the transport impacts of the development, in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018.

- 30) Prior to first occupation of the hereby approved development, solar studs shall be installed within the cycle path between Bennell Farm and Toft village, in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In order to mitigate the transport impacts of the development, in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018.

- 31) No development above ground level shall commence 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.

32) Notwithstanding the plans hereby approved, 5% of the 41 dwellings shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the building Regulations 2010 (as amended 2016).

Reason: to ensure an adequate mix of units in accordance with policy H/9 of the South Cambridgeshire Local Plan 2018.

33) Plots 23 and 37 shall be allocated for self-build in accordance with drawing no. 1-01 Rev K and the Custom & Self Build Housing Plot Passports (December 2020).

Reason: To ensure an adequate mix of units in accordance with policy H/9 of the South Cambridgeshire Local Plan 2018.

34) There shall be no burning of any waste or other materials on 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, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

35) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the Local Planning 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 / or vibration. Potential noise and vibration levels at the nearest noise sensitive locations should 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 amenity of the locality, especially for people living or working nearby, in accordance with policies SC/10 and HQ/1 of the South Cambridgeshire Local Plan 2018.

Recommended Informatives:

- a) Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are

regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

- 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.
- c) 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 basins 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.
- d) 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 a separate permission must be sought from the Highway Authority for such works.
- e) Environment Agency Preparing a Flood Risk Assessment Standing Advice states that "When developments cannot be located in a lower flood risk area, you need to consider flood resistance and resilience measures if you cannot raise your development's ground floor levels above the estimated flood level for the site".
- f) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
- g) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
- h) Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
- i) Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

- j) The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
- k) Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with the Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.
- l) Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
- m) Opportunities should be provided for wildlife habitat enhancement through enlargement and / or appropriate management of existing habitats and through creation of new habitats. Subsequent proposals must demonstrate enhancement.
- n) 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 dwellinghouses 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.
- o) The granting of permission or any permitted development rights for any Air Source Heat Pumps (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 notable acoustic features.

In addition equipment such as air source heat pump utilising fans and compressors are liable to emit more noise as the units suffer from natural ageing, 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.

- p) 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.

Report Author:
Richard Fitzjohn – Senior Planning Officer
Telephone: 07704018426

Appendix A:

Heads of terms for the completion of a Section 106 agreement

Toft – Bennell Farm (20/01992/FUL)

Affordable housing summary:

Affordable housing percentage	40% (16 dwellings)
Affordable housing tenure	Affordable Rented 6 X 1 Bed Flats 5 X 2 Bed Flats Shared Ownership 4 X 2 Bed Flats 1 X 2 Bed House

Section 106 payments summary:

Ref	Item	Estimated sum
CCC1	Library and lifelong learning	£5,959
CCC2	Transport	£20,000
SCDC1	Allotments and community orchards	£2,000
SCDC2	Children's play space	£57,190.23
SCDC3	Green infrastructure	£4,100
SCDC4	Indoor community space	£19,345
SCDC5	Health	£15,500
SCDC6	Household waste bins	£TBC
SCDC7	Monitoring	£500
SCDC8	Sports	£42,610.10

Section 106 infrastructure summary:

Item	Summary
Open space	Onsite informal open space to be provided and maintained

Planning condition infrastructure summary:

Item	Summary
Bus shelters	Installation of bus stop shelters on the North and South side of the B1046 outside the Comberton Village College.
Stud lighting	The installation of solar studs to the cycle path between Bennell Farm and Toft.
Travel Plan	Travel plan and residential travel packs

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Library and lifelong learning
Policy	South Cambridgeshire Local Plan Policy TI/8
Detail	Cambridgeshire County Council has requested a contribution to increase capacity at Comberton Library to help mitigate the impact of increased use through an upgrade of the facilities.
Project	For improvements to Comberton Library including the purchase of additional shelving for stock and additional study provision.
Quantum	£5,959
Fixed / Tariff	Fixed
Trigger	Prior to commencement of development

Ref	CCC2
Type	Transport
Policy	South Cambridgeshire Local Plan Policy TI/2 and TI/8
Detail	<p>The nearest bus stops are located outside the site frontage. The service at these bus stops is the Stagecoach 18 bus service with buses every two hours.</p> <p>Whilst Cambridgeshire County Council had requested that the substantive permission on Bennell Farm be required to install two new bus stops on West Street in the vicinity of the site, planning permission was issued without securing these through either a planning condition or planning obligation. This mitigation is still required and is sought in relation to this application.</p> <p>The contribution sought relates to the maintenance of shelters that are to be installed by the developer.</p>
Project	Maintenance of 2 bus shelters at £10,000 each
Quantum	£20,000
Fixed / Tariff	Fixed
Trigger	Prior to commencement of development

Ref	SCDC1
Type	Allotments and Community Orchards
Policy	South Cambridgeshire Local Plan Policy SC/7
Detail	Whilst both Parish Councils operate allotments, the legal responsibility to provide allotments to the residents of this development will fall to Toft Parish Council. Although Toft Parish Council provides 12 allotment plots in the village, only 7 are let and this is to only 4 tenants. The main issue with the allotments, and the reason for the lack of interest, is the lack of water supply. Toft Parish Council have requested a contribution to install water supply to the allotments which will increase demand for the current supply and address the policy ambition.
Project	To install water supply to the Toft allotments.
Quantum	£2,000
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 10 dwellings

Ref	SCDC2
Type	Children's play space
Policy	South Cambridgeshire Local Plan Policy SC/7
Detail	<p>Toft Parish Council has advised that the £20,000 section 106 contribution secured as part of the main Bennell Farm development is to be used to replace and enhance some of the existing play equipment, in particular the young children's climbing frame/slide setup. The Parish Council confirm that any new funding would enable the installation of new ground safety surface around the older children's climbing equipment and the installation of more play equipment. Toft Parish Council also wishes to install an outdoor table tennis table (£1k) and provide equipment for sports day events (£1k).</p> <p>Comberton Parish Council has identified several short to medium term children's play projects including a new multi-use games area (£46k), a replacement slide (£13k), 2 x covered shelters for parents and children (£14k), additional outdoor fitness equipment (£3k), resurfaced skate park (£16k). The primary objective of Comberton Parish Council is to provide a multi-use games area on the Recreation Ground which could be used for five a side football, basketball, netball, hockey, cricket, etc. The cost for a 20m x 12m MUGA is in the region of £46,000.</p>
Project	£57,190.23 in total with £20,000 to fund children's play equipment for young children in Toft and £37,190.23 to fund a multi-use game area for older children in Comberton.
Quantum	£57,190.23
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 10 dwellings

Ref	SCDC3
Type	Green Infrastructure
Policy	South Cambridgeshire Local Plan Policy NH/6
Detail	The villages of Toft and Comberton benefit from Hardwick Wood SSSI, an ancient woodland located 5 km to the north west of the development site and connected to the site via the public highway and right of way network. Hardwick Wood is managed by the Wildlife Trust who have advised that the site is experiencing an increase in visitor numbers and that investment in the site is required to better manage visitors. Short term measures include: New access gates to both improve the attractiveness of entrances, but also direct and manage visitors at a cost of around £2,000 New signage to both to explain the importance and sensitivity of the wood encouraging responsible visits, and to help inform people of the wildlife and history of the wood to help improve

	<p>their enjoyment at a cost of around £1,000 Fencing to protect coppice plots is essential to protect the woodland ground flora as increased visitors will mean paths will become widened (particularly in wet conditions) at a cost of around £3,600.</p> <p>Comberton Parish Council has proposed several projects and an extended 'Explorers Walk' (£3k) to encourage walking throughout the two villages and public right of way network through the installation of wayfinders and an online map.</p>
Project	£4,100 in total with which £3,000 will be used to fund an extended 'Explorers Walk' project (incorporating Toft village) and £1,100 for the Wildlife Trust to fund some of the Hardwick Wood interventions.
Quantum	£4,100
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 10 dwellings

Ref	SCDC4
Type	Healthcare
Policy	South Cambridgeshire Local Plan Policy T1/8
Detail	As advised by Cambridgeshire and Peterborough Clinical Commissioning Group Comberton GP Surgery does not have any capacity to meet the needs arising from the estimated population of 98 patients from the development.
Project	Either an extension of remodelling of the internal layout of Comberton GP Surgery.
Quantum	£15,500
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 10 dwellings

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

Ref	SCDC6
Type	Indoor community space
Policy	South Cambridgeshire Local Plan Policy SC/6
Detail	<p>Toft Parish Council has said that there are three projects associated with the hall which will be funded from the £20,000 of section 106 funding secured as part of the main Bennell Farm development. These are (1) Replacement and reconfiguration of the kitchen including a new Oven/cooker (2) Refurbishment of the Bar area including new furniture and (3) Installation of Air Conditioning in the hall. Toft Parish Council has identified a fourth project to reconfigure the first floor to better utilise the space and create additional capacity. The estimated cost of this work is £8,000. In the longer term the Parish Council advise that People's Hall needs extending. This may take the form of an enlarged kitchen by extending into the car park or a larger extension adjacent land becomes available.</p> <p>Comberton Parish Council has advised of its aspirations to provide a new sports pavilion/community hub on the recreation ground which will include a hireable community room and kitchen.</p>

Project	£19,345 in total with £8,000 to reconfigure the first floor of Toft Peoples Hall and £11,345 used to fund the Comberton pavilion project.
Quantum	£19,345
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 10 dwellings

Ref	SCDC7
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Detail	To monitor the timely compliance of the planning obligations, specifically onsite infrastructure including affordable housing and public open space
Project	Monitoring of the proper and timely performance of the Owner's covenants under the terms of the Agreement
Quantum	£500
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development

Ref	SCDC8
Type	Sport
Policy	South Cambridgeshire Local Plan Policy SC/7
Detail	<p>Toft Parish Council has advised that it has ambitions to provide tennis courts within the village at a cost of around £30,000. However, the Parish Council does not benefit from sufficient land, and it is not known whether the Parish Council may be able to purchase suitable land to facilitate this project. Furthermore, tennis courts are available at the Village College and Comberton.</p> <p>Comberton Parish Council has advised of its aspirations to provide a new sports pavilion/community hub on the recreation ground. The Comberton pavilion was assessed as being 'Poor' in the South Cambs recreation study of 2013. Whereas previously the Parish Council were looking to extend and improve the existing building, it is now understood that such modifications would still not meet the Sports England standard.</p> <p>Comberton Parish Council are looking at a basic replacement building with all the facilities needed for current and future use. The new building would have 4 x changing rooms – each 20m² (to include showers and toilets), 2 x Officials Room, Separate toilets – ladies, gents, disabled, Commercial Grade Kitchen, Club/Community Room, Storage, Cleaning cupboard, Plant Room. A traditional construction 4 team Pavilion with Club Room is estimated to cost £690,000. Comberton have started to set money aside for the project and have requested S106 contributions to be allocated towards this project.</p>
Project	Comberton pavilion project.
Quantum	£42,610.10
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 10 dwellings

This page is left blank intentionally.

Agenda Item 6



11 August 2021

Report to: South Cambridgeshire District Council

Lead Officer: Joint Director of Planning and Economic Development

20/04754/HFUL, Reston Huntingdon Road Girton CB3 0LH

Proposal: Removal of existing rear conservatory and replace with larger rear extension with canopy. Extension of existing rear and front gables. Loft conversion with the addition of rooflights. Replacement garage with workshop above and new detached outbuilding with tennis court and gym to rear.

Applicant: Dr Ajay Kumar

Recommendation: Approval

Key material considerations: Principle of Development
Visual Amenity and Design
Residential Amenity
Drainage
Ecology
Tree Matters
Other Matters.

Date of Member site visit: N/A

Is it a Departure Application?: No

Decision due by: 5 February 2021

Application brought to Committee because: The application was called into planning committee by Councillor Bygott and Councillor de Lacey

Executive Summary

1. This application seeks permission for removal of existing rear conservatory and replace with larger rear extension with canopy. Extension of existing rear and front gables. Loft

conversion with the addition of rooflights. Replacement garage with workshop above and new detached outbuilding with tennis court and gym to rear.

2. Girton College is located across the highway to the north, notwithstanding this the area is predominantly residential. The site is located within the Girton Development Framework and there is a Protected Village Amenity Area and a Tree Preservation Order located across the front of the site. The North West Cambridge Action Area site is located just beyond the rear boundary with the Green Belt beyond.
3. The application is brought before Planning Committee due to the call in request by Cllr Bygott and Cllr de Lacey, the concerns raised relate mainly to the proposed tennis court outbuilding and garage. Officers recommend that Members of the Planning Committee should give significant weight to the legitimate fallback position provided by the permitted development rights available on this site.
4. Officers recommend that the Planning Committee approves the application, subject to the conditions set out at the end of the report.

Site and Surroundings, and Proposed Development

5. Reston, Huntingdon Road comprises a two-storey detached dwelling. It follows the prevailing pattern of development along this section of Huntingdon Road as it comprises a large dwelling in a deep and spacious plot.
6. Girton College is located across the highway to the north, notwithstanding this the area is predominantly residential. The site is located within the Development Framework of Girton and there is a Protected Village Amenity Area and a Tree Preservation Order located across the front of the site. The North West Cambridge Action Area site is located just beyond the rear boundary with the Green Belt beyond.
7. The proposed development comprises several elements. The first element comprises the removal of the conservatory and replacement with a flat roof rear extension and canopy. The rear extension would create a dining area, with the canopy extending across the rear of the dwelling to serve the sitting room and snug. The second element is the loft conversion with gable extensions to the front and rear. This would maintain the form of the gables but increase their height to roof level to offer one additional bedroom in the loft. Thirdly, a replacement garage is proposed with increased width and workshop in the roof space. Finally, an outbuilding is proposed to accommodate an indoor tennis court in the rear garden. This would be set down into the ground by 1.5 metres to allow the sufficient height to be met.

8. Planning History

9. S/0566/01/F – Conservatory – Approved
10. S/0602/00/F – Extension and Double Garage - Approved

Planning Policies

11. National Planning Policy Framework 2021
National Design Planning Guidance (PPG)
National Design Guide 2019
12. South Cambridgeshire Local Plan 2018

S/7 Development Frameworks
HQ/1 Design Principles
NH/4 Biodiversity
NH/11 Protected Village Amenity Areas
CC/8: Sustainable Drainage System
CC/9: Managing Flood Risk

South Cambridgeshire Supplementary Planning Documents (SPDs):

13. Greater Cambridge Sustainable Design and Construction - Adopted January 2020
Trees and Development Sites – Adopted Jan 2009
Biodiversity – Adopted July 2009
District Design Guide – Adopted March 2010

Consultation

14. Girton Parish Council – No comments received.
15. Councillor Bygott and Councillor de Lacey – We would like to call in Planning Application 20/04754/HFUL for determination at the Planning Committee.

The planning grounds are:

Policy HQ/1 of the Local Plan

Several aspects of the proposal do not preserve or enhance the character of the local urban and rural area or respond to its context in the wider landscape. They are not compatible with its location and appropriate in terms of scale, mass, form, siting or proportion in relation to the surrounding area. These include the proposed tennis court building, which is excessive in scale, the addition of a third storey to the main house and the placement of a second storey above the garage in the front garden further forward than the established building line.

District Design Guide SPD

Paragraphs 7.10 and 7.11 require an ancillary building to be subservient to the main dwelling. The tennis court building would have more than three times the footprint of the main house. Cllr Bygott calculates its volume to be more than 1,800 cubic metres.

Permitted Development

If the tennis court were to be able to be constructed under permitted development, it would exploit a loophole in the drafting of The Town and Country Planning (General Permitted Development)(England) Order 2015, allowing ancillary buildings on up to 50% of the total area of the curtilage beyond the footprint of the dwelling house, without limit to the size of the land.

However the building exceeds the maximum 4m height allowed under Class E. Further it is not possible to build a regulation indoor tennis court under permitted development, because Lawn Tennis Association rules require an indoor court to have a maximum unobstructed height at net line of 9 metres.

Policy CC/9 of the Local Plan

The tennis court building would increase flood risk by removing a substantial area (about 530 square metres) of permeable land surface, increasing run-off to adjacent land. Reston is within the catchment area of Washpit Brook which flows into Beck Brook and has contributed to numerous incidents of flooding within Girton in recent years.

Policy NH/14 of the Local Plan

The front garage of Reston and its mature trees lies within a conservation area. The two storey garage building would not sustain or enhance the significance of this conservation area.

16. Ecology Officer

Initial comments

An Ecological Survey and Assessment has been submitted. The report does not provide a sufficiently robust assessment of bat roost potential in accordance with Bat Surveys for Professional Ecologists – Good Practice Guidelines 3rd Edition (Collins et al, 2016). For example, a bat scoping survey needs to assess potential for bats to be present and impacted not just whether there is any obvious evidence of use in accessible areas. The potential for the external fabric of the building to support crevice-dwelling bats such as pipistrelle species has not been evidenced. As these species can use crevices wider than 1.5cm, an assessment of suitability such as whether any slipped, lifted or loose slates or flashing is present or whether there are any potential roost crevices behind flashing or soffits needs to be provided. If these type of roosts are present, the roof linings including sarking and bitumen underlay may restrict inspection of potential roost features and evidence of crevice-dwelling bats may not be found inside the loft or internal voids. Contrary to the report, cobwebs are not a deterrent to roosting bats, although very dense cobwebs throughout an entire void often indicates that there are no bats roosting regularly in the roof space.

In accordance with the Good Practice Guidelines, one emergence/re-entry surveys is required for buildings with low potential, two surveys for buildings with moderate potential and three surveys for buildings with high bat roost potential.

A more robust and detailed evidence-based assessment in accordance with best practice guidance will be required.

Further Comments following submission of bat survey

The applicant has submitted a Bat Survey which found no evidence of roosting bats. Would therefore suggest that conditions regarding the following are included within any decision notice issued:

- Compliance with Ecological Survey and Assessment (Essex Mammal Surveys, February 2021) and Bat Survey (Essex Mammals, June 2021)
- Biodiversity enhancement

17. Landscape Architecture – No comments received.

18. Trees Officer - No arboricultural or hedgerow objections to this application.

An Arboricultural Impacts Assessment has been submitted. This is sufficient for this proposal, trees and should be listed as an approved document.

Four TPOd trees appear to be proposed for removal, T1, T4, T7 and T19. No replacements appear to be proposed but the area is still well treed. Any future tree removals will require replacement planting.

19. Drainage Officer

Initial comments

It is not possible to comment on the proposed development and, given the size of the proposed development, the following additional information will be required:

Please provide sufficient detail on how surface water will be disposed of to determine if the proposal is in accordance with South Cambs adopted Policies CC/7, CC/8 and CC/9. If an infiltration system is proposed, this detail would be expected to include infiltration testing undertaken in line with BRE Digest 365 Revised 2016 whereby the soakage trial pit is filled and allowed to drain three times to near empty on the same or consecutive days and the lowest value used for calculating the required attenuation volume.

It is appreciated that some information may not be available at the time of submitting an application therefore a number of options may be presented with the final option to be confirmed at a later date. Ultimately at least one viable solution to deliver a sustainable drainage system in principle must be presented to and accepted by the local planning authority.

Further Comments following submission of soakaway testing information

The proposals have not indicated a surface water drainage strategy however, as this is a minor development it would be acceptable to obtain this information by way of a condition.

The development proposed is acceptable subject to the imposition of the condition(s) regarding:

- Surface water drainage
- Maintenance arrangements
- Foul drainage
- Floor levels

Representations

20. Several representations have been received raising concerns regarding:

- Detrimental impact to the character of the area due to the proposed tennis court
- Detrimental impact upon the character of the area due to the garage
- The commercial nature and utilitarian appearance of the tennis court
- Height, scale, mass and footprint of the proposed tennis court
- Overbearing and obtrusive nature of the proposed tennis court
- Light and noise pollution from the tennis court
- Loss of privacy from tennis court
- Hours of use for the tennis court
- Potential future use of the tennis court
- Overbearing impact of proposed garage
- Potential use of space in garage
- Impact to wildlife, especially protected species
- Impact upon trees
- Increased flood risk
- Restrictive covenant on the land
- Loss of open space
- Errors in tree survey
- Archaeological impacts

- Lack of biodiversity enhancement
- Precedent set

Planning Assessment

21. The key issues to consider in the determination of this application relate to the visual amenity and design, protected village amenity area, residential amenity, trees matters, ecology, drainage, other matters.

Visual Amenity and Design

22. Policy HQ/1 states that development must preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape and 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.

New detached outbuilding with tennis court and gym to rear

23. After amendments, the proposed outbuilding contains a tennis court with a length of 32.7 metres, a width of 17 metres and a height above ground level of 4.7 metres. It would be set down 1.5 metres into the ground to allow an internal height of 6.2 metres. The proposed tennis court building would be finished in composite cladding and a standing seam metal roof.
24. A number of concerns have been raised to the proposed tennis court, mainly in reference to its use, height, scale, mass, design and footprint. The representations suggested that due to these aspects the outbuilding would have a detrimental impact upon the character and appearance of the main house and the locality.
25. The tennis court is intended to be used in association with the main house by the current occupier for sports leisure, specifically tennis. The representations received raised concerns about any use beyond this private function. The application does not seek permission for this building to be used beyond an ancillary function, however Officers do consider that a condition to restrict the use for private domestic purposes only would be reasonable to ensure that the building is not used for commercial purposes in the future.
26. In terms of the height, scale, mass and footprint, there is no doubt that the proposed outbuilding would be of a significant size. However, Officers must have regard to the fallback position which is afforded by the permitted development rights available for outbuildings.
27. Schedule 2, Part 1 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) provides the permitted development rights for development within the curtilage of a dwellinghouse, these rights have not been removed or restricted on this site and therefore form a material consideration in the determination of the application. Class E defines the rights regarding buildings etc incidental to the enjoyment of a dwellinghouse. The scope of this class allows buildings with dual pitched roofs to have a height of up to 4 metres, with an eaves height of 2.5 metres. The only restriction in terms of footprint comes from section (b) which states development would not be permitted if the total area of ground covered by buildings within the curtilage of the dwellinghouse would exceed 50% of the total area of the curtilage. The proposed building would not conflict with this requirement. Given that it is possible for an incidental outbuilding to be erected under permitted development rights on this site at any point, the material consideration should be given significant weight in the determination of the application.

28. The proposed building would have an eaves height above ground level of 2.0 metres and an overall height of 4.7 metres. Officers acknowledge that the building would exceed the overall height allowance by 0.7 metres, however it is not considered that this additional height would result in a building that would be wholly disproportionate with the main house. Given the permitted development rights available, it would be difficult to argue that this building goes above and beyond what would be reasonably considered a subservient and ancillary building.
29. The eaves height would remain low and well under the allowance given by Class E and therefore the main mass and bulk of the building would be set within the Class E requirements. In addition, the main house is a large two storey dwelling, in a deep and spacious plot. As such, it is not considered that the proposal would result in a dominating or disproportionate addition to this.
30. In addition, concerns were raised about the appearance of the building, some representations suggesting that together with the size and external materials it would appear utilitarian rather than domestic. Officers acknowledge that the outbuilding would appear different from the main house and the tennis court would appear reasonably contemporary, however this is not considered to result in detriment to the character and appearance of the main house. The proposal is a subservient building in the rear garden, the design and appearance would be considered appropriate for an outbuilding which are often finished in a material that differs from the main house. As the proposal is to the rear and not visible from public views it would not be considered to detract from the main house or street scene.
31. This section of Huntingdon Road is characterised by large detached dwellings in spacious plots. The spacious character is predominantly formed through the significant set back from the road and the large separation distances between the dwellings. Whilst, most properties along this section of the road also have large rear gardens these are visible from private views only and therefore do not form such an important part of the character of the area. The proposed tennis court would be wholly contained in the rear garden and therefore not visible from the street scene, and therefore would be considered to preserve this character.
32. A representation raised a concern that the tennis court would not meet the recommended height for indoor tennis courts given by the LTA, the National Governing Body for tennis in Great Britain. The LTA guidance gives that the height of an indoor tennis court should be 5.75m at the base line and 9.00m at the net line. The height at the baseline is sufficient, however the height at the net line would be below what is recommended. These recommendations are given to allow a full game of professional tennis to take place, these are recommendations only. The dimensions for the proposed court are considered suitable for a game of tennis to take place within an at home court.
33. One representation was received regarding loss of open space from the proposed tennis court building. The land as existing forms the private garden of Reston, Huntingdon Road and therefore does not contribute to public open space. Given the size of the rear garden there would be sufficient space to ensure good quality outdoor amenity could be achieved for the occupiers of the dwelling.
34. Overall, given the permitted development rights afforded to the main house regarding incidental outbuildings and the rear siting, the proposal would be considered to be preserve the character and appearance of the area in accordance with Policy HQ/1 of the Local Plan 2018.

Replacement garage with workshop above

35. The existing garage would be situated to the front of the proposed dwelling and would appear very modest, comprising a low eaves height and a hipped roof. The current garage is partially visible within the street scene, with mature and protected trees screening the majority of public views.
36. The replacement garage would be sited in the same area as the existing garage and would extend the footprint further, closer to the main house. It would host two parking spaces at ground floor level and a workshop in the roof space above. It would result in a replacement built form with additional height and mass however it would remain subservient to the house due to its overall height and scale. Whilst some concerns have been raised about breaching the building line of the main houses, front garages are not uncommon features along Huntingdon Road, with similar ancillary buildings in front of the building line seen at New Hayes and Girton Corner. Therefore, it is not considered that the garage building would appear out of place in this context.
37. In addition, as with the original garage, the proposal would be substantially screened by the protected trees to the front of the dwelling. It is considered that the proposed garage would not result in a dominant addition in the street scene and therefore would be considered to preserve the character and appearance of the area and main house.
38. A concern has been raised about the use of the garage, given that it would have habitable space above the parking area in the roof space. This has been labelled as a workshop to be used ancillary to the main house by the occupiers. This is considered acceptable, however to ensure the ancillary nature is retained in the future a condition will be attached.
39. The proposal would be considered to be in accordance with Policy HQ/1 of the Local Plan 2018.

Loft conversion and gable extensions

40. The proposal also seeks to convert the loft space and extend the existing gable elements at the front and rear of the property to create additional space at this level. The proposed extensions would increase the height of the gable elements so that they would extend to roof level and the eaves of these elements would sit above the eaves of the main roof. Concerns have been raised that the proposed extensions would give the impression of a three storey dwelling which is not common along Huntingdon Road, however as the roof form and eaves of the main house would be maintained the main house would continue to read as two storey with accommodation in the roof space. The height of the gable elements would remain below the ridge of the main house and therefore would be subservient. As the design and form of the gables would be maintained they would not be considered to result in adverse impacts to the character and appearance of the main house and street scene.

Rear extension and canopy

41. The proposal also seeks to replace the existing rear elements with a single storey rear extension and canopy structure. The rear extension would not be visible from the street scene and therefore would not be considered to result in adverse impacts to the character and appearance of Huntingdon Road. In addition, it would be modest in height and therefore subservient and cohesive to the main dwelling.

42. The proposal would be considered in accordance with Policy HQ/1 of the Local Plan 2018.

Protected Village Amenity Area

43. The front of the site is served by a Protected Village Amenity Area. Policy NH/11 states that Protected Village Amenity Areas are identified on the Policies Map where development will not be permitted within or adjacent to these areas if it would have an adverse impact on the character, amenity, tranquillity or function of the village.
44. The proposed replacement garage would be situated within the Protected Village Amenity Area. In this instance, the area comprises the land between the dwellings and the road which is generally characterised with mature trees. The proposed garage would replace an existing element, adding some mass and height. Whilst, the proposed garage would offer an increased scale, it is not considered that it would result in adverse impacts upon the character, amenity, tranquillity or function of this area as it would respect the main aspect of this character.
45. Therefore, the proposal would be considered in accordance with Policy NH/11 of the Local Plan 2018.

Residential Amenity

46. The proposal site has two adjoining neighbours, Huntingfield Huntingdon Road and Farmfield Huntingdon Road.

New detached outbuilding with tennis court

47. The proposed tennis court would be located in the rear garden of Reston, Huntingdon Road. It would comprise a significant footprint and a ridge height of 4.7 metres. As the building would comprise a pitched roof the roof would slope down towards the east and west boundary to have an eaves height of 2 metres.
48. Whilst the proposal would create a significant built form in the rear garden of the host dwelling, it would be set back from the rear building line by approximately 60 metres. In addition, it would sit towards the centre of the plot with a separation distance of 12.6 metres between the west elevation and the common boundary, and 7.5 metres between the east elevation and the common boundary. Taking into account the above and given that the neighbouring dwellings have large rear gardens, it is considered that whilst the proposal would be visible it would not result in an overbearing and dominating addition upon the neighbouring properties. Adjoining occupiers have raised concerns about the potential lack of privacy created by the tennis court. As it is single storey and set back from the dwellings it is not considered that any overlooking would take place.
49. Adjoining occupiers have raised some concerns regarding the potential noise and light pollution created by the outbuilding and the timings of use. As this would be an ancillary building, and taking into account that the glazing has been reduced, the noise and light spill is not considered to be over and above that which would be usual for a domestic property and ancillary buildings. It would be unreasonable to restrict timings on an ancillary building used by the occupiers of the dwelling as the use by its incidental nature would be considered compatible with domestic residencies. The proposal would not be considered to result in adverse impacts in terms of light, noise or timing.
50. The occupier at Huntingfield has requested that a hedge be erected on the boundary to screen the outbuilding. The existing boundary contains trees and shrubs, although there

are some views into the rear amenity space from Huntingfield where this is slightly sparser. Given that the proposal would be set away from the boundary and the roofline would pitch away, it would not be necessary in Officers' opinion to require this level of screening along the common boundary.

Replacement garage with workshop above

51. The proposed garage would be located towards the east of the site and set away from the boundary with Huntingfield. The proposal would be closest to Farmfield. The garage would sit adjacent to the common boundary and be set slightly closer to the dwelling. The property contains a garage on this side of the building, although there are some habitable windows on the west side of the building. Given this and taking into account the mature trees on the east boundary, the garage would not be considered to result in an adverse impact to these in terms of loss of light and overbearing.

Loft conversion and gable extensions

52. The gable extensions would be located in towards the centre of the front and rear elevations, away from the neighbouring dwellings and therefore would not be considered to result in loss of light or an overbearing impact. The proposal would introduce additional windows and rooflight at roof level which should serve habitable rooms. Given the position of these windows any views to neighbouring occupiers would be significantly oblique and would not result in significant overlooking over and above that offered by the existing openings.

Rear extension and canopy

53. The proposed rear extension and canopy would be considered modest in height, and would be set off the common boundaries. Therefore it would not result in significant adverse impacts to neighbouring occupiers.

Tree Matters

54. An Arboricultural Impact Assessment was submitted with the application to detail the tree removals and pruning that would need to be undertaken to facilitate development on this site. This has been reviewed by the Tree Officer and no objections were raised. The Tree Officer states that the proposal would involve the removal of four TPO trees, however the area would remain well treed and therefore the proposed removal would be considered acceptable. Officers agree with this assessment, the proposed tree removal would not be considered to result in adverse impact to trees in terms of biodiversity or visual amenity.
55. A concern was raised regarding the impact of the proposed tennis court building to the trees and hedge in the rear garden. The tennis court building would involve the removal and pruning of some trees in the rear garden, these are not protected by the TPO on the front of the site and the Tree Officer has not raised concerns about this. It is considered that given the mature trees that would remain in situ, the loss of the trees would not result in adverse impacts to biodiversity or amenity on the site. The hedge is designated to remain, it forms part of the green and soft character to the rear. An informative will be attached to advise that this should be replaced if it is damaged during construction.

56. Therefore, the proposal would be in compliance with Policy NH/4 and HQ/1 of the Local Plan 2018.

Ecology

57. An Ecological Survey and Assessment and Bat Survey have been submitted through the application process. Following this, the Ecology Officer is satisfied that the proposal would not result in harm to biodiversity on the site subject to conditions regarding compliance with the submitted documents and enhancements on the site. These are considered reasonable and necessary and will be added to any permission granted. There were some concerns raised regarding the impact the tennis court building may have on biodiversity in reference to noise and light pollution. The outbuilding has been altered so that the rooflights have been removed and the glazing reduced to direct any light to the front of the building and away from the rear boundary to help reduce this impact. The noise levels emitted from the building are not likely to be significant over and above what would be expected for a domestic building.
58. The proposal would be considered to conserve ecology levels on the site and therefore would be in accordance with Policy NH/4 and HQ/1 of the Local Plan 2018.

Drainage

59. The proposal site is located outside a flood risk zone, the surface water risk is designated as very low for the majority of the site, however there is one area of low risk to the rear of the site where the tennis court would be located and one in the adjacent site close to where the proposed garage would be located.
60. Whilst the proposal would fall under a minor extension in drainage terms, given the size of the tennis court the Drainage Officer requested information regarding surface water disposal. Additional information was submitted regarding soakaway testing and this was considered satisfactory to address the initial concerns subject to further information to be submitted via condition. The conditions regarding surface and foul water drainage and maintenance are considered reasonable given the size of the outbuilding and therefore will be attached to any permission granted. The Drainage Officer also requested a condition regarding finished floor levels, however the tennis court building is due to be set down into the ground by 1.5 metres. Clarity was sought through further informal consultation with the Drainage Officer and it was confirmed that the lower floor level would be acceptable given that the use of the tennis court would not be sensitive if flooding did occur. The Drainage Officer advised that the building may be subject to flooding, however confirmed that the lower floor levels would not increase surface water risk to surrounding properties. Therefore, the condition will be attached to the other aspects of the development, however the tennis court will be allowed to be set down into the ground as proposed.
61. Therefore, the proposal is considered to be in accordance with Policy CC/8 and CC/9 of the Local Plan 2018.

Other Matters

62. In some of the representations submitted a concern was raised about a covenant covering the houses along this section of Huntingdon Road that may restrict some parts of the development. Covenants are given as restrictions on the title of a property, they are not a planning matter and therefore need to be resolved outside of the planning process. It is the responsibility of the applicant to check these restrictions.
63. A concern was also raised about potential archaeology impact, however this site is not considered to be of archaeological interest and therefore Officers do not consider that it is necessary to require any information regarding archaeological works.

64. A concern has been raised about the proposed outbuilding setting a precedent for other structures along Huntingdon Road. It has been recognised that the consistency of the decision maker is important, however the idea of precedent is not a material planning concern as each application would need to be considered according to its own merits.

Recommendation

65. That planning permission be granted subject to appropriate planning conditions/informative:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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. The outbuilding and garage hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling house.

Reason: To protect the amenity of neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

4. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Survey and Assessment (Essex Mammal Surveys, February 2021) and Bat Survey (Essex Mammals, June 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

5. Prior to the commencement of development above slab level a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details as to how a positive net gain in biodiversity has been accomplished. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

6. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with policies CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall include:

- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm vents (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- F) Full details of the maintenance/adoption of the surface water drainage system;
- G) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason - To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development, in accordance with policies CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

7. Details for the long term maintenance arrangements for 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 buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason - To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 167 and 169 of the National Planning Policy Framework and policies CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

8. No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development, in accordance with policies CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

9. Other than the tennis court building, finished ground floor levels shall be set no lower than 150 mm above existing ground level.

Reason - To reduce the risk of flooding to the proposed development and future occupants, in accordance with policies CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

Charlotte Peet
Telephone: 07704018421

Agenda Item 7



South
Cambridgeshire
District Council

11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

21/02538/HFUL– OVER (30 HILTON STREET, OVER, CB24 5PU)

Proposal: Two storey rear extension & 2 additional Gable windows

Applicant: Mr Paul McEneaney

Key material considerations:

- Character and Appearance of the Area
- Residential Amenity
- Highway Matters

Date of Member site visit: N/A

Is it a Departure Application?: No

Decision due by:

Application brought to Committee because: A staff member of South Cambridgeshire District Council is part of the applicant's household.

Presenting officer: Charlotte Spencer

Executive Summary

1. The applications is brought to Committee because a staff member of South Cambridgeshire District Council is part of the applicant's household.
2. The development accords with the South Cambridgeshire Local Plan (2018) as:
 - It would not result in adverse impacts upon the character and appearance of the local area in accordance with Policy HQ/1;
 - It would have a detrimental impact on the setting of a Listed Building in accordance with Policy NH/14;
 - It would not result in significant harm to the amenities of neighbouring properties in accordance with Policy HQ/1;
3. Subject to conditions, the proposed development accords with national and local planning policies.

Relevant planning history

4. The property was built following planning permission S/1095/87/F dated 03.05.1987.
5. Recently, planning permission was granted for the conversion of the existing garage and first floor side extension (reference: S/0974/19/FL dated 14.06.2019) and again for the same plus a single storey rear extension (reference: S0019/20/FL dated 21.05.2020). These permissions are still extant and work has not started.
6. The applicants had a 30 minute pre-application meeting over Microsoft Teams on 19/5/2021 for the proposed works (21/50193/PREAPP). It was stated within the meeting that there was overall support for the proposal, however, the Conservation Officer would need to be consulted due to potential impact on a Listed Building and neighbours would need to be consulted prior to full consideration occurring.

Planning policies

7. National Guidance:
 - National Planning Policy Framework 2021 (NPPF)
 - National Planning Practice Guidance (NPPG)
 - National Design Guide (NDG)
8. South Cambridgeshire Local Plan 2018:
 - S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in Favour of Sustainable Development
 - S/7 Development Frameworks
 - HQ/1 Design Principles
 - NH/14 Heritage Assets
9. South Cambridgeshire Supplementary Planning Documents (SPD)
 - Sustainable Design and Construction – Adopted January 2020
 - District Design Guide – Adopted 2010
 - Over Village Design Guide

Consultation

10. Parish Council:
No objections
11. Conservation Officer:
No material conservation issues

Representations from members of the public

12. No neighbour representations received.

The site and its surroundings

13. The application relates to a two storey, detached dwelling house located to the South West of Hilton Street. The brick, render and tile dwelling is set back from the road by an area of hardstanding which provides space to park multiple cars within the curtilage of the dwelling. To the rear lies a garden area which acts as private amenity space for the occupiers of the dwelling.
14. The application property shares side boundaries with Nos.28 and 32 Hilton Street to the North West and South East respectively. To the rear lies Nos.3 and 5 Unwin Lane and No.16 King Street.
15. The site is adjacent to the Grade II Listed Building at No.28 Hilton Street and it lies within Over Development Framework.

The proposal

16. The application is seeking planning permission for a two storey rear extension and two additional gable windows. The extension would have a depth of 2.587 metres and would span the full width of the rear outrigger. At ground floor it would adjoin the existing garage which would be converted. The extension would be characterised by a hipped roof with a maximum height of 7.13 metres. Two new side facing windows would be installed on the north western elevation and a first floor side window would be installed on the south eastern elevation.
17. During the determination process the plans were amended to correctly show the new side windows.

Planning assessment

Character and Appearance of the Area

18. Policy HQ/1 of the South Cambridgeshire Local Plan (2018) sets out detailed criteria to ensure high quality design is delivered as part of new development, seeking to ensure development is appropriate to its context in terms of scale, mass, form, design, siting, landscaping and materials.
19. Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paras 194 – 208 of the NPPF provide advice on proposals affecting heritage assets and how to consider different levels of harm. Policy NH/14 of the South Cambridgeshire Local Plan (2018) aligns with the statutory provisions and NPPF advice.
20. The proposed extension would be limited in depth and width. The height of the two storey element would match that of the existing outrigger, however, this is lower than the main ridge. Subsequently, it is considered that the proposed extension would appear subordinate to the main property. It would not be visible

from Hilton Street but there would be limited views of the extension from Unwins Lane and King Street. However, as the design and appearance of the extension would match the character of the existing dwelling house it is considered that it would not appear out of keeping within the surrounding area. The application form states that the materials would match the existing and it is considered reasonable to enforce this by way of a condition to ensure that it would stay in keeping with the character of the area.

21. The application property shares a side boundary with No.28 Hilton Street which is a Grade II Listed Building. However, due to the separation distance it is considered that the extension would have a limited impact on the setting of the listed building and it is noted that the Conservation Officer has not raised any concerns.
22. Subsequently, it is considered that the proposal would have an acceptable impact on the character and appearance of the existing property, street scene and surrounding area and it would not have a detrimental impact on the setting of the Listed Building. Therefore, it would comply with Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan (2018).

Residential Amenity

23. Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
24. No objections have been received from neighbouring occupiers

Impact on No. 28

25. No.28 Hilton Street is set significantly forward of the application property. However, the proposed extension would be located 5.3 metres from the shared boundary, therefore, due to the separation distance, it is considered that the proposal would have a limited impact on the residential amenities of No.28.

Impact on No. 32

26. No.32 Hilton Street is also set significantly forward of the application and the extension would be located 2.705 metres from the shared boundary. The extension would project to the rear of this neighbour by approximately 15 metres. However, the extension would be a minimum of 13 metres from the rear of the neighbouring property and so it is considered that due to the separation distance it would not result in any further detrimental impact than what is caused by the existing dwelling. A new first floor window would be installed facing No.32, however this serves a bathroom and the elevations demonstrate that this would be obscurely glazed. A condition can be added to ensure this in order to protect the privacy of this neighbour.

27. Subsequently, it is considered that the proposal would have an acceptable level of impact on the residential amenities of neighbouring properties by reason of loss of light, loss of outlook, sense of dominance or loss of privacy. As such, it would be compliant with Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

Planning balance and conclusion

28. Having considered the proposed development against the applicable national and local planning policies and having taken all relevant material into account, it is recommended that planning permission should be granted in this instance.

Recommendation

29. Officers recommend that the Planning Committee grant planning permission subject to appropriate planning conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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. The materials to be used in the external construction of the development, hereby permitted, shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

4. The development, hereby permitted, shall not be occupied until the proposed first floor windows in the south east elevation of the development have, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity and shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: To prevent overlooking of the adjoining properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

Agenda Item 8



South
Cambridgeshire
District Council

Report to: South Cambridgeshire District Council Planning Committee 11 August 2021

Lead Officer: Joint Director of Planning and Economic Development

21/02726/HFUL– 6 Westfield Road Fowlmere SG8 7SN

Proposal: Single storey rear extension replacing existing outbuilding with associated internal alterations

Applicant: South Cambridgeshire District Council

Key material considerations: Character / Visual Amenity
Heritage Impact
Residential Amenity
Highway Safety & Parking Provision
Other matters

Date of Member site visit: None

Is it a Departure Application?: No

Decision due by: 18 August 2021 (extension of time agreed)

Application brought to Committee because: The applicant is South Cambridgeshire District Council.

Presenting officer: Michael Sexton

Executive Summary

1. The application seeks planning permission for a single storey rear extension, replacing an existing outbuilding, with associated internal alterations.
2. The site is located within of the development framework boundary of Fowlmere. To the east of the site is Fowlmere Primary School, with Fowlmere School and School House being a Grade II Listed Building. The site lies within Flood Zone 1 (low risk) and is not identified as an area of surface water flooding.

3. Officers are satisfied that the proposed development is acceptable in design and neighbour amenity terms and would not result in significant harm to the character and appearance of the area or the amenities of neighbouring properties. Officers are also satisfied that the proposed development would not result in harm to the Grade II Listed school building to the east of the site and would preserve its settings and character.
4. The application is before the Planning Committee because South Cambridgeshire District Council is the applicant.
5. Officers consider that, subject to conditions, the proposed development accords with national and local planning policy.

Relevant planning history

6. None.

Planning policies

National Guidance

7. National Planning Policy Framework 2021
National Planning Practice Guidance 2018
National Design Guide 2019

South Cambridgeshire Local Plan 2018

8. S/1 – Vision
S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks
S/10 – Group Villages
CC/6 – Construction Methods
HQ/1 – Design Principles
NH/14 – Heritage Assets
TI/3 – Parking Provision

South Cambridgeshire Supplementary Planning Documents (SPD):

9. Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
District Design Guide SPD – Adopted March 2010
Listed Buildings: Works to or affecting the setting of SPD – Adopted July 2009

Consultation

10. **Fowlmere Parish Council** – No objections to the application, but should officers be minded to approve the application then the PC would request a traffic plan be included, which adequately manages vehicular access around school drop off and pick up times.

Representations from members of the public

11. One representation has been received from no.5 Westfield Road, Fowlmere. A full redacted version of the comments can be found on the Council's website. In summary the following concerns have been raised:
 - Overbearing impact.
 - Loss of privacy.
 - Built on the boundary that will cause an imposed load detrimental to neighbouring property and cause issues with ventilation of external elevation of property and maintenance issues.
 - Height of extension should be questioned and provides further evidence to refuse / object; floor levels is shown to be maintained as a flat level access throughout the ground floor of the property and will in affect lift the proposed extension out of the ground by approx. 1 metre.
 - Unachievable build and requires further setback for brick work to be installed.
 - No detail for management of rainwater, the flat roof is not in line with any consideration of planning and will discharge rainwater onto adjoining property.
 - Narrow access joining to no.7 will prevent suitable access t the rear garden and with installation of ramps will prevent any vehicle access to rear of the property also resulting in fence maintenance issues.
 - Extension will change the property from a 3-bed to a 5-bed; there is insufficient parking or suitable access. Drive can accommodate 2 vehicles but planning guidance minimum requirement for 4.2 parking spaces for a 5-bed property cannot be achieved.
 - Consideration should be taken to emergency vehicles accessing the properties further along Westfield Road, should the vehicles at no.6 overhand the driveway at all the single track will be impassable.
 - Due to proximity object to works before 8am and after 5pm; weekend working will not be tolerated.
 - Consideration to the school needs to be made.
 - Not in keeping with the street.

The site and its surroundings

12. The site is located within of the development framework boundary of Fowlmere. To the east of the site is Fowlmere Primary School, with Fowlmere School and School House being a Grade II Listed Building, approximately 75 metres from the site. To the south of the site is Fowlmere Recreation Ground which has a Tree Preservation Order running along its western boundary. The site lies within

Flood Zone 1 (low risk) and is not identified as an area of surface water flooding.

The proposal

13. This application seeks planning permission for a single storey rear extension, replacing an existing outbuilding, with associated internal alterations.

Planning Assessment

Key Issues

14. The key issues to consider in the determination of this application are the impact on character / visual amenity, heritage impact, residential amenity, highway safety & parking provision and other matters.

Character / Visual Amenity

15. No.6 Westfield Road is a two storey semi-detached residential property which forms part of a row of 10 houses to the north of Fowlmere recreation ground. The properties are relatively uniform in appearance with slight variations in porch styles and have off-road parking to the front and / or side. Several properties have single storey rear projections with limited examples of first floor rear extensions and dormer windows.
16. To the rear of no.6 is a single storey outbuilding comprising two stores and a washroom linked to the main property by a small canopy. The outbuilding is approximately 6.3 metres in length and 2.9 metres in width with a flat roof design and height of approximately 2.7 metres. A small canopy links the outbuilding to the main property covering a walkway approximately 1 metre taking the overall projection of the existing single storey rear element to approximately 7.3 metres.
17. The application proposes the erection of a new single storey extension, which would replace the existing linked outbuilding. The proposed extension would be finished in facing brick to match the existing property, along with matching fascia, gutter and downpipes, with a dark grey single-ply membrane flat roof.
18. The proposed extension would retain a simple flat roof form and have a projection ranging between approximately 7 metres and 6.1 metres from the rear wall of the main dwelling due to its stepped design. The proposed extension would span the width of the property with a width of 7.2 metres, with a small element of the extension projecting approximately 0.8 metres beyond the western side elevation of the main property. A small element of the extension would wrap around the western side elevation of the main property by approximately 0.3 metres. The height of the flat roofed extension would be approximately 3 metres. The eastern wall of the proposed extension would be

set approximately 0.1 metres from the shared boundary with the adjoining neighbour, no.5 Westfield Road.

19. The proposed extension is a compatible and proportionate addition to the main dwelling, subservient in appearance by virtue of its single storey form. Furthermore, the proposed extension is comparable in size to other rear extensions within the row of 10 properties, most notably the adjoining property of no.5 Westfield Road which has a large single storey extension and small first floor extension and would therefore not be out of keeping with the character of the area. Being located largely to the rear of the existing property the proposed extension would have a limited impact on the visual amenity of the area, with glimpses of the extension available in limited views between nos.6 and 7 Westfield Road.
20. The proposal also includes the addition of a new ground floor window, the replacement of an existing ground floor window with a door and the addition of two low ramps on the western side elevation of the property, alongside associated internal alterations. These elements of the proposal are not considered to result in harm to the visual amenity or character of the area.
21. The proposal is considered to accord with Policy HQ/1 of the Local Plan.

Heritage Impact

22. To the east of the site is Fowlmere School and School House, a Grade II Listed Building, approximately 75 metres from the site.
23. The design and scale of the proposed extension, together with its location to the rear of the existing property, are such that the development is considered to result in no harm to the setting of the Fowlmere School and School House, nor would the installation of two ramps to the western side elevation of the property given their very limited visual impact.
24. Officers consider the setting of nearby listed building would be preserved in accordance with Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies HQ/1 and NH/14 of the Local Plan and NPPF guidance.

Residential Amenity

25. The neighbouring properties with the greatest potential for impact from the proposed development are no.5 Westfield Road, the adjoining property to the east, and no.7 Westfield Road, the neighbouring property to the west.
26. The proposed eastern side elevation of the extension would be set approximately 0.1 metres from the side elevation of the adjoining neighbour, no.5 Westfield Road. No.5 has a large single storey extension and first floor addition, both of pitched roof forms, with the single storey element projecting approximately 7.9 metres beyond the rear wall of the main dwelling.

27. The proposed extension, which has a depth of approximately 6.1 metres near to the shared boundary with no.5 extending to approximately 7 metres further from the boundary would not project beyond the rear elevation of no.5. Therefore, the proposal would not result in a significant overbearing impact on the amenities of no.5.
28. Officers note that the single storey element of no.5 has a high-level window on the western side elevation which faces directly towards the private garden of the application site. The stepped design of the proposed extension is such that the proposal would have no significant impact on the side facing window of no.5. This arrangement, together with the flat roof form of the proposed extension, is such that the proposed extension would not result in a significant loss of light to no.5.
29. Being single storey in form the proposed extension is not considered to result in a significant loss of privacy to no.5 Westfield Road, noting that there are no windows which would face directly towards no.5.
30. Overall, the proposed extension, by virtue of its siting, design and single storey form is not considered to result in a significant loss of privacy, overbearing impact or loss of light to no.5 Westfield Road.
31. The proposed extension would be set approximately 1.8 metres from the shared boundary with no.7 Westfield Road and approximately 4.4 metres from the side elevation of no.7. No.7 has a single storey rear element which projects approximately 7.8 metres beyond the rear wall of the main dwelling. Officers note that there are several ground floor windows and doors which face towards the application site.
32. Given the existing arrangement of the site, the single storey form of the proposed extension, boundary treatments between the two properties and the degree of separation, the proposed development is not considered to result in significant harm to the amenities of no.7 Westfield Road.
33. The proposed development has been assessed in terms of loss of light, loss of privacy and overbearing impact and is not considered to result in significant harm to the amenities of neighbouring properties.
34. The proposal is considered to accord with policy HQ/1 of the Local Plan.

Highway Safety & Parking Provision

35. The application does not seek to make any alterations to the existing access or parking arrangements of the site.
36. The comments of Fowlmere Parish Council in respect of the request for a traffic plan which adequately manages vehicular access around school drop off and pick up times is noted.

37. Given the scale of the proposed development officers do not consider that it would be reasonable or necessary to impose a condition requiring the submission of a traffic management plan. However, given the relatively narrow highway and proximity of the site to the primary school officers consider it appropriate to impose a condition restricting the hours of deliveries and muck away movements to avoid school drop off and pick up, in the interests of highway safety. An informative relating to the storage of materials and parking of contractor's vehicles within the confines of the site is also recommended.
38. Subject to the recommended condition the proposal is considered to accord with Policies HQ/1 and TI/2 of the Local Plan and NPPF guidance in respect of highway safety.
39. In terms of parking provision, the comments of no.5 Westfield Road are noted. The site benefits from a driveway to the front of the property which has sufficient space to accommodate two cars, being an area of approximately 8.4 metres by 8.8 metres.
40. Figure 11 of Policy TI/3 of the Local Plan sets out the Council's indicative car parking provision for each use class. In the case of residential properties Policy TI/3 requires 2 car parking spaces per dwelling, with 1 to be located within the curtilage of the site. No specific reference is made to the number of bedrooms in respect of car parking provision and therefore no conflict with Policy TI/3 is identified.
41. Officers acknowledge that the proposed ramps to the western side of the property would restrict vehicular access to the rear of the site. However, the existing arrangement are narrow and already difficult for vehicular access and sufficient parking provision is available to the front of the property.
42. The proposal would accord with Policy TI/3 of the Local Plan.

Other Matters

Third Party Comments

43. The comments made in third-party representations are noted, with many points already considered in the report. The remaining matters raised are considered below.
44. Reference is made to building on the boundary causing an imposed load detrimental to the adjoining property. As noted above the proposed extension is set slightly off the shared boundary but is within close proximity to the neighbour. The Party Wall Act will be applicable to the development, which is a civil matter dealt with outside of the planning process, in relation to party walls, boundary walls and excavations near neighbouring buildings.
45. The concern regarding the proximity to the shared boundary practicalities for construction and maintenance are noted. However, these are not material

planning considerations or matters that give rise to reasons to warrant a refusal of the application.

46. The proposal has no direct impact on existing access arrangements along Westfield Road and therefore would not impact on access for emergency vehicles. Sufficient parking is available on site for two cars to park within the confines of the site clear of the highway, in line with Policy TI/3 of the Local Plan. The potential parking of vehicles which may encroach over the highway is not within the control of planning.
47. The proposed plans indicate the provision of gutters and downpipes to be of a form to match the existing property as referenced in the supporting text. The development is shown to be located solely within the confines of the site, which would need to include the provision of appropriate rainwater goods for the management of rainwater. Officers do not consider that the proposed development would discharge rainwater directly onto the adjoining property.
48. Concerns has been raised in respect of working hours, with weekend working highlighted as a particular objection. Although not typical for the scale of development proposed officers recommend the imposition of the standard hours of work condition, to protect the amenities of the neighbouring property.

Planning balance and conclusion

49. For the reasons set out in this report, officers consider the planning application to be acceptable in accordance with relevant national and local planning polices, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

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

Conditions

- a) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- b) The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

WRF-01
WRF-02

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.

- c) All deliveries to the site and all muck away movements, if appropriate, are to be carried out only during the following hours 09.00hrs – 14.30hrs Monday to Friday.

Reason: In the interests of residential amenity and highway safety in accordance with Policies HQ/1, CC/6 and TI/2 of the South Cambridgeshire Local Plan 2018.

- d) No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

Informatives

- a) The applicant is advised that all building materials and contractor parking should be kept within the confines of the site.

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 Supplementary Planning Documents (SPDs)
- Planning File References: 21/02726/HFUL.

Report Author:

Michael Sexton – Principal Planner
Telephone: 07704 018467

This page is left blank intentionally.

Agenda Item 9



11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

21/0794/TTHR – Cottenham (Land At the junction of Smithy Fen and Twentypence Road)

Proposal:	Removal of one section of hedgerow, 7m long, to facilitate the pipelaying of a new sewer.
Applicant:	Anglian Water Services LTD
Key material considerations:	Do the hedgerows qualify as important hedgerows. Is the removal justified.
Date of Member site visit:	n/a
Notice expires:	25 August 2021
Application brought to Committee because:	All Hedgerow Regulations matters must come to committee
Presenting officer:	Miriam Hill (Trees Officer)

Executive Summary

1. This hedgerow removal notice seeks to remove one 7m section of hedgerow to facilitate the laying of a new sewer.
2. The Hedgerow Regulations 1997 seek to retain hedgerows considered to be important. These are most often found in the countryside by virtue of the qualifying factors. The primary qualifying factors relate to age, length and surrounding land use. The secondary criteria relate to ecology and history.
3. Landowners, lessors and some statutory undertakers can give notice to the Council that they wish to remove a hedgerow (in part or entirely). The Council has 42 days from receipt to consider if the hedgerow in question can be considered

important and if there has been sufficient justification to undertake the proposed works. If the hedgerow is important and insufficient justification has been provided the Council must issue a hedgerow retention notice within the 42 days. If the hedgerow is not considered important or there is sufficient justification, it can return a 'no objections' to the proposal. This is not an application and therefore it is not approved or refused, and no conditions can be attached to an outcome.

4. In support of the removal notice is an excerpt from a map labelled as 1989 which indicates the hedgerows are at least 30 years only (a primary qualifying factor for important hedgerow status).
5. In addition, it was ascertained that "a typical reinstatement of the hedgerow as we normally provide" will be undertaken once the sewer is installed.
6. Officers recommend that the Planning Committee do not issue a Hedgerow Retention Notice and provide a 'no objection' outcome.

Relevant history

7. There are no hedgerows with an existing retention notice in this locality.
8. The notice hedgerows are not subject to any development management constraints.
9. A hedgerow removal notice was recent submitted, 21/0662/TTTHR. This gave notice to remove five 7m long sections. One of the gaps was in the hedgerow, which is the subject of this notice, but 13m further north.

Consultation

10. The parish council submitted a consultation response. They note that:
 - it will significantly alter the fenland landscape in a prominent location,
 - there is no mention of any form of replacement planting, and
 - no need for removal in the first place.
11. The character of the fenland is not a material consideration to the hedgerow removal notice.
12. The applicant is not required to provide details about replacement planting on the notice. Replanting was queried with the agent with notice 21/0662/TTTHR and it was ascertained that "a typical reinstatement of the hedgerow as we normally provide" will be undertaken once the sewer is installed. No conditions can be attached to a notice outcome.
13. Question four of the Planning Portal form supplied with the notice, notes the reason for removal as 'to facilitate the pipelaying of a new sewer'.

Other representations

14. None received.

The site and its surroundings

15. The hedgerow in question stands at the junction of Smithy Fen and Twenty pence Road in Cottenham. This locality is rural with grazing land with scattered dwellings and businesses.

16. The temporary gap created will be most prominent from Twentypence Road travelling south. Due to the layout of the road, the gap will not be prominent travelling north.

Assessment of important hedgerow designation

17. The gap is proposed to be created on the eastern boundary of the field, directly adjacent to the junction. It is a well maintained, rural hedgerow and has the primary qualifying factors related to age, length and surrounding land use.

18. The hedgerow does not qualify for important hedgerow criteria 1-4, parish boundary, archaeology or evidence of manorial history.

19. The hedgerow appears to be part of a field system pre-dating the Inclosure Acts (taken as 1845). This is important hedgerow criteria 5.

20. There are no reported and recorded rare species of plant or animal (criteria 6) in this locality. The hedgerows have insufficient woody species diversity (criteria 7 and 8).

21. The hedgerow has a defensible status as important hedgerow under the Hedgerow Regulations.

Assessment of justification and reasoning

22. The reason given for removing the section of hedgerow is to install new sewer pipework to service the dwellings in this neighbourhood. Much of the line is to be installed using directional drilling but a pit must be excavated at the end of the line or at junctions and redirections to enable the operatives to receive or initiate drilling.

23. Utility companies have limitations on where they can locate their routes. This route appears to be the optimal location for this work. The applicant was asked to

withdraw the one gap in the same hedgerow which was identified on notice 21/0662/TTHR, but this did not occur.

24. The Regulations are clear that hedgerows, or sections of, should only be permitted to be removed in exceptional cases. Associated guidance does give examples of unacceptable reasoning and instillation of essential utilities is not listed.

25. On balance the justification for removal of the section of hedgerow appears to be reasonable.

Conclusion

26. The hedgerow in question can be considered as 'important hedgerow' and should be preserved. The justification for the removal of one 7m long section is reasonable.

Recommendation

27. Officers recommend that the Planning Committee do not issue a Hedgerow Retention Notice and provide a 'no objection' outcome.

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.

- Presentation Pack: 2021 08 11 - Hedgerow Removal Notice 21 794 TTHR

Report Author:

Miriam Hill – Trees Officer
Telephone: (01954) 713405

Agenda Item 10



South
Cambridgeshire
District Council

11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

FULBOURN - 14 Dogget Lane, Fulbourn, CB21 5BT

Proposal:	Permission to serve a provisional Tree Preservation Order (at the request of another party)
Key material considerations:	Is it expedient in the interests of amenity to make provision for the preservation of the trees or woodlands in their area?
Recommendation:	Provisional TPO to be served
Date of Member site visit:	n/a
Application brought to Committee because:	Non-emergency TPOs must be brought to committee for permission to serve provisional and confirmed Orders
Presenting officer:	Miriam Hill (Trees Officer)

Executive Summary

- 1) The proposal is to serve a provisional Tree Preservation Order (TPO) on trees standing within a private property.
- 2) Local planning authorities can issue a TPO where it appears to them “expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area”. TPO’s can be initiated either by the local authority or by request of another party. These trees have been reviewed at the request of another party.
- 3) In accordance with the Council’s Constitution, the request to serve a non-emergency provisional TPO comes before Planning Committee.

Relevant law

- 4) The relevant legislation is:
 - Town and Country Planning Act 1990 Part VIII
 - Town and Country Planning (Tree Preservation) (England) Regulations 2012
 - Planning Act 2008 Section 192
 - Localism Act 2011 Part 6

Consultation

- 5) The formal consultation stage occurs when the provisional Order is served.

Site and surroundings

- 6) The trees are located within the front garden of 14 Dogget Lane, Fulbourn. This section of the road has residential properties either side. Dogget Lane is a busy C class road and one of the main through-village roads in Fulbourn.
- 7) Fulbourn is a well tree'd village and is passionate about their treescape as demonstrated in the Fulbourn Village Design Guide (adopted January 2020).
- 8) There are two trees of interest. T1 a walnut and T2 a beech tree. Both trees are mature and appear to be in reasonable health and vitality. Photographs and individual assessments can be found on accompanying TPO Evaluation Sheet.

Assessment of the trees

- 9) The key consideration is, is it 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.
- 10) Amenity is not defined in law and therefore it is left for local authorities to exercise their judgement. The trees must have reasonable health, visibility and individual, collective or wider impact. Other factors may be considered, such as importance to nature conservation or response to climate change, but only if the trees achieve the basic qualifying factors.
- 11) The trees contribute positively to the streetscene and are hard to miss when travelling westward on Dogget Lane due to their size and position within the front garden. They can be seen for some distance down the road.
- 12) Travelling eastwards on Dogget Lane, the trees can only be seen for a short distance, estimated 30m, due to a bend in the road.

- 13) The trees have no other significant cultural factors beyond ecosystem services provided by all large urban trees. The beech is a copper beech, and therefore has purple foliage during the summer months, making it 'pop' in the landscape.
- 14) Photographs and individual assessments can be found on accompanying TPO Evaluation Sheet.

Proposal

- 15) The proposal is to serve a provisional TPO on those with an interest in the land and invite those parties an opportunity to submit objections, comments or representations. The responses will be considered and aid the decision to amend, confirm or not confirm the Order.
- 16) Should the decision be taken to confirm the Order, it will return to the Planning Committee to request that the Order be confirmed.

Recommendation

- 17) The Tree Officer recommends that the Committee APPROVES the issuing of a non-emergency provisional TPO.

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.

- 2021 08 11 - TPO Evaluation Sheet for FULBOURN 14 Dogget Lane

Report Author:

Miriam Hill – Trees Officer
Telephone: (01954) 713405

This page is left blank intentionally.

Agenda Item 11



South
Cambridgeshire
District Council

11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

TPO 0008 (1989) – New Road, Haslingfield

Parish:	Haslingfield
Proposal:	To revoke a Tree Preservation Order (TPO) which is no longer current.
Recommendation:	To revoke the Order.
Date of Member site visit:	n/a
Application brought to Committee because:	It is required to under the Council Scheme of Delegation.
Presenting officer:	Miriam Hill (Trees Officer)

Executive Summary

1. The proposal is to revoke in its entirety TPO 0008 (1989) New Road, Haslingfield.
2. Local Authorities are advised to reassess existing Orders from time to time to ensure that the protection is still merited, and the Order contains up-to-date information.
3. The existing Tree Preservation Order (TPO) is no longer required as the tree it protected, T1 sycamore no longer exists.
4. In accordance with the Council's Constitution, the TPO comes before Planning Committee for permission to revoke the TPO.

Relevant Law

5. Town and Country Planning Act 1990 Part VIII
Town and Country Planning (Tree Preservation) (England) Regulations 2012

Consultation

6. No consultations have taken place as the required actions have arisen out of the cyclical administrative review of the existing Orders.

Assessment of the Order

7. TPO 0008 (1989) was reviewed on the 21 July 2021 by Miriam Hill, Trees Officer.
8. This tree was felled in 2002 with permission (dated 25 June 2002). The sycamore was in decline and had become structurally unsafe.

Recommendation

9. The Tree Officer recommends that the Committee APPROVES the revocation of the Order.

Report Author:

Miriam Hill – Trees Officer
Telephone: (01954) 713405

Agenda Item 12



South
Cambridgeshire
District Council

11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

TPO 0006 (1983) – 44 High Street, Coton

Parish:	Coton
Proposal:	To revoke a Tree Preservation Order (TPO) which is no longer current.
Recommendation:	To revoke the Order.
Date of Member site visit:	n/a
Application brought to Committee because:	It is required to under the Council Scheme of Delegation.
Presenting officer:	Miriam Hill (Trees Officer)

Executive Summary

1. The proposal is to revoke in its entirety TPO 0006 (1983).
2. Local Authorities are advised to reassess existing Orders from time to time to ensure that the protection is still merited, and the Order contains up-to-date information.
3. The existing Tree Preservation Order (TPO) is no longer required as the tree it protected, T1 an ash tree which no longer exists.
4. In accordance with the Council's Constitution, the TPO comes before Planning Committee for permission to revoke the TPO.

Relevant Law

5. Town and Country Planning Act 1990 Part VIII

Town and Country Planning (Tree Preservation) (England) Regulations 2012
Planning Act 2008 Section 192
Localism Act 2011 Part 6

Consultation

6. No consultations have taken place as the required actions have arisen out of the cyclical administrative review of the existing Orders.

Assessment of the Order

7. TPO 0006 (1983) was reviewed on the 21 July 2021 by Miriam Hill, Trees Officer.
8. The tree was removed in 1984 with approval on appeal to the Departments of the Environment and Transport (dated 13 July 1984).

Recommendation

9. The Tree Officer recommends that the Committee APPROVES the revocation of the Order.

Report Author:

Miriam Hill – Trees Officer
Telephone: (01954) 713405

Agenda Item 13



South
Cambridgeshire
District Council

11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

TPO 0019 (1989) – 17 Woodhall Lane, Balsham

Parish:	Balsham
Proposal:	To revoke a Tree Preservation Order (TPO) which is no longer current.
Recommendation:	To revoke the Order.
Date of Member site visit:	n/a
Application brought to Committee because:	It is required to under the Council Scheme of Delegation.
Presenting officer:	Miriam Hill (Trees Officer)

Executive Summary

1. The proposal is to revoke in its entirety TPO 0019 (1989).
2. Local Authorities are advised to reassess existing Orders from time to time to ensure that the protection is still merited, and the Order contains up-to-date information.
3. The existing Tree Preservation Order (TPO) is no longer required as the tree it protected, T1 copper beech which no longer exists.
4. In accordance with the Council's Constitution, the TPO comes before Planning Committee for permission to revoke the TPO.

Relevant Law

5. Town and Country Planning Act 1990 Part VIII

Consultation

6. No consultations have taken place as the required actions have arisen out of the cyclical administrative review of the existing Orders.

Assessment of the Order

7. TPO 0019 (1989) was reviewed on the 22 July 2021 by Miriam Hill, Trees Officer.
8. There is no tree present on the 2003 aerial photography. SCDC does have some historical records but nothing which refers to the removal of the tree. The tree was still present in 1990 and is mentioned in planning applications.
9. It is not known when this tree was removed or why. Due to the amount of time which has elapsed since the tree's loss, no further enquiries have been made.

Recommendation

10. The Tree Officer recommends that the Committee APPROVES the revocation of the Order.

Report Author:

Miriam Hill – Trees Officer
Telephone: (01954) 713405

Agenda Item 14



Report To: Planning Committee

11 August 2021

Lead Officer: Joint Director of Planning and Economic Development

Enforcement Report

Executive Summary

1. On 30 July 2021 there were 209 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.

Updates to significant cases

Should Members wish for specific updates to be added to the Enforcement Report then please request these from the Principal Planning Enforcement Officer and they will be added to the next available Planning Committee.

On a further note, if members would like further information to be submitted as part of this report moving forward then please contact the Principal Planning Enforcement Officer

Updates are as follows:

Croudace Homes Ltd Site, Land off Horseheath Road, Linton.

The developer has failed to discharge the surface water drainage condition prior to commencement of the development and the latest application to discharge the condition has been refused. A Temporary Stop Notice was served on the site on 24/02/21 and all work had stopped for 28 days.

Planners are in continual discussions with the developer to rectify the issues. The outcomes of the Enforcement visits have been forwarded to the relevant planners and senior management. The site has been monitored and regular visits will continue to be carried out.

Discussions between Planning Officers and the developers to be held on Friday 2nd July and verbal update to be provided to Planning Committee. A further meeting has been held between Planners and the Developers to move the matter with regards to drainage forward.

Planning Enforcement have not been instructed to take any further action at this stage.

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. Late Appeal rejected by PIN's. Stephen Kelly in talks with owner to re-site playground on suitable land. Site visited by Enforcement and Environmental Health Officers 16th December. No agreement reached consideration to be given to prosecution for failing to comply with the enforcement notice.

Partial compliance with notice following joint site visit with Environmental Health confirms that the Hobbit House has been removed but the associated wooden chairs remain along with the main playground structures. The playground has been closed over the past year but harm is still being caused by people sitting in the area where the hobbit house was.

The case officer John Shuttlewood has drafted the prosecution file and once complete will be reviewed by Legal.

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.

Compliance date 30th December 2020.

Site visit carried out on 18/01/21, 25/02/21 and 12/04/21 and the notice has not been complied with.

A further application under reference 20/01408/HFUL has been submitted and agreement with Area Manager that all Enforcement action will be held in abeyance pending the outcome of the application.

Whitehall Farmhouse, 29 Ermine Way, Arrington, Royston, Cambridgeshire, SG8 0AG

The reported breach of planning control was that without planning permission the erection extension of an existing building (Building 1) and storage containers to the rear including hardstanding.

The developer had instructed a planning agent to submit applications in an attempt to regularise the breaches, but none has been submitted to date. The case was re allocated to an officer, who has since left the Local Authority, but no application has still been submitted. It has now been reallocated to Alistair Funge, Senior Planning Enforcement Officer for a full review.

A planning application has been submitted in an attempt to regularise the breach of Planning Control. It is yet to be validated.

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.

Report Author:

Will Holloway - Principal Enforcement Officer

This page is left blank intentionally.

Enforcement Cases Received and Closed

Month – 2021	Received	Closed
June 2021	21	50
May 2021	24	65
April 2021	47	99
1 st Qtr. 2021	118	91
2 nd Qtr. 2021	92	214
1 st Qtr. 2020	123	84
2 nd Qtr 2020	101	60
3 rd Qtr 2020	135	33
4 th Qtr 2020	114	103
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
2021 - YTD	210	305
2020 - YTD	473	190
2019 - YTD	615	641
2018 - YTD	670	651
2017 - YTD	602	563
2016 - YTD	565	563
2015 - YTD	511	527
2014 - YTD	504	476

This page is left blank intentionally.

Notices Served

1. Notices Served in June 2021

Type of Notice	Period	Calendar Year to date
	June 2021	2021
Enforcement	1	5
Stop Notice	0	0
Temporary Stop Notice	0	2
Breach of Condition	1	1
S215 – Amenity Notice	0	0
Planning Contravention Notice	3	5
Injunctions	0	0
High Hedge Remedial Notice	0	0

2. Details of Notices served in June 2021

Ref. no.	Village	Address	Notice issued
EN/01535/20	Cottenham	Land To The South Of Chear Fen Boat Club Twentypence Road Cottenham Cambridgeshire	Enforcement Notice - the material change of use of land to a caravan site for residential use involving the siting of two sectional caravans and three touring caravans and the unauthorised development of concrete bases
EN/01467/20	Over	Land to the rear of 36 And 38 The Lanes Over Cambridge CB24 5NQ	Breach of Condition Notice – Condition 4 surface of driveway and Condition 7 surface water drainage
EN/01409/20	Great Abington	33 South Road Great Abington Cambridge Cambridgeshire	Planning Contravention Notice – Residential use of

Appendix 2

		CB21 6AU	outbuilding
EN/01408/20	Great Abington	31 South Road Great Abington Cambridge Cambridgeshire CB21 6AU	Planning Contravention Notice – Residential use of outbuilding
EN/01583/20	Great Abington	21 South Road Great Abington Cambridge Cambridgeshire CB21 6AU	Planning Contravention Notice – Residential use of outbuilding

Date: 30/07/21

Agenda Item 15



Report to: Planning Committee

11 August 2021

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 of 30 July 2021. 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

This page is left blank intentionally.

Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
20/02508/OUT	Land West Of Telephone Exchange Caxton	Outline planning for the erection of a self-build dwelling and garage with all matters reserved except access (Re-submission of S/0285/19/OL)	Dismissed	25/06/2021	Refused
S/4207/19/RM	Land North East Of Rampton Road Cottenham	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.	Dismissed	02/07/2021	Refused
20/03558/FUL	Grain Store, Thriplow Farm, Lodge Road Thriplow	Change of use of agricultural barn to car repair and car building workshop includes alterations to building, installation of security fencing and associated works	Allowed	20/07/2021	Refused
20/04189/HFUL	48 Hillfield Road Comberton	Replacement of single story rear extension with two story rear and side extension and addition of one extra parking space.	Dismissed	28/07/2021	Non-Determination

This page is left blank intentionally.

Appeals Received

Reference	Address	Details	Date Appeal lodged
21/01561/S73	7 Leeway Avenue Great Shelford	Variation of condition 2 (approved plans) of planning permission 20/03100/HFUL (Single storey front extension with a two storey side and rear extension, following demolition of the existing front porch, single storey side and rear building projections, conservatory, covered way to side and other exterior alterations. (Re-submission of planning application 20/01170/HFUL)) to amend the external finish to render for only the single storey front projection	06/07/2021

This page is left blank intentionally.

Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
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	18/10/2021 Provisional TBC
S/1625/18/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	18/10/2021 Provisional TBC
S/0913/19/VC	Mr J Hart	Apple Acre Park, London Road, Fowlmere	Non determination	TBC
S/4057/19/OL	Mr Andrew Adams, Axis Land Partnerships Ltd	Tanner And Hall Ltd Station Road Harston	Planning Decision	TBC
20/03254/OUT	Mr Andy Brand, The Abbey Group (Cambridgeshire) Limited	Land At And To The Rear Of 30 & 32 New Road	Non Determination	TBC

This page is left blank intentionally.