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5 October 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, 13 October 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

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## Agenda

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| 1. <b>Chair's announcements</b>   |       |
| 2. <b>Apologies</b><br>To receive apologies for absence from committee members. |       |

### 3. Declarations of Interest

#### 1. Disclosable pecuniary interests (“DPI”)

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

#### 2. Non-disclosable pecuniary interests

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

#### 3. Non-pecuniary interests

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

### 4. Minutes of Previous Meeting

To note that the Minutes of the meeting held on 29 September 2021 will be presented to the meeting on 10 November 2021.

### 5. **21/02310/REM - Northstowe (parish of Longstanton) (Phase 2B, Northstowe, Land South of Rampton Drift)** **1 - 46**

Reserved matters application for 300 dwellings including affordable housing provision, non-residential floorspace, landscaping, open space and associated infrastructure for access, appearance, landscaping, layout and scale following outline planning permission S/2011/14/OL

### 6. **S/3290/19/RM - Fulbourn (Land East of Teversham Road)** **47 - 126**

Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works. The outline was screened and confirmed not to be EIA development.

### 7. **21/02594/S73 - Shepreth (Land to the East of Collins Close, near Meldreth Road)** **127 - 154**

Section 73 Variation of conditions 2 (Approved plans), 3 (Hard and soft Landscape), 7 (Noise), 8 (Acoustic Insulation), 9 (Energy Delivery Strategy), 10 (Foul Water Drainage), 11 (Surface water drainage), 13 (Flood Risk), 14 (Traffic Management plan), 17 (Electronic Vehicle Charging), 19 (Biodiversity Enhancements), 21 (Reptile Survey), 22 (External Lighting), 23 (Covered and secure cycle parking), 24 (Waste), 25 (Boundary Treatment) and 26 (Construction Programme) and the removal of condition 16 (Visibility splays) following planning permission S/3052/16/FL

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

<b>8.</b>	<b>21/00955/FUL - Swavesey (Land adjacent to 26 Taylors Lane)</b>	<b>155 - 180</b>
	Dwelling and associated landscaping to replace existing workshop	
<b>9.</b>	<b>21/01023/OUT - Cottenham (Land North West of 15 Orchard Close)</b>	<b>181 - 190</b>
	Outline planning permission for a single storey 'Self Build' dwelling with all matters reserved	
<b>10.</b>	<b>21/03629/LBC - Little Wilbraham (Primrose Farm, Primrose Farm Road)</b>	<b>191 - 198</b>
	Installation of 1 No. sun pipe to a kitchen extension (Retrospective)	
<b>11.</b>	<b>21/00858/FUL - Swavesey (19 Wallmans Lane)</b>	<b>199 - 210</b>
	Erection of a 4-bed dwelling with garage and office	
<b>12.</b>	<b>Enforcement Report</b>	<b>211 - 218</b>
<b>13.</b>	<b>Appeals against Planning Decisions and Enforcement Action</b>	<b>219 - 226</b>

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"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).
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# Agenda Item 5



13 October 2021

**Report to:** South Cambridgeshire District  
Council Planning Committee

**Lead Officer:** Joint Director of Planning and Economic Development .

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## **21/02310/REM – Longstanton/Northstowe, (Northstowe Phase 2b, Land South Of Rampton Drift, Northstowe, Cambridgeshire, CB24 3EW)**

Proposal: Reserved matters application for 300 dwellings including affordable housing provision, non-residential floorspace, landscaping, open space and associated infrastructure for access, appearance, landscaping, layout and scale following outline planning permission S/2011/14/OL

Applicant: Keepmoat Homes Limited

Key material considerations: The Principle of Development and Outline Planning Permission, Consideration of Reserved Matters, Relationship to Rampton Drift, Sustainability and Construction Methodology, Community Engagement and Conditions of the outline planning permission.

Date of Member site visit: n/a

Is it a Departure Application?: No

Decision due by: 13 August 2021 (N.B. There is an agreed Planning Performance Agreement in place until 15 October 2021)

Application brought to Committee because: Called-in by Northstowe Town Council

Presenting officer: Andrew Thompson

### **Executive Summary**

1. This Reserved Matters submission for 300 homes and associated works on Northstowe Phase 2 which was granted outline planning permission in January 2017. The Reserved Matters follows permission for a number of key aspects of the outline planning permission including the Design Code. The first phase of the Secondary School and Special Educational Needs Development have also been completed on the Education Campus site with both open. Work has commenced

on Phase 2a (approved under S/3499/19/RM) and with Mare Fen works approaching completion, occupation is expected shortly.

2. The scheme follows a grid pattern of development and is sited adjacent to the proposed Northstowe Town Centre on its eastern edge. The Design Code identifies the area the subject of the submission as principally part of the Oakington Barracks Character Area with elements in the Town Centre and Mews Quarter Character Areas.
3. The application proposals are in accordance with the Design Code and Outline Planning Permission parameter plans there are no technical objections to the application raised by consultees. The scheme has also no objections from local residents.
4. The scheme is of traditional design with contemporary elements and would be built to a high standard of sustainability through construction. The proposals would include biodiversity enhancement and take forward the s106 commitments to open space, play provision (with a Local Equipped Area of Play (LEAP), Community Garden and three Local Areas of Play (LAPs)) and to deliver 60% affordable housing.
5. The proposals would also satisfy a number of the outline planning permission and associated conditions which have been assessed and considered. The applicant has not submitted a Construction and Environmental Management Plan but this is a requirement of the outline planning permission prior to the commencement of development.
6. It should be noted that the scheme was presented to Northstowe Community Forum prior to the submission and Rampton Drift residents with the application submission taking on board and amending the scheme to reflect the issues raised. The scheme was also presented to Longstanton Parish Council prior to the formation of Northstowe Town Council. The comments of Northstowe Town Council have been given careful consideration, but it is considered that the proposals adequately address these matters.
7. Overall having considered all comments and the submitted information in support of the application, the scheme is considered to be acceptable as a Reserved Matters submission to the outline planning permission and is recommended for approval.

## **Relevant planning history**

8. Northstowe as an entity has existed for approximately 20 years (first identified in the 2003 Structure Plan) with the current Area Action Plan (AAP) being adopted in July 2007 with further updates to the allocation and policies of the AAP in the current Local Plan (2018) under policy LP/1. Northstowe is an allocation for



approximately 10,000 homes and forms a part of the council's adopted growth strategy and housing land supply. The Development Plan is up to date.

9. Relevant planning permissions include:  
S/0338/12/OL – Outline planning permission for Phase 1
  
10. Phase 1 has outline planning permission for 1,500 dwellings with all residential parcels having the benefit detailed permission. Construction is well advanced on a number of parcels.
  
11. The Phase 1 primary school is open and operational, and the local centre square has also been completed. There are a number of commercial, leisure and other aspects that are either waiting for detailed submissions or are due to be implemented. The Phase 1 Sports Pavilion has been submitted under planning reference 21/03350/REM.
  
12. Phase 2 - S/2011/14/OL – Outline planning permission for 3,500 homes, associated development and detailed planning permission for infrastructure works.
  
13. There have been numerous discharge of condition submissions and six previous Non-Material Minor Amendments (NMAs) to the outline planning permission which have been approved. The NMAs are:  
S/2435/17/NM – Non-Material Minor Amendment to Parameter Plans  
S/2792/18/NM - Non material amendment to condition 24 (Landscape Management and Maintenance Plan) of planning permission S/2011/14/OL  
S/3255/18/NM - Amendment to alignment of Town Centre Greenway  
S/3503/19/NM – Amendment to include identification of commercial floorspace in Phase 2A  
S/2011/14/NMA1 - Non Material Amendment on application S/2011/14/OL to modify points iv-v condition 18 (surface water drainage)  
S/2011/14/NMA4 – Non-material amendment to parameter plans
  
14. Other relevant submissions to Phase 2 discharge of conditions include:  
Condition 8 (Phasing Strategy) discharged under S/2890/18/DC  
Condition 9 (Design Code) discharged under S/2407/17/DC  
Condition 14 (Town Centre Strategy) discharged under S/2423/19/DC  
Condition 17 (Groundwater and Contamination) discharged under S/0926/18/DC  
Condition 18 (Site Wide Surface Water Drainage Strategy) discharged in relation to the first 3 of 5 bullet points of the condition under S/0481/18/DC. A submission has been received in relation to Points 4 and 5 of the condition which is under consideration.  
Condition 20i (Drainage – Foul) discharged under S/1271/18/DC  
Condition 54 (EV Charging Strategy) discharged under S/0226/20/DC

15. Other Homes England submissions on Phase 2 include:  
Strategic Engineering - S/4208/18/RM and current live submissions 21/02297/REM which relates to the road to the south of Phase 2a linking to the primary road. Planning reference 21/01912/S73 which also updates some of the design aspects of the original Reserved Matters.  
Strategic Landscaping - S/1552/19/RM  
Water Park - S/1002/18/RM  
Earthworks - S/2940/18/RM
16. A Reserved Matters approval for 406 homes known as Inholm or Phase 2a which was approved in February 2019 under reference S/3499/19/RM and subsequent minor alterations to the Peninsula aspect were approved under S/2011/14/NMA2. Work has commenced on the first residential development parcel of this phase. An amended design to the Age Restricted accommodation has also been received and is being validated with conditions also being discharged.
17. Work has commenced on site with the water park for Phase 2, strategic engineering and landscaping and the Southern Access Road West already in place and nearing completion.
18. The Education Campus (containing Secondary School and Sixth Form, Special Educational Needs (SEND) and site for a primary school) has been commenced in a phased manner with the Secondary and SEND school open. The application was approved under S/0092/18/CC by the County Council under Regulation 3 and not as a reserved matters submission.
19. In terms of the next phase, Phase 3a (4,000homes) this is under consideration under planning reference 20/02171/OUT with Phase 3b (1,000homes) under consideration under planning reference 20/02142/OUT. It should be noted that the Phase 3 Scoping Opinion was issued on 4 March 2019 under reference S/4379/18/E2 following consultation in accordance with the Environmental Impact Assessment Regulations with statutory consultees.

## **Relevant Planning policies**

### **20. National Planning Policy and Associated Guidance**

National Planning Policy Framework July 2021 (NPPF)  
National Design Guide  
National Planning Practice Guidance (NPPG)  
Manual for Streets and Manual for Streets 2  
National Model Design Code  
Environmental Impact Assessment Regulations 2017 (as amended)

### **21. The Development Plan**

## **South Cambridgeshire Local Plan – Adopted September 2018**

S/1 Vision  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/6 The Development Strategy to 2031  
S/12 Phasing, Delivery and Masterplan  
CC/1 Mitigation and Adaptation to Climate Change  
CC/3 Renewable and Low Carbon Energy in New Developments  
CC/4 Water Efficiency  
CC/5 Sustainable Show Homes  
CC/6 Construction Methods  
CC/7 Water Quality  
CC/8 Sustainable Drainage Systems  
CC/9 Managing Flood Risk  
HQ/1 Design Principles  
NH/4 Biodiversity  
NH/6 Green Infrastructure  
NH/14 Heritage Assets  
H/8 Housing Density  
H/9 Housing Mix  
H/10 Affordable Housing  
H/12 Residential Space Standards  
E/21 Retail Hierarchy  
E/22 Applications for new Retail Development  
SC/4 Meeting Community Needs  
SC/7 Outdoor Play Space, Informal Open Space and New Developments  
SC/9 Lighting  
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  
T/10 Broadband.

Policy LP/1 supported by Appendix B of the Local Plan updated a number of policies of the Northstowe Area Action Plan. The policies updated are signified by an asterisk (\*) below.

## **22. Northstowe Area Action Plan – Adopted July 2007**

NS/1 The Vision for Northstowe  
NS/2 Development Principles  
NS/3 The Site for Northstowe\*  
NS/7 Northstowe Housing\*  
NS/9 Community Services, Facilities, Leisure, Arts and Culture\*  
NS/10 Road Infrastructure  
NS/11 Alternative Modes\*  
NS/12 Landscape Principles

NS/13 Landscape Treatment of the Edges of Northstowe  
NS/14 Landscaping within Northstowe  
NS/15 Linking Northstowe to its Surroundings  
NS/17 New Biodiversity Features  
NS/19 Public Open Space and Sports Provision\*  
NS/21 Land drainage, Water Conservation, Foul Drainage and Sewage Disposal  
NS/23 An Exemplar in Sustainability\*  
NS/24 Construction Strategy  
NS/25 Strategic Landscaping  
NS/27 Management of Services, Facilities, Landscape and Infrastructure  
NS/28 Timing / Order of Service Provision

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

Open Space in New Developments SPD - Adopted 2009  
Trees & Development Sites SPD - Adopted 2009  
Landscape in New Developments SPD - Adopted 2010  
Biodiversity SPD - Adopted 2009  
District Design Guide SPD - Adopted 2010  
Affordable Housing SPD – Adopted 2010  
Cambridgeshire Flood and Water SPD – Adopted 2016  
Sustainable Design and Construction SPD – Adopted January 2020

### **Consultation**

**24. District Councillors – Cllr Cheung-Johnson and Cllr Malyon** - We broadly support this application and would like to thank the applicant for the numerous briefings they offered to ourselves and the community. We are grateful that they have taken on board the feedback given to them, especially with regard to building heights on the corner of the site directly facing Rampton Drift playpark. This application now appears to be fully compliant with the Design Code, both technically and in the spirit in which it has been interpreted by the community.

We would like to request that a robust Construction Environmental Management Plan is provided to fully mitigate impacts to existing residents. We would ask that accurate, measurable, and enforceable conditions are placed upon any development, to cover: Development work timings – strict limits on times of construction, specific requirements on noise and dust monitoring, mitigation, and routes to resolve any issues. We would also like phasing of the development to be planned, as far as is practically possible, so that works build out from the Rampton Drift edge, again to minimise disturbance to existing residents.

**25. Northstowe Town Council:** Objects and calls in the application to Planning Committee. The Town Council Objections:

- Policy H10 in SCDC Local Plan – Clustering of affordable housing. The affordable area on the plan is all in one area, and not in keeping with policy H10. Affordable housing should be distributed more evenly around the site.

- The lifelong homes assessment only state typical, details of which plot numbers these relate to should be provided by the applicant.
- The plans do not show enough detail with regards to the equipment to be installed in the LEAP.
- The site phasing needs to be considered, to ensure that it pulls back from the existing properties in Rampton Drive, thus minimising disturbance.
- A Construction Environment and Management Plan has not been provided. Which means for example, dust mitigation will not be managed, this will have been a concern of Rampton Drift residents throughout the Phase 2 groundworks.
- Private parking lots have been marked on the plan as being managed by a management company. These should be part of the freehold of the properties.
- Highways that are not covered by S38 highway adoption within the site are also marked as being looked after by the management company, again this should be transferred as part of the freehold to the properties that they serve.
- The use of renewable energy is not ambitious, although in line with adopted SCDC policy. i.e. No provision for heat pumps, solar panels need placing in a more effective way. No provision stated for gas heating boilers to be converted to meet 2025 Government deadline.
- The application is not using the latest water, drainage and ecology report.
- Building materials lack ambition, need to be more sustainable.

The Town Council Support:

- Plans do show differing routes for construction and resident access, and the developer should be commended for this.

26. The Town Council considered the amendments submitted at the meeting on 15 September 2021 - Northstowe Town Council (NTC) wishes to express that NTC is – in principle - in favour of this development, but is unable to support the applicant’s current plans. NTC is disappointed that the applicant, in this amended application, has not taken into account the comments made by NTC previously (as sent to Greater Cambridge Shared Planning on 24<sup>th</sup> June 2021), nor has it responded to the individual concerns raised in that response. NTC, furthermore, wishes to highlight that its original comments still stand, and asks the applicant to reconsider its plans in light of the Council’s comments.

**27. Oakington Parish Council – No comments**

**28. Urban Design** - There has been a systematic and well-considered approach to the overall design of the scheme, which has evolved through detailed pre-application discussions between the applicant’s design team and urban design officers. The scheme was also presented to the Cambridgeshire Quality Panel (CQP) on 24<sup>th</sup> February 2021 and overall, it received a positive response from the panel, with some recommendations for design improvements and further information to be included within the Design and Access Statement (DAS).

Advice from the CQP included that additional information about movement routes and street sections should be included within the DAS; the further design

evolution of the north eastern apartment building and the architectural detail of buildings that mark important junctions; and considerations regarding public realm materials and the integration of soft landscaping. A commentary on the applicant's response to these points is outlined on page 5 of the planning statement and pages 30-33 of the DAS. I am satisfied that the proposed design has evolved to take into consideration the comments by the CQP and officers. There are conditions required.

The information submitted in the application broadly accords with the Outline Parameter Plans (S/2011/14/OL, January 2017) and Northstowe Phase 2 Design Code (October 2017) in terms of architectural response and detailing, approach to landscape and public realm and access and movement. Where the proposal differs from the approved drawings this has been justified within the DAS.

29. **Landscape Officer** – Following the submission of amended details. Details can be dealt with through planning condition.
30. **Tree Officer** - No arboricultural or hedgerow objections to this application. Trees on or adjacent site have no statutory protection. Tree and hedgerow information: An Arboricultural Impact Assessment (dated March 2021) has been submitted. This is sufficient for this proposal, trees and site - please list it as an approved document
31. **Housing Strategy Team** – Overall supports this application. However, it should be noted that they are disappointed about the significant loss of bed spaces due to the 2 bed units remaining as 3 person and having en-suite shower rooms off the main bedrooms in the apartments.
32. **County Transport Assessment Team** – No objection subject to conditions. Conditions are requested relating to the internal cycle route designs, EV charging and cycle parking.
33. **Highways** – The proposals are generally acceptable and accord with the principles discussed during the pre-application stages. A number of detailed points require attention/ clarification for the purposes of adoption.
34. **Highways England** – No objection
35. **Environment Agency** - No objection in principle to the proposals, and are satisfied with the surface water disposal scheme for 2B as it relates to the protection of controlled waters. However, further assessment of land contamination is required for 2B, as per the proposals in Section 4.2 of the Remediation Method Statement (*NOR-ARC-P2-XXX-RP-G-0140-P05 dated June 2018*).

Following further clarification of the foul water position with Anglian Water, the Environment Agency advise that the concerns that were raised against a number of planning applications, relating to Utton's Drove, have been addressed and that there is no material reason for foul water drainage to prevent permission(s) being granted.

36. **SCDC Drainage** – The details are acceptable subject to conditions relating to the management of the surface water drainage and rates of discharge.

37. **LLFA** – No objection

38. **Anglian Water** – Surface Water - No comment - We have reviewed the applicant's submitted surface water drainage information (Flood Risk Assessment/Drainage Strategy) and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset.

39. **Old West Drainage Board** – The site will not directly drain into the Board's system. However the Board is concerned with the proposed discharge into the Beck Brook and Cottenham Lode. In recent years, [the Board highlights] that it considers that the capacity of Cottenham Lode to convey water appears to be reduced due to a decrease in river maintenance. In rainfall events, the water level in the Lode soon rises. Over the last Christmas period [December 2020 – Storm Bella], the Lode overtopped, causing water to overspill into the Board's District. It is therefore vital, [in the view of the Board], that the surface water discharge from Phase 2 is rigorously controlled to ensure that the Lode is not overwhelmed.

40. **Environmental Health** – A CEMP will be required to be submitted to satisfy the requirements of the outline planning permission.

41. **Contaminated Land** – No comments

42. **Crime Prevention Design Team (Cambridgeshire Constabulary)** - Consider that the proposed design and layout promote community safety and reducing opportunities for crime. The design of planned open space we feel encourages their use by residents and visitors which also increases natural surveillance across the development.

43. **Natural England** – No comments. Need to consider the Standing Advice in relation to the protected species with the Council's Ecology advice.

44. **Ecology** – No objection - The application is supported by an Ecological Management Plan (Middlemarch Environmental, April 2021) which is welcome.

The document provides details regarding native trees, shrubs, mixed species hedgerows, wildflower grasslands, and species rich flowering lawns to be created within the boundary of the site. In addition, 150 bat and bird boxes and hedgehog connectivity are to be installed within new dwellings and between plots. Given the available space, and that Northstowe Phase 2 is providing biodiversity net gain through an offsite project, the details submitted are sufficient to remove ecology as material concern to determination.

**45. Public Health England** – No comment

**46. Sport England** – No objection - The proposals include links to existing footpaths and cycleways, and also include areas of public open space and a link to the adjoining town park to the south, in line with Sport England's Active Design principles. The demand generated does not equate to a level requiring on-site provision, but it is accepted that a financial contribution has already been secured towards indoor sports provision.

**47. Sustainability Officer** - The figures provided by the applicant demonstrate that if built to the specifications contained within the Sustainability and Energy Statement, the development achieves a 29.80% reduction in carbon emissions when compared to Building Regulations Part L 2013. This meets the equivalent of the CFSH level 4 energy standards and demonstrates compliance with Condition 32. Would ask the applicant to provide a clear plan showing the location of solar PV installations and provide full design stage SAP calculations to ensure the suggested saving is achieved.

## **Representations from members of the public**

48. Following public consultation there have been no representations received to the application from any local resident or interest group, including Rampton Drift.

## **The site and its surroundings**

49. The application site forms part of the wider Phase 2 development which was approved under planning reference S/2011/14/OL. Phase 2B extends to approximately 7.9 hectares (c.19.52 acres) and is located south of Rampton Drift, an existing residential settlement once part of the former RAF Oakington air base. Rampton Drift forms the northern boundary to the proposed development.

50. To the east is the proposed commercial core of the Northstowe town centre with the approved scheme for Phase 2a located to the north and east, work has commenced with a number of properties on site. To the southern and western boundaries are further and later phases of Phase 2.



51. The education campus lies further to the east of the site and is being delivered under a phased approach by the County Council. On the site, at the time of submission and writing of this report, the Secondary and Special Education Needs (SEND) School are both open.

52. Phase 1 is further to the north beyond Rampton Drift. The site at this time is a field which has been cleared for construction but remains grassed with a limited number of trees. The site is generally flat with very few features remaining of the former airfield other than the airfield road which is being used for construction purposes. Other features of the Phase 2 permission, e.g. the water park and southern access road are well advanced in terms of construction.

## **The proposal**

53. The application submission is a Reserved Matters submission for 300 homes (considering layout, scale, landscaping, appearance and detailed access arrangements for the parcel) and associated works including gardens, car parking and open space.

54. The proposals include three Local Areas of Play (LAPs) and include the greenway to the south of the development as well as a Local Equipped Area of Play (LEAP) which forms the first part of the Town Park which will become, in larger form, part of the 1.2ha town park and town gardens as part of the open space for the wider town centre.

55. The proposals also include the provision of approximately 198sqm of flexible commercial space, covering Use Classes E, F.1 and F.2 of the Town and Country Planning (Use Classes) Order 2020.

56. The application also includes information relating to Conditions 9, 10, 11, 12, 16, 19, 20, 23, 24, 27, 32, 33, 34, 37, 41, 42, 43, 45, 48, 57, 58, 60 and 64 of the outline planning permission. Some of these conditions are compliance elements to the outline planning permission and set out requirements for the reserved matters submission and ensure that the development is in compliance with the outline planning permission and associated documents.

57. An Environmental Statement Compliance document is also submitted to show how the development meets the requirements of the Phase 2 outline permission.

58. The application site principally sits within the Oakington Barracks Character Area of the approved Design Code however the southern elements includes the Mews

Quarter Character Area and there are also elements of the site to the southeast and northeast that are within the Town Centre Character Area.

59. The proposed housing mix is set out as being 73% houses and 27% flats with the level of affordable housing in line within the approved s106 Legal Agreement which requires 20% affordable rent and 40% Northstowe Starter Homes with the remaining 40% being market housing. The proposed mix is set out below:

60 Affordable Rent properties (total 20%):

- 11, 1 bed 2 person apartments
- 23, 2 bed 3 person apartments
- 2, 2 bed 4 person apartments
- 18, 2 bed houses
- 4, 3 bed houses
- 2, 4 bed houses

119 Northstowe Starter Homes properties (total 40%) – capped at £250,000 for the first 5 years.

- 16, 1 bed 2 person apartments
- 30, 2 bed 3 person apartments
- 73, 2 bed houses

121 Open Market properties (total 40%)

- 73, 3 bed houses
- 48, 4+ bed houses

60. The proposals include 484 car parking spaces across the development.

61. The application is supported by a range of documents including:

- Environmental Statement Compliance Statement
- Planning Statement
- Design and Access Statement
- Energy and Sustainability Statement
- Drainage Strategy
- Ecological Management Plan
- Landscape and Open Space Strategy
- Waste Management and Minimisation Strategy
- Arboricultural Management Strategy
- Breeam Pre-Assessment
- Highway Statement
- Statement of Community Involvement

62. Amended plans and information to address the comments of the LLFA and SCDC Drainage Officers have also been received alongside updates to the landscape and site layout following a meeting with landscape, urban design and highways officers which address the comments and issues raised in the original comments.

## **Planning assessment**

### **Principle of Development and the Outline Planning Permission**

63. Policy S/12 of the South Cambridgeshire Local Plan (SCLP) is a material consideration in that the policy seeks to ensure comprehensive delivery through appropriate phasing and delivery and master planning of the development. Policies NS/1, NS/2, NS/23 and NS/28 of the Northstowe Area Action Plan (NAAP) also set out the vision and aims for exemplar development. The outline planning application and the approved phasing strategy and design code are also important and material consideration.
64. The submission is the second development parcel to outline planning permission (reference S/2011/14/OL) which was granted on 9 January 2017 for up to 3,500 dwellings, two primary schools, secondary school, town centre including employment uses, formal and informal recreational space and landscaped areas, eastern sports hub, the remainder of the western sports hub (to complete the provision delivered at Phase 1), busway, a primary road to link to the southern access, construction haul route, engineering and infrastructure works.
65. Engineering and landscape works on the site have been commenced with a number of significant elements (e.g. sustainable drainage, road infrastructure and schools) this already well advanced.
66. As previously highlighted the application site principally sits within the Oakington Barracks Character Area of the approved Design Code however the southern elements includes the Mews Quarter Character Area and there are also elements of the site to the southeast and northeast that are within the Town Centre Character Area.
67. Since outline planning permission was granted the Council has adopted the South Cambridgeshire Local Plan in September 2018 and the National Planning Policy Framework has been updated, first in July 2018, again in February 2019 and most recently in July 2021.
68. The new Development Plan and alterations to the National Planning Policy, as a material planning consideration do not alter the principles of the development proposals, as established by the outline planning permission and the sustainable re-use of previously developed land and significantly boosting the supply of housing remains at the core of national policy however there are a number of other nuances and alterations to policy (including density and making most efficient use of land which are new paragraphs to the NPPF). The now adopted

SCLP was at Draft Stage during the course of the consideration of the permission and although it was not referenced in the original report the new SCLP has not fundamentally altered the policy basis of the approval. Further it is noted that the Northstowe Area Action Plan was also adopted at the time of the application and throughout the determination.

69. It is also noted that the Environmental Impact Assessment Regulations were updated in 2017. There is no change to the Regulations which would call for further work to the Environmental Statement. An EIA Conformity Statement has been received as part of the submission and the proposals show compliance with the aims and objectives and requirements of the Environmental Statement.

70. Overall whilst there are changes to the Development Plan, the resultant changes to the policy framework do not alter the principle of development established by the outline planning permission and the established Northstowe Area Action Plan, as updated by the South Cambridgeshire Local Plan 2018.

#### **The Reserved Matter of Layout**

71. Policies HQ/1, H/8 and H/9 of the SCLP are relevant considerations in terms of mix, density, design and layout. Policy H/12 is noted in so far as space standards for the properties with Policies NH/1, NH/2, NH/6 are also relevant in the consideration of strategic landscape provision and green infrastructure. Policies NS/1, NS/2, NS/4, NS/6, NS/7, NS/9, NS/10, NS/11, NS/13, NS/14, NS/15, NS/16, NS/19, NS/23 and NS/25 of the NAAP are also considerations. Supplementary Planning Documents and the National Planning Policy Framework, alongside the practice guidance and Development Framework documents are also carefully considered.

72. The National Design Guide states that well-designed places have:

- compact forms of development that are walkable, contributing positively to well-being and placemaking;
- accessible local public transport, services and facilities, to ensure sustainable development;
- recognisable streets and other spaces with their edges defined by buildings, making it easy for anyone to find their way around, and promoting safety and accessibility; and
- memorable features or groupings of buildings, spaces, uses or activities that create a sense of place, promoting inclusion and cohesion.

73. The approved Design Code for Oakington Barracks requires regular avenues and grids of streets with regimented rows of terraced houses and simple, repetitive and formal buildings to reflect the former military street layout. To the south is the Mews Quarter Character Area which suggests an intimate character with a high degree of enclosure.

74. The proposed layout has taken the Design Code forward with an appropriate and uniform nature to the design proposals. The layout includes a strong and clear road hierarchy and the proposals include a more regular pattern of development to the northern side of the development and an informal greenway to the Rampton Drift boundary with footpaths and cycleways.
75. The site lies to the west of the town centre and therefore links across the site with strategic development of routes and cycleways to the east/west ensuring that future phases and parcels will be able to access the town centre. Further the use of mews courts and formal parking with north/south routes also build a strong sense of place.
76. The position of LAPs are also in accordance with the Youth and Play strategy and promote play on the doorstep approach which builds a healthier lifestyle. It should be noted that this is more innovative and reflective of best practice with the Council's Landscape in New Developments SPD (2009) somewhat dated in the application of play equipment.
77. The layout promotes a strong priority to walking and cycling ahead of the private car and seeks to ensure the development will blend into the overall Phase 2 development. In places the cycleways and footpaths are wider than the Design Code requirements but this improved provision is welcomed. The northern boundary in particular is a more informal but well considered greenway.
78. The greenway to the south also follows the wider masterplan and strategy for the area. The development of community gardens and spaces together with formal play followed advice and a simplified structure to the spaces makes the spaces meaningful and more usable.
79. The Town Council raise the matter that the affordable housing on the plan is all in one area, and not in keeping with Policy H10 of the Local Plan. Officers and housing officers, disagree. There is a range of tenures in areas adjacent or close to each other and in providing 60% of the development there is likely to be areas where there is more affordable housing but the affordable housing is distributed across the site and mixes the Northstowe Starter Homes and Affordable Rent.
80. The affordable housing provision and distribution is managed in accordance with the clustering set out in the agreed legal agreement at a maximum of 25 dwellings in a cluster. The proposals are considered to comply with local plan policy, current housing policy, which has been updated since the outline planning permission, and the requirements of the legal agreement. As such there would be no sustainable reason to refuse the application on the grounds of clustering. Housing Officers support this approach and have been involved in detail in the layout, size and tenure distribution across the site including the provision of larger family units.

81. The Town Council also raise the issue of lifetime homes assessment in the Design and Access Statement only state typical details. However, in the assessment by officers, officers refer to the house type plans. All the house type plans are provided and have been assessed. The Design and Access Statement provides a useful summary but is not the only area where officers consider the requirements of the outline condition.
82. The layout of the proposals therefore would provide a strong response for the area immediately to the south of Rampton Drift, west of the town centre and would act as a progression to the further areas to the west and south. The proposals include good areas of open space and address the constraints of the site whilst also not compromising future areas of the Phase.
83. The proposed layout is therefore considered to be in compliance with Policies HQ/1, H/8, H/9, H/12, NH/1, NH/2, NH/6 of the SCLP as well as Policies NS/1, NS/2, NS/4, NS/6, NS/7, NS/9, NS/10, NS/11, NS/13, NS/14, NS/15, NS/16, NS/19, NS/23 and NS/25 of the NAAP. The proposals have also had regard to the approved Design Code for Phase 2 and other adopted guidance. The proposed layout is considered to be acceptable.

#### **The Reserved Matter of Appearance**

84. Policy HQ/1 of the SCLP sets out design principles for the District and Policies NS/1, NS/2, NS/12, NS/23 of the NAAP set out the vision for Northstowe, development principles, landscape principles and exemplar in sustainability. These form the policy framework for the consideration of appearance. The National Planning Policy Framework is also considered and guides that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
85. The approved Design Code is a material consideration and sets out that Northstowe Phase 2 will, as a 21<sup>st</sup> Century Town, include architecture that will be contemporary and of urban character. The Design Code explicitly states that Northstowe Phase 2 will be of higher density than other large developments in South Cambridgeshire, such as Cambourne or Northstowe Phase 1. It will comprise a high percentage of terraces, urban housing and flatted development. Local tradition will inform the overall structure, scale and order of buildings as well as the use of materials, ensuring that Northstowe will be based on the local context and vernacular architecture.
86. The National Design Guide states that appearance is the aspect of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, its

architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance.

87. The proposals are modern in their design but this was the aim of Phase 2. The urban and intimate feel of the development is in line with the ethos from the Design Code and is well-thought through and the scheme has a clear and strong design ethos.
88. The use of modern and contemporary detail, in particular in the mews courts and across the scheme is welcomed and in accordance with the design code. It is also noted that there is a use of traditional features in areas to take account of the relationship to Rampton Drift which will provide a positive relationship.
89. The Town Council state that the building materials lack ambition and need to be more sustainable. It is unclear what the Town Council are seeking. However the proposals are based on the delivery of modern methods of construction with timber framed panel construction which is an important part of the sustainability strategy and contribute to energy savings of 10% on non-fabric first approaches. Coupled with the use of renewable energy the levels of carbon savings could deliver as much as 19.58% energy savings, with a cautious approach to renewable energy savings. As stated the proposals are more traditional in appearance than Urban Splash but would be more akin to a Cambridge-style. As such, officers disagree with the statement of the Town Council and consider that the proposals have been ambitious and sustainable in the development of the approach to materials and appearance.
90. The proposed appearance is therefore considered to be in compliance with Policy HQ/1 of the SCLP in terms of design principles and Policies NS/1, NS/2, NS/12, NS/23 of the NAAP, the approved Design Code and the National Planning Policy Framework in its appearance.

### **The Reserved Matter of Scale**

91. Policy HQ/1 of the SCLP sets out design principles for the District and Policies NS/1, NS/2, NS/13, NS/23 of the NAAP set out the vision for Northstowe, development principles, the treatment of the edge of Northstowe and exemplar in sustainability. These form the policy framework for the consideration of scale. The National Planning Policy Framework is also considered.
92. Scale is defined as the height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced. The relationships between the different dimensions of a building or component are known as its proportions.

93. The outline planning permission is also a material consideration and the parameter height plan approved under S/2435/17/NM showed development of up to 7m (or 2storey) on two areas with a relationship to Rampton Drift, and up to 11.5m or 3storeys elsewhere with up to 18.5m in the town centre (or five storeys). This excludes the area to the southeast of Rampton Drift where the play area is located.
94. The approved outline application parameter plans show a general density of 41-60 dwellings per hectare (D/ha), when considered with the height parameter a higher density along the busway was likely and this formed part of the Design Code. Smaller areas of lower density (35-40D/ha) set around Rampton Drift. The masterplan follows the density pattern with higher density in the town centre and a uniform approach to density elsewhere. It should be noted that with the development set off the boundary with Rampton Drift (with an intervening access road and greenway) the overall density is approximately 38D/ha which is in accordance with the overall strategy and with an appropriate mix of properties is an appropriate scale for the site.
95. The relationship to Rampton Drift is entirely appropriate and in accordance with the outline planning permission. The proposals are in conformity with the Parameter Plan and Sensitive Edge defined in the Design Code.
96. To the northeast corner, in the town centre character area and parameters, the proposals are in accordance with the parameter plans and have responded to the concerns of local residents at pre-application. The proposals step up to taller heights away from Rampton Drift and into the town centre. This would also be in accordance with the outline planning permission and the associated parameter plans and step up in density for the town centre.
97. The purpose of parameter plans therefore is to set a basis for the Reserved Matters submission. The proposals have carefully considered and taken forward the design proposals in accordance with the outline planning permission.
98. The proposed scale is therefore considered to be in compliance with Policy HQ/1 of the SCLP and Policies NS/1, NS/2, NS/13, NS/23 of the NAAP and the aims and objectives of the National Planning Policy Framework and National Design Guide and is considered to be acceptable.

#### **The Reserved Matter of Landscaping**

99. Policies HQ/1, CC/1, SC/9, NH/1, NH/2, NH/4 and NH/6 of SCLP are relevant considerations in terms of the relationship to Longstanton; the landscape character; biodiversity and mitigating the impact of climate change and impact of lighting whilst Policies NS/1, NS/2, NS4, NS/10, NS/11, NS/12, NS/13, NS/14, NS/15 NS/16, NS/17, NS/19, NS/21, NS/23, NS/25 and NS/27 of the NAAP set



out a range of matters relating to landscaping, biodiversity, routes around Northstowe and the promotion of an exemplar development. The National Planning Policy Framework and National Design Guide are also material considerations.

100. Landscape is the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment. Landscape includes landform and drainage, hard landscape such as surfacing, boundary treatments, street furniture and play equipment. It also includes soft landscape – trees, shrubs and other planting.
101. As stated there are three elements to the application site within the approved Design Code which includes the Oakington Barracks, Mews Quarter and Town centre.
102. Within each Primary Landscape or Character Area planting shall feature a selection of key species to define a distinct sense of place and identity. In prominent locations, flowering shrubs and herbaceous planting should feature planting within a red, yellow and white colour palette. The Design Code suggests a number of species and design approaches with hard landscaping in the Mews Quarter Character areas and more spacious approaches in the northern areas.
103. Taking account of the comments from the Town Council on play space further details are needed to be submitted and will be safeguarded by condition. The submitted design approach seeks to make the entire neighbourhood a 'A Playful Place' to encourage residents to get outside, move and interact with others and the natural world. The key aspects of the strategy include:
  - a. Create a safe and attractive place with well designed streets and open spaces that promote healthy living and which are within easy access for residents and visitors from neighbouring areas.
  - b. Apply a best practice Green Infrastructure approach to the design and management of spaces that have a clear purpose but which are multifunctional and adaptable whilst attractive and robust.
  - c. Carefully consider the landscape and public realm design, including the specification of plants and materials, in the context of the climate emergency to reduce the need for intensive management, excess use of resources and where possible using low carbon materials.
  - d. Ensure the landscape and open spaces design responds to the local Fenland edge and historic legacies of the site as well as the immediate existing context of Rampton Drift and future neighbouring areas.

- e. Design a playable environment that incorporates both formal play areas and incidental recreational spaces that are accessible to all, fun to be in and attractive to a wide range of ages and abilities.
  - f. Incorporate spaces for informal recreation, places to rest and areas of activities such as a community orchard and edible /foraging areas.
  - g. Ensure pedestrians and cyclists have clear and safe, accessible routes which are integrated into the public realm, connecting spaces within the development and the wider settlement of Northstowe.
  - h. Ensure the landscape design of Phase 2b provides access to nature through the careful selection of plants, with a varying types, displaying seasonal change and opportunities to observe wildlife on the doorstep.
  - i. Ensure the landscape design and planting throughout Phase 2b is specified and managed to encourage wildlife and improve biodiversity.
  - j. Incorporate attractive, water-sensitive design solutions throughout, including swales and rain-gardens designed to improve water quality and slow down or reduce rainwater runoff.
104. The applicant has submitted the detailed location and area of the LEAPs and LAPs and through amendments to the landscape detail. The details are considered appropriate.
105. The proposals also include a wide range of informal play equipment through the provision of a LEAP and LAPs which is in line with the adopted Youth and Play Strategy for Phase 2 with good connections through the development to the greenways and formal LEAPs.
106. Further the s106 Legal Agreement to the outline planning permission details a process of agreement and certification of play facilities within Schedule 14 of the s106 (pages 144-172). The appropriate LEAPs and LAPs ultimately fall to the responsibility of Homes England in agreement with the Council. The s106 requires assessment and agreement with a registered Sports and Play Construction Association specialist and agrees a process for agreement of the Specification through agreement which can include co-ordination with the Town Council as part of Open Space Steering Group. Similar arrangements have commenced with Phase 1 and Homes England are in agreement and awareness of the need to set up a similar arrangement for Phase 2.
107. The s106 also controls delivery of the LEAPs and LAPs. For the avoidance of doubt the first LEAP shall be provided no later than the Occupation of the 500th Dwelling on Phase 2 or the 2000th dwelling across the Northstowe Phase 1 Site and the Site.

108. The LAPs shall be delivered no later than whichever of the following shall be the first to occur to complete the each respective LAP which shall be evidenced by the issuing or the deemed issue of the Council Completion Certificate in respective of each respective LAP:
- a. occupation of 50 per cent of the Dwellings within the Development Parcel that the LAP forms part of; or
  - b. occupation of 75 per cent of the Dwellings which are adjacent to or have a frontage facing the respective LAP.
109. As such planning conditions are not required in relation to LEAPs and LAPs or their delivery.
110. The hard landscape strategy sets out high quality environment at the core with materials and space for pedestrian and cycling in particular at the core of the environment with appropriate space for the car, emergency services and service vehicles catered for within the development.
111. The creation of spaces and treating streets as places allows for the development of residential and shared streets moving throughout the development.
112. There is also potential to link the development to the existing play area within Rampton Drift but this is not relied on by the applicant and the Council is aware that the neighbouring play area requires enhancement.
113. Having carefully considered the comments of the Town Council, and having regard to the wider masterplan and Policies HQ/1, CC/1, CC/8, SC/9, NH/1, NH/2, NH/4 and NH/6 of the SCLP; Policies NS/1, NS/2, NS4, NS/10 NS/11, NS/12, NS/13, NS/14, NS/15, NS/16, NS/17, NS/19, NS/21, NS/23, NS/25 and NS/27 of the NAAP; the Design Guide SPD; the adopted Design Code and aims and objectives of the National Planning Policy Framework, the proposals are considered acceptable in respect to the proposed landscaping and is considered acceptable.

#### **The Reserved Matter of Access**

114. Policies CC/1, HQ/1, TI/2, TI/3, TI/8 and TI/10 of the SCLP are material considerations relating to the mitigation of climate change, design quality of the proposed development, particularly in terms of promoting sustainable travel choices, managing parking provision and cycle parking. Policies NS/1, NS/2, NS/4, NS/10, NS/11, NS/15, NS/20 and NS23 of the NAAP are also material to the determination of the Reserved Matters in respect to the design principles, promoting cycling and walking and links to and from Northstowe.

115. The approved masterplan was developed further by the approved Design Code which developed a strategy for the delivery of strategic routes and road hierarchy around Northstowe Phase 2 which included all forms of transport from vehicle traffic along the primary routes and the definition of the busway through the Phase. The inclusion of cycling routes and the use of guided busway to the east whilst forming attractive pedestrian and recreational routes (e.g. for equestrian use) including fitness trails were also part of the overall strategy.
116. The proposals have developed the movement strategy further with clear links to Rampton Drift, the Town Centre, Greenways, Busway and Primary Road whilst creating a clear hierarchy and movement strategy based on the design concept and the principles of the Design Code. The Approved Design Code was developed on strong north to south links however the proposals have also developed this further to include east west links across the development parcel for pedestrians and non-vehicle traffic whilst east to west movement is restricted for cars and vehicles by the busway running through the site.
117. The purpose of a masterplan and Design Code is to deal with strategic issues and to ensure that neighbouring sites and the development of individual parcels can be developed as a whole. The development and approval of the town centre strategy together with the application's consistent approach to the Design Code would mean that the Town Centre servicing and access can be appropriately managed through the primary streets.
118. The road hierarchy has been agreed in principle with County Council Highways department in conjunction with the Local Planning Authority and the agreed design principles and reflects the Approved Design Code.
119. The roads are all Tertiary Streets in accordance with the Design Code with the exception of a secondary street that runs through the centre of the site. The majority are shared surface Mews Streets, in order to promote social interaction, with the residential streets introduced to create a street hierarchy.
120. The streets are to be built to adoptable standards with the intention that CCC Highways will adopt the streets in the foreseeable future when they link up to the public highways network. Some areas of roadway will not be adopted such as the mews streets adjacent to the linear park (and rear parking courts), which are predominantly used for parking for apartment blocks or parking courts for housing. These areas will be managed by Homes England or a management company appointed by the developer in accordance with the requirements of the outline planning permission.

121. Parking spaces have been designed to houses to be wider to allow for cycles to pass and as per the Design Code and Policy T1/3 cycle parking to houses would be provided in the rear gardens (probably in a feature akin to a garden shed). The proposals would also deliver electric charging points with the details being secured through planning condition considering the range of options available to deliver such facilities. This is considered appropriate.
122. The County Council have requested minor points of clarification through planning condition:
- Northwest Corner – Highways comment that it is not clear how the cyclepath and footway will be separated from the shared use road. It could be 10m of tarmac. A physical feature would prevent vehicles from parking or driving onto the pedestrian / cycle path. A gap should be provided opposite the mews street.
123. In response the applicant has agreed the use of kerbing and physical separation would occur further the cycleway and parking areas are shown as separate materials. Such an amendment or condition is therefore unnecessary.
- Northeast Corner – In the view of highways officers, this will be a busy secondary street and crossing place. The crossing place is not clear, is located on a sharp bend, and the routes either side do not link together with those being designed by Homes England (under separate reserved matters) as usable routes for pedestrians or cyclists. The location would be very difficult to cross safely with the proposed design.
124. It is disagreed that this position would be an attractive or desirable crossing point as crossing in this location would not lead to either the town centre or a destination. Crossing by the guided busway would be a more attractive crossing point barely 50m to the east. Amendments have been sought to other reserved matters submissions to bring this in line with other submissions. Other points to note are that the sharp bend would also slow traffic to the design speed of 20mph. Therefore a crossing on this corner would be unnecessary clutter and should not be progressed as there is no clear highway or pedestrian safety benefit.
- Southeast Corner (between the proposed commercial unit and the LEAP). Highways Officers consider this is a key route into the Town Centre for the town and will be very busy at all times. If the route is aligned further south then this gives more room for the frontages of the buildings to have larger areas of seating that is located away from moving cyclists. Planters / furniture could indicate where the cycle route goes through this area and are shown.
125. The approach of the highways officers is disagreed. This would sever the commercial unit from the LEAP and eventually the town park which should

include north/south movement and the proposals would give preference to east/west movement of cyclists over pedestrians. Maintaining the area as informal would also allow for more flexibility in terms of outdoor seating for a café. Therefore the amendments suggested by highways officers are not agreed.

- There are no small gaps in the verge opposite streets to allow access onto the cycle path. Doors from parked cars could obstruct the cycle path.

126. This is noted however is normal for parallel parking and would be the same to the road. It will therefore be for the car user to take care in exiting the vehicle and being aware of their surroundings (as would be the case for moving cars). As such no change is considered necessary.

127. The proposals also demonstrate that the development can be served by the Fire Service and the position of hydrants are identified within the submitted Design and Access Statement. All properties can be reached by a Fire Appliance. The proposals can also be serviced by refuse vehicles and appropriate tracking has been submitted showing how bins and refuse vehicles will use the site.

128. Having carefully considered the comments of the Highway Authority and with minor changes through the course of the application to address minor technical aspects, the proposals are considered to provide appropriate access to all users and would promote alternative modes of transport. The proposals therefore would be in accordance with Policies CC/1, HQ/1, TI/2, TI/3, TI/8 and TI/10 of the SCLP; Policies NS/1, NS/2, NS4, NS/10 NS/11, NS/12, NS/13, NS/14, NS/15, NS/16, NS/17, NS/19, NS/21, NS/23, NS/25 and NS/27 of the NAAP, the adopted Design Code and aims and objectives of the National Planning Policy Framework, the proposals are considered acceptable in respect to the proposed access and is considered acceptable in promoting sustainable transport and travel at the core of the development.

### **The Relationship to Rampton Drift**

129. Policies HQ/1, NH/1, NH/2, NH/4 and NH/6 of the SCLP are material considerations relating to the design quality of the proposed development, particularly in terms of amenity, the green separation to Longstanton and protecting and enhancing landscape character, biodiversity and green infrastructure. Policies NS/1, NS/2, NS/15, NS/24 and NS25 of the NAAP are also material to the determination of the Reserved Matters in respect to the design principles, strategic landscape and links from Northstowe and the construction strategy.

130. The Council has also adopted a Design Guide SPD which includes ideal separation distances but it is also important to consider the Phase 2 Design Code and the principles outlined in the parameters of the outline planning permission.

131. The design code anticipated a traditional design and appearance to new neighbouring development and development using short terraces, semi detached houses. The development has used this ethos and taken it forward in the eventual proposals. The Design Code also sought to ensure future pedestrian permeability which is also shown through the provision of wide footways and cycleways to the northern boundary and the preservation of the green edge to Rampton Drift.
132. The approach to phasing and construction starts to the northeast and then to the southeast with the last site being developed to the southwest (furthest away from Rampton Drift). A condition to ensure that “beeping alarms” are not used will be applied and Rampton Road will also not be used for construction access. This should also form part of the Construction and Environmental Management Plan which will be developed and submitted under the requirements of Condition 39 of the outline planning permission.
133. The proposals are two storey development at the boundary with Rampton Drift where there is a relationship to properties on Rampton Drift in accordance with the outline planning permission and parameters.
134. Considering the approach would comply with the outline planning permission and there would be substantive visual separation from the three-storey elements and with the potential enhancement to the landscape the proposed relationship would be acceptable and maintain amenity.
135. The comments of Environmental Health and the Town Council as to the lack of a Construction and Environmental Management Plan (CEMP) is noted, particularly with regard to the management of construction. The CEMP, through Condition 39 of the outline planning permission, is required prior to the commencement of development and there is a site-wide CEMP in place. As per Phase 2a and numerous other developments, it is proposed to submit a CEMP following the approval of Reserved Matters.
136. As welcomed and supported by the Town Council the applicant separates the construction and residential access which is an approach led by the approach to delivery of the wider site by Homes England. Rampton Road will not be used as a construction access for lorries and HGVs.
137. Having carefully considered the submission and Policies HQ/1, NH/1, NH/2, NH/4 and NH/6 of the SCLP, Policies NS/1, NS/2, NS/15, NS/24 and NS25 of the NAAP, the Design Guide SPD, the adopted Design Code and aims and objectives of the National Planning Policy Framework, the proposals are considered acceptable in respect to the relationship to Rampton Drift and appropriate

conditions can be added to secure the amenity of residents of Rampton Drift and respect the outline planning permission and is considered acceptable.

### **Heritage**

138. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an authority's planning function, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Heritage Assets.
139. Policy NH/14 of the SCLP requires development to take account of and preserve or enhance heritage assets. The policy is supported by the aims and objectives of the National Planning Policy Framework at paragraphs 189-202.
140. The application site does not include any Built Heritage Assets with the nearest being the Oakington Pillbox on Rampton Road at the entrance to The Leas (Magdalene Close) which is c.520m to the west/northwest. The other principal built heritage asset is Longstanton Conservation Area but there are several important buildings within Longstanton. The outline planning permission assessed the impact on all heritage assets and their setting.
141. The applicant's assessment of the Heritage Assets are set out in the EIA Conformity Statement which states that the 2014 Environmental Statement (ES) stated no significant residual effects following the implementation of mitigation were anticipated. As there have been no changes to baseline conditions and no further information on archaeology/heritage was required in support of the application, it is considered that this conclusion within the 2014 ES remains valid.

#### Longstanton Conservation Area

142. The development of Rampton Drift and the barracks of RAF Oakington in between, separate the Conservation Area from the arable land to the north-east, with the effect that the setting of the Conservation Area excludes the application site in most respects. However, the site is considered to form part of the wider 'surroundings' of the settlement, and as such it is regarded to form part of the extended setting of the designated area – albeit that that separation formed by the barracks reduces the degree to which there is a perceptible relationship formed.
143. Due to this intervening built form, there is no intervisibility between the site and the Conservation Area. As views into and from the Conservation Area will not be affected by the proposals, the development of Phase 2B would only have effects on perceptions of the Area's wider setting. As such, these impacts are regarded



as being only negligible on the setting of the Conservation Area, and no impact on its significance.

All Saints Church – Grade I listed building (associated structures Grade II listed)

144. The site is located approximately 800m to the east of the church, with the barracks and landscaping intervening. The site does not form a key part of the extended setting of the church as the later development has severed any link with the arable land. However, the current openness of the wider landscape may be regarded as forming part of the surroundings in which the church is perceived. This change was assessed as part of the original outline planning permission.

145. In terms of impacts arising from the proposed development, as there is no intervisibility between the church and the site, and no views of the church would be significantly altered, or perceptions changed, the proposed development of Phase 2b would have a negligible impact on the setting of the church, and no impact on its significance.

Church of St Michael – Grade II\* listed building

146. The site is located approximately 830m to northeast of the church with RAF Oakington and residential development surrounding the Church (e.g. St Michaels Lane) separates the development site from the church. No views of the church are available from the development site and vice-versa. As such, due to the extent of the separation between the asset and the site, the development of Phase 2B would have no impact on the setting of the Church of St Michael.

Magdalene College Cottage – Grade II listed building

147. There is considerable intervening built-form between the cottage and the site, which is over 750m north of the cottage. As with the Church of St Michael, there is no intervisibility between the cottage and the site due to the built-form of RAF Oakington and Longstanton. Also, the application site does not represent any perceptible part of the surroundings of the asset. Therefore, it is considered that there will be no impact on the setting of the cottage.

The Grange – Grade II listed building

148. The site is some 900m to the northeast of The Grange, with the built form of the village and RAF Oakington in-between. As there is no intervisibility between the asset and the site, and no awareness of the site as forming the surroundings of the asset, it does not contribute to the setting of The Grange. There will be no impact arising from the proposed development.

Manor Farmhouse – Grade II listed building

149. Phase 2B is located some 700m west of Manor Farmhouse. Once again, the barracks separate the development site from the setting of the asset. There are limited views and intervisibility between the farmhouse and the site, and no views

of the farmhouse or its surroundings would be affected. As such, the development of Phase 2B would have no impact on the setting or significance of the farmhouse and the conclusions of the original outline planning permission assessment are considered unaffected.

Eight Cantilevered Pillboxes at the former RAF Oakington and the Cantilevered Pillbox beside Rampton Road – Grade II listed structures

150. Two of the pillboxes are primarily to the northeast boundary of the wider site of Phase 2. Due to the implementation of the mitigation agreed to the Pillboxes and the intervening development of Phase 2 (including the education campus) there is no direct intervisibility between the site. However, these pillboxes were constructed to protect the former railway line and this view and relationship would not be curtailed by these proposals. As such, the principal views and settings which linked the pillboxes to their original purpose will be retained. Whilst the development of Phase 2B will result in some changes to the extended setting of these pillboxes, as a result of mitigation and changes to the character of the wider landscape, no impact on their significance.

151. In terms of archaeology the site has already been assessed and dealt with through the outline planning permission and the discharge of conditions with finds already recorded.

152. Having considered the application and the original assessment as part of the outline planning permission, it is considered that there will be very limited to no impacts as a result of the development.

153. The low-level adverse impacts identified are considered represent “*less than substantial*” harm in the context of Paragraph 196 of the NPPF, a term which according to Bedford Borough Council v SSCLG & Nuon UK Ltd [2013] EWHC 2847 can refer to a range of impacts from an impact that is “negligible” in effect, to one which is “something approaching demolition or destruction.” In these instances, Officers consider that the “*less than substantial*” harm levels are at the lower end of this scale and would not incur impacts of such an effect as to infer substantial losses of significance by way of impact on setting. At the level of “*less than substantial harm*”, the impacts arising from the development of the site should be considered in the context of public benefits arising from the proposals, in accordance with Paragraph 196 of the NPPF. The public benefits (including the delivery of housing) are considered in the overall planning balance.

154. The development proposals would comply with the requirements of legislation, guidance contained the NPPF and Policy NH/14 of the SCLP and associated guidance.

### **Construction Methodology and Sustainability**

155. Policies HQ/1, CC/1, CC/3 and CC/6 of the SCLP are material considerations relating to the design quality of the proposed development, adaption to climate change and modern construction methods. Policies NS/1, NS/2 and NS/23 of the NAAP are also material to the determination of the Reserved Matters in respect to the design principles and the aim to deliver an exemplar development. The comments of the Town Council have been carefully considered.
156. It is proposed that high efficiency timber frame systems be used within the development to achieve improved U values resulting in lower heat loss, and to capture carbon within the fabric of the building.
157. The applicant outlines in their submission that the main sustainable design and construction measures incorporated in the proposals are:
- The proposed development will reduce energy demand through passive design and energy efficiency measures using beyond best practice levels of insulation, and low fabric air permeability, achieving a predicted 12.70% improvement in Fabric Energy
  - Efficiency beyond a baseline compliant level. 10% of the regulated site energy demand to be delivered from renewable sources with the option for buyers to upgrade this to 20% on individual plots.
  - A total 19.58% reduction in energy demand over a baseline compliant level through improvements to fabric and incorporation of renewables.
  - A total CO2 emission reduction of 29.80% can be achieved through a combination of passive design, energy efficiency and renewable electricity generation technologies.
  - Further reducing the carbon associated with construction by using timber frame in order to sequester carbon within the fabric of the building itself and vastly improve over the emission levels associated with the production of concrete blocks for sites using traditional construction methods.
  - The development will be fitted with water efficient fixtures and fittings. These will be selected to ensure that internal water consumption is limited to less than 105 litres per person per day in dwellings.
158. Efficient management of construction and operational waste will be managed through appropriate waste storage facilities will be provided for the operational phase of the development and a Site Waste Management Plan will be developed and implemented during construction.
159. Further there would be environmental protection and enhancements: proposals include for landscaping, provision of a park and biodiversity enhancements contained within the building and green infrastructure.

160. Sustainable methods of transport are encouraged including carefully planned cycle routes through the development and electric vehicle charging.
161. The proposed Retail/Café unit is to achieve a standard of BREEAM Very Good as demonstrated by the Pre-Assessment which has been carried out.
162. Overall the applicant's strategy focuses on a 'Fabric First' approach which prioritises improvements to the fabric of the dwellings to avoid unnecessary energy demand and consequent CO2 reduction. Improvements in insulation specification, efficient building services, a reduction in thermal bridging and unwanted air leakage paths and further passive design measures will enable the relevant standards to be met, whilst building in low energy design and future climate resilience to the design and construction of the dwellings.
163. The strategy for the site proposes solar PV systems capable of generating 198.5 MWh per year and providing 10% of the predicted regulated energy demand of the site. It is proposed that a sales upgrade will also be provided offering renewable energy systems capable of delivering 20% of the energy demand on specific plots.
164. It is noted that the Town Council express the desire for the development to go beyond and above current building regulations and policy standards for sustainability. An application should be considered against a background in which there is a national commitment to carbon neutrality by 2050.
165. Notwithstanding the high-level national commitment to carbon neutrality, and the significant weight attaching to tackling climate change, conditions that go beyond current and emerging national policy cannot be said to be either reasonable or necessary and should not be imposed. As such in imposing conditions or standards expected, the Policy requirements should set out what standard to achieve on climate change and going beyond this cannot be sought through planning conditions.
166. Notwithstanding this, as set out above, the development will achieve a high level of sustainability and meet the challenges set out. The applicant is aware of potential changes to Building Regulations and the Future Homes Standard but at this time will at least meet the current standards which is welcomed.

### **Affordable Housing**

167. Policies H/10 of the SCLP and Policy NS/7 of the NAAP are of relevance in the consideration of affordable housing. Policies H/12 (space standards) and HQ/1 (design) of the SCLP are also of material consideration with Policies NS/2 and NS/23 of the NAAP also considered.

168. The Council has an adopted Housing Supplementary Planning Document (SPD) but it is noted that the National Planning Policy Framework has updated the definition of affordable housing since the adoption of the SPD. Further since the outline permission was granted in 2017, an updated version of the NPPF was published in July 2018 and further updated in February 2019 and now includes Starter Homes within the definition of affordable housing in Annex 2.
169. The proposed application submission includes a tenure mix that is in compliance with the outline planning permission. The proposed tenure includes:  
40% Northstowe Starter Homes or Shared Equity (capped at 250k)  
40% private for sale homes  
20% affordable rented homes
170. The remaining affordable rented homes have followed the advice of housing colleagues which has indicated that the mix should be 65% 1-bed apartments and 35% 2-bed apartments. The scheme meets the above mix. Tenures are arranged to create a mixed and cohesive social community in appropriate clusters through the design of parcel.
171. The housing need for South Cambridgeshire is still overwhelmingly for 1 & 2 bed homes. The mix offered will address some of that need. 90% of the affordable units are 1 & 2 beds which accords with the S106.
172. It is noted that 10% 3 & 4 beds have been provided on this parcel which is in accordance with negotiations with housing officers and the applicant is a reflection of the location and design. Homes England, owner of the site, are aware of the need to provide further larger housing which will be appropriate for the location and design of the development which will bring the overall mix to the requirements the S106. This will continue to be monitored with the remaining parcels. The inclusion of larger properties is therefore welcomed.
173. Notwithstanding the comments of Northstowe Town Council, the proposed affordable housing is located in manageable and appropriate clusters for effective management whilst securing an appropriate distribution across the site. The clusters of affordable housing are all below the maximum limit of 25 units and there are no more than 12 dwellings off a common stairwell/lift. Additionally, the ground floor units benefit from personal external doors. The scheme is therefore policy compliant and Officers and Housing Strategy Team consider that the proposals are acceptable in terms of the clusters.
174. Further the affordable housing is positioned in an appropriate location and would be similar in design and appearance to the private market housing. Further the housing would be constructed in a similar method with the environmental

benefits being also available to affordable housing users. The affordable housing is not distinguishable from market housing by its external appearance.

175. Whilst it is noted that there is a loss of bed spaces due to the 2 bed units remaining as 3 person and having en-suite shower rooms off the main bedrooms in the apartments. This loss is noted but does not alter the support of Housing Officers to the scheme.

176. As such the proposals would be in accordance with the outline planning permission and the terms of the s106. The proposals would be of high quality construction and would be in accordance with Policies HQ/1, H/10 and H/12 of the SCLP and Policies NS/2, NS/7 and NS/23 of the NAAP and the associated Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework.

### **Retail and commercial space**

177. Policies HQ/1, E/10, E/21, E/22, SC/2, SC/4 and TI/2 of the SCLP are material considerations relating to the design quality of the proposed development, ensuring that space around commercial facilities are well designed and ensuring that retail development is appropriately planned and the needs of the community are met and sustainable travel choices are promoted. Policies NS/1, NS/6, NS/8, NS/9 and NS23 of the NAAP are also material to the determination of the Reserved Matters in respect to the design principles, employment, local centres and Northstowe as an exemplar in sustainability.

178. The proposals include approximately 197sqm of commercial floorspace at the southern edge of the development which would front the greenway and first phases of the town park which includes the LEAP. The proposals would assist the early provision of commercial space and would be in accordance with the Design code which recommended ground floor commercial around the town park. The proposals would be, in effect, in an edge of centre location and well linked to the proposed town centre with there being no impact on the delivery of wider, more large scale commercial activity within the town centre.

179. The proposals would assist therefore in the development of healthy living in providing a convenient commercial provision and meeting place, providing space for the community to meet and being within walkable distance would provide sustainable choices for future residents. The proposals could also provide an opportunity for businesses to meet and local employers and homeworkers to share space and there would be some employment generated from the inclusion of such space.

180. The location, sits in front of the play area and the first element of the Town Park. The facilities would sit on the ground floor of apartment buildings with the potential for outdoor seating areas to be established in the public realm to which

the commercial units would have a direct relationship but this in itself would be positive to the use of the space.

181. As such, the inclusion of commercial floorspace is considered to be a valuable and high quality solution, details such as external ventilation and air conditioning plant equipment (if needed, e.g. for food preparation) are conditioned and hours of deliveries are conditioned with opening hours, being best determined by licencing and trading legislation which can adapt to evolving needs of the community and future users of the space.

182. The proposals would be of high quality construction and would be in accordance with Policies HQ/1, E/10, E/21, E/22, SC/2, SC/4 and TI/2 of the Local Plan and Policies NS/1, NS/8, NS/9 and NS/23 of the Northstowe Area Action Plan and the associated Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework.

### **Community Engagement**

183. At paragraph 39 of the NPPF the Government outlines that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

184. As set out in the applicant's Planning Statement and Statement of Community Involvement relating to the application, the applicant has engaged in a series of meetings and focus group discussions with the Local Planning Authority (including Urban Design, Landscape and Housing colleagues) and Local Highway Authority.

185. A full scope of meetings is set out in the planning statement which sets out the meetings with officers. It is noted that County Council Highways also attended SCDC meetings in addition to their own meetings. Engagement also included ecology and sustainability and further with the LLFA were also carried out.

186. The applicant presented to local residents at the Northstowe Community Forum with a further Rampton Drift consultation event in January and February 2021 with a further leaflet drop to residents and a website to allow for comments to be received. The applicant also presented to Longstanton Parish Council prior to the formation of Northstowe Town Council.

187. The applicant also presented to the Cambridgeshire Design Quality Panel (as per other strategic sites) in February 2021 to allow time to take on board recommendations. The Panel gave suggestions to the landscape, parking areas and green space refinement which have been taken forward as part of the design evolution and development of the scheme. The inclusion of commercial space was welcomed by the Panel.

188. The applicants have engaged with officers, including technical expertise, residents and Longstanton Parish Council and wider Northstowe residents including those on Rampton Drift in preparing and amending the designs and these have helped inform a generally positive design. This is reflected in the lack of objection from residents generally.

189. The engagement by the applicant, encouraged by officers, has therefore been welcomed.

#### **Other matters**

190. The Town Council have noted that private communal parking areas and private roads have been marked as being managed by a management company. It is a matter that the Town Council considers should be part of the freehold of the properties.

191. Whilst noted this is not a matter which would be reasonable and the use of freehold for communal areas and private roads would lead to difficulty in future management and enforceability. As such, the use of a management company for communal car parking and private roads, alongside landscape management would be reasonable and ensure that the areas are maintained to a high standard.

192. As such whilst a number of private car parking spaces are provided the proposed management of communal areas is appropriate in establishing and maintaining the public realm.

#### **Conditions of the Outline Planning Permission**

193. The applicant has submitted information to a number of planning conditions of the outline planning permission. The submission therefore includes information relating to Conditions 9, 10, 11, 12, 16, 19, 20, 23, 24, 27, 32, 33, 34, 37, 41, 42, 43, 45, 48, 57, 58, 60 and 64 of the outline planning permission. The conditions are considered below:

##### **Condition 9 – Design Code**

194. The application submission is in compliance with the Design Code. The requirements of the Condition 9 have been met and satisfied.

##### **Condition 10 – Fire Strategy**

195. The overall Fire Strategy for Phase 2 has been discharged (both Condition and s106 requirements) and the proposals include submissions as to how they would meet this strategy. The requirements of Condition 10 have therefore been satisfied.

##### **Condition 11 – Market Housing Mix**



196. The market housing mix has been considered as part of the detailed submission informing a design-led approach. The proposals are considered acceptable and the market housing mix continues to be monitored by officers and Homes England as the master developer. The requirements of Condition 11 have therefore been satisfied.

#### Condition 12 – Lifetime Homes

197. The information submitted shows how the proposals meet the lifetime homes initiative, even though this has now been replaced in policy by Building Regulations M4(2). Outline permission was granted in January 2017 prior to the adoption of the current Local Plan and Policy H/9. However, the developer has confirmed that all affordable units will be built to Lifetime Homes requirements. Whilst noting the comments of Northstowe Town Council, the plans within the Design and Access Statement are a summary of the work with full layout plans also provided which have been assessed by officers.

198. Officers supported by Housing Officers agree that the requirements of Condition 12 have been satisfied.

#### Condition 16 – Tree Protection

199. There are very few trees on the site (a characteristic of the former airfield status and proximity to former airfield buildings). The proposals seek to retain the trees in the northern edge. Their protection is accepted and suitable. The requirements of Condition 16 has therefore been satisfied.

#### Condition 19 – Surface Water

200. It should be noted that the application sets out its compliance with the overarching site wide strategy discharged under Condition 18 (under S/0481/18/DC).

201. The LLFA and SCDC drainage engineers consider that the proposals would be acceptable. As such, the information is considered to be acceptable and the surface water information would be considered acceptable to discharge the condition. Conditions requested in relation to drainage discharge rates and management are matters which are dealt with through the outline planning conditions to which the scheme forms a part.

#### Condition 20 – Foul Water

202. The Environment Agency advise that Anglian Water have contacted us regarding amending the Uttons Drove Water Recycling Centre (WRC) discharge permit. Within this they are examining the permit limits for the water quality (chemical) and quantity (discharge rate). This will be used to identify how they then upgrade and operate the works. The Environment Agency confirm that current and potential discharge rates will remain below the 239 litres per second rate that was agreed within the agreed Land Drainage Solution.

203. Anglian Water (AWS) have advised the Environment Agency that they are managing the direction and volumes of foul water within their systems in line with their responsibilities under the Water Industry Act 1991. Papworth Everard WRC, the intended treatment plant for Cambourne West was not considered suitable by AWS as they would not be able to comply with the discharge permit limits associated with water quality.

204. The Environment Agency are assured that the operation of Uttons Drove WRC will be in compliance with the Land Drainage solution. Additional developments will also be able to utilise Uttons Drove for foul water treatment, subject to AWS' operation of the WRC being compliant with the relevant discharge permit (existing or future).

205. The Environment Agency also advise that the concerns we raised against a number of planning applications, relating to Uttons Drove, have been addressed and that there is no material reason for foul water drainage to prevent permission(s) being granted.

206. The application proposals therefore fall within the overarching Phase 2 strategy with technical wider approvals being granted. The requirements of Condition 20 are therefore considered to have been met by the submission.

#### Condition 23 and 24 – Landscaping and Landscape Management

207. A wide range of details have been submitted within the supplied Landscape and Open Space Strategy, Drainage Strategy and SUDS Management & Maintenance Plan (Structa) and Landscape Management and Maintenance Plan.

208. For completeness, the agreed position is that the landscape in the short term would be managed by Homes England as master developer with the position being considered in terms of a trust and/or town council to set up the long term management of the site.

209. The details submitted in the landscape strategy have been considered to be acceptable subject to implementation. Some details require further information and therefore it is the position of officers to add a specific condition to replace Condition 23 to deal with specific elements not submitted and to ensure robust implementation. However the principles of the Landscape and Open Space Strategy are compliant with the Design Code and the aims and objectives of the overall approach to healthy living across Northstowe.

#### Condition 27 – Ecological Management Plan

210. The information is considered acceptable with regard to the position of bats, birds and the implementation of the agreed mitigation as part of the overall approach to Phase 2. The details submitted would be considered acceptable to discharge the condition.

#### Conditions 32 and 33 – Low Carbon Strategy and Energy Strategy

211. The development will follow the energy hierarchy, meet nationally set technical standards and use a fabric first approach combined with the use of renewable energy to achieve a reduction in CO2 emissions. A range of measures will be adopted to deliver the scheme's energy efficient strategy including offering residents the choice and ability to include further measures to secure a reduction in energy demand in their home

212. Use of 'Modern Methods of Construction' with 100% of the development to be closed panel timber frame delivering inherent efficiency, less embodied energy, and reducing construction waste compared with traditional methods

213. Using latest technology to insert energy-efficient fixtures into new homes, such as high efficiency gas boilers (and other measures should the Future Homes Standard be implemented). Designing sustainable energy into new homes, including seeking to maximise solar gain.

214. Overall the strategy would be appropriate and meet the requirements of the conditions and policy.

#### Condition 34 – BREEAM Assessment

215. Whilst under the 1,000sqm threshold of the condition, the proposed commercial space is design to meet 'Very Good' standard under 'BREEAM 2014'. This would be in accordance with the requirements of the condition.

#### Condition 37 – National Grid

216. This requirement was part discharged on 07/03/2018 under S/4428/17/DC. These proposals for Phase 2B have taken account of the documents submitted. As such the requirements for the condition have been met and the strategic elements have been provided through Homes England.

#### Condition 41 – External Lighting

217. The details submitted show lighting and appropriate detail in accordance with the Design Code. The requirements of the condition are therefore met.

#### Condition 42 – Operational Noise – Non-Residential Floorspace

218. The condition requires assessment regarding operational noise from non-residential floorspace which has been submitted as part of the supporting information. The applicant highlights that the effects of non-residential uses confirming that Town centre noise will be screened from Phase 2B by 3-storey

terraced housing and is predicted to be negligible due to the size and scale of the proposed floorspace. In respect of the proposed non-residential use in this scheme the proposed noise limits for mechanical plant items (per BS4142) and delivery restrictions (to certain hours) would prevent noise being likely to impact upon upper floors or other nearby resident's amenity.

#### Condition 43 – Traffic Noise

219. The applicant sets out that on the basis of the available survey information and the position of the scheme in relation to overall site primary roads that there will not be any significant adverse effects to the development from road noise. The submission therefore satisfies the requirements of Condition 43.

#### Condition 45 - Waste

220. This application is supported by a Refuse Strategy (drawing reference 4080-BBA-SP-00-DR-A-1045 C) and this is also discussed in the Design and Access Statement. The design of the scheme has been informed by the Operational Waste Management and Minimisation Strategy (Ramboll). Overall the requirements of Condition 45 have been met.

#### Condition 48 – Equine, Walking and Cycling Routes

221. No Public Rights of Way pass through or are affected by the development of this sub phase. The routes proposed within the Reserved Matters submission have been carefully considered in terms of the outline parameters (Movement and Access Parameter Plan 1) and supporting Phase 2 Design Code.

222. The proposals are in accordance with the Design Code and would provide a range of routes for non-vehicle users. Equine users have limited formal access to the site due to the nature of the site and the overall position close to the town centre but bridleway and other routes are provided across Phase 2 and as part of the wider mitigation.

223. The scheme is therefore considered acceptable to the principles of the outline planning permission and the requirements of the condition.

#### Condition 57 – Cycle Parking

224. Cycle parking has been provided a one space per bedroom as per the requirements of the condition. The position and detail of cycle storage has been the subject of discussion and agreement with the storage size and detail also being agreed. The cycle stores as shown are well positioned to take advantage of the surrounding infrastructure.

#### Condition 58 – Transport – Rampton drift access

225. There would be no impact on the requirements of this condition and therefore the application meets the requirements of the condition.

Condition 60 – Transport – works to public rights of way

226. No Public Rights of Way pass through or are affected by the development of this sub phase. Therefore the application meets the requirements of this condition.

Condition 64 – Self and Custom Build

227. The wider application site includes a parcel of self-build housing which discharged the requirement for the outline planning permission. It is noted that Phase 2a included the potential for additional custom build properties but there is no requirement for such provision within development parcels. Whilst no provision is proposed within the development parcel the condition has been satisfied and therefore is acceptable.

## **Planning balance and conclusion**

### **Planning Balance**

228. Overall, the proposed scheme as the second parcel to Phase 2 takes forward the contemporary and urban context set out in the Design Code.

229. The NPPF advises that the economic, social and environment benefits should be weighed in the planning balance and that planning permission should be granted unless there are significant reasons that outweigh the benefits.

230. In terms of the economic benefits the proposals should be weighed in the positive balance in the delivery of 300 homes to the housing land supply, including affordable housing and the delivery of Northstowe Starter Homes have a positive economic impact. The delivery of construction jobs and the support this offers in terms of the support to services and facilities as well as the creation of commercial floorspace are also weighed as significant positive benefits.

231. Socially, the provision of affordable housing, green space, play areas, jobs as well providing a framework for the delivery of infrastructure (e.g. the greenway, LAPs and LEAP) and moving the development towards other trigger points in the s106 are significant benefits. The high insulation standard would also be a significant positive social benefit as it would assist future residents in ensuring that they are not subjected to fuel poverty.

232. Environmentally the proposals would provide environmental enhancement including the provision of a new community garden and greenways within this phase, the provision of new habitats, bird and bat boxes are significant environmental benefits. The use of sustainable construction in the housing with a low energy requirement would also assist in the delivery of the Council's aims towards zero carbon.

233. In terms of the balance these positive elements outweigh the potential temporary impacts to local residents on Rampton Drift from the construction process and the concerns raised by Housing Officers with regard to 2bed 3 person flats.

## **Conclusion**

234. The NPPF advises that in decision making decisions should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay. Having considered all material planning considerations and the principles of the outline planning permission, the proposals, are considered to be acceptable and the benefits outweigh any negative elements.

## **Recommendation**

Officers recommend that the Planning Committee approves the reserved matters subject to appropriate planning conditions and informatives.

## **Conditions**

1. The development hereby permitted shall be carried out in accordance with the approved plans and details:

4080-BBA-SP-XX-DR-A-0001 Site Location Plan Rev A  
4080-BBA-SP-00-DR-A-1000 Site Plan Rev I  
4080-BBA-SP-00-DR-A-1001 Site Plan Rev M  
4080-BBA-SP-00-DR-A-1002 Site Plan Rev E  
4080-BBA-SP-RL-DR-A-1003 Site Roof Plan Rev C  
4080-BBA-N-XX-DR-A-1010 Fire Strategy Plan  
4080-BBA-N-XX-DR-A-1020 Site Elevations 1 of 5 Rev C  
4080-BBA-N-XX-DR-A-1021 Site Elevations 2 of 5 Rev C  
4080-BBA-N-XX-DR-A-1022 Site Elevations 3 of 5 Rev C  
4080-BBA-N-XX-DR-A-1023 Site Elevations 4 of 5 Rev C  
4080-BBA-N-XX-DR-A-1024 Site Elevations 5 of 5 Rev C  
4080-BBA-SP-XX-DR-A-1030 Site Axonometric A3 Rev C  
4080-BBA-SP-XX-DR-A-1031 Street View 1 - Northern Mews Rev B  
4080-BBA-SP-XX-DR-A-1032 Street View 2 - Southern Mews Rev C  
4080-BBA-SP-XX-DR-A-1033 Street View 3 - Greenway Rev B  
4080-BBA-SP-XX-DR-A-1034 Street View 4 - York Street Rev B  
4080-BBA-SP-XX-DR-A-1035 Street View 5 - Central West Rev B  
4080-BBA-SP-XX-DR-A-1036 Street View 6 - Central East Rev B  
4080-BBA-SP-XX-DR-A-1037 Street View 7 - Rampton Drift Edge Rev B  
4080-BBA-SP-XX-DR-A-1038 Street View 8 - AB Block A3 Rev B  
4080-BBA-SP-00-DR-A-1040 Car Parking Strategy Rev F  
4080-BBA-SP-XX-DR-A-1043 House Type Plan Rev F  
4080-BBA-SP-00-DR-A-1045 Refuse Strategy Rev D  
4080-BBA-SP-00-DR-A-1046 Plot Numbering Plan Rev D

4080-BBA-SP-00-DR-A-1047 Cycle Store Strategy Rev A  
4080-BBA-SP-00-DR-A-1050 Tenure and housing mix Rev I  
4080-BBA-SP-00-DR-A-1051 Enclosure Plan Rev C  
4080-BBA-SP-XX-DR-A-1070 Storey Height Plan Rev C  
4080-BBA-SP-00-DR-A-1090 Adoption Plan Strategy Rev E  
4080-BBA-SP-00-DR-A-1091 Adoption Plan Strategy - Greenways Rev C  
4080-BBA-SP-00-DR-A-1092 Indicative Section 38 Adoption Plan Rev C  
4080-BBA-SP-00-DR-A-1093 Plan 2 - Management Company Rev B  
4080-BBA-SP-XX-DR-A-1100 Arisaig House Type Images Rev A  
4080-BBA-SP-XX-DR-A-1101 Harvard House Type Images Rev A  
4080-BBA-SP-XX-DR-A-1102 Kensington House Type Images Rev A  
4080-BBA-SP-XX-DR-A-1103 Stratford House Type Images Rev A  
4080-BBA-SP-XX-DR-A-1104 Worcester House Type Images Rev A  
4080-BBA-SP-XX-DR-A-1105 York House Type Images Rev A  
4080-BBA-AB-00-DR-A-1001 Ground Floor Plan (LHS) Rev E  
4080-BBA-AB-00-DR-A-1002 Ground Floor Plan (RHS) Rev E  
4080-BBA-AB-01-DR-A-1003 First Floor Plan (LHS) Rev D  
4080-BBA-AB-01-DR-A-1004 First Floor Plan (RHS) Rev D  
4080-BBA-AB-02-DR-A-1005 Second Floor Plan (LHS) Rev D  
4080-BBA-AB-02-DR-A-1006 Second Floor Plan (RHS) Rev D  
4080-BBA-AB-03-DR-A-1007 Third Floor Plan (LHS) Rev D  
4080-BBA-AB-03-DR-A-1008 Third Floor Plan (RHS) Rev D  
4080-BBA-AB-XX-DR-A-1010 LHS Elevations - 1 of 3 Rev A  
4080-BBA-AB-XX-DR-A-1011 LHS Elevations - 2 of 3 Rev A  
4080-BBA-AB-XX-DR-A-1012 LHS Elevations - 3 of 3 Rev A  
4080-BBA-AB-XX-DR-A-1013 RHS Elevations - 1 of 3 Rev B  
4080-BBA-AB-XX-DR-A-1014 RHS Elevations - 2 of 3 Rev A  
4080-BBA-AB-XX-DR-A-1015 RHS Elevations - 3 of 3 Rev A  
4080-BBA-AB-XX-DR-A-1100 Elevations - 1 of 6 Rev A  
4080-BBA-AB-XX-DR-A-1101 Elevations - 2 of 6 Rev A  
4080-BBA-AB-XX-DR-A-1102 Elevations - 3 of 6 Rev A  
4080-BBA-AB-XX-DR-A-1103 Elevations - 4 of 6 Rev A  
4080-BBA-AB-XX-DR-A-1104 Elevations - 5 of 6 Rev A  
4080-BBA-AB-XX-DR-A-1105 Elevations - 6 of 6 Rev A  
A307 DS03 Landscape and Open Space Strategy Rev C  
A307 LA01 Landscape Strategy Rev E

Reason: To ensure satisfactory development of the application proposals and to define the permission.

### **Materials**

2. Prior to above slab level works for each phase of development, a schedule of materials based on the principles in the Design and Access Statement, shall be submitted to and agreed in writing by the Local Planning Authority. The submission shall include windows, window reveals, façade panels, head and cill treatments, brick slip systems, rainwater details, porch details, doors be supplemented with a sample board(s) of the submitted materials to be constructed within the site compound or an alternative agreed location. The sample board shall be retained on site until the completion of the relevant phase of development or an alternative agreed timetable.

The materials shall not include ACM (aluminium composite material) and HPL (high pressure laminate).

Reason: To ensure satisfactory development of the application site in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan and Policies NS/1, NS/2 and NS/24 of the Northstowe Area Action Plan and the aims and objectives of the National Planning Policy Framework and National Design Guide.

### **External Plant and Machinery**

3. Prior to their installation, details (including location and external appearance) of all external plant and equipment used for the purpose of heating, ventilation and/or air conditioning shall be submitted to and approved in writing by the local planning authority. The agreed details shall be implemented prior to the occupation of the part of the development to which the plant and equipment relates. Any such structures shall be agreed situated within buildings or in acoustically designed enclosures, and thereafter retained in accordance with any approval for the period of their use.

Reason: To ensure satisfactory appearance of the application site and to ensure that the amenities of nearby residents are safeguarded in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan.

### **Parking Spaces**

4. The parking spaces that are to be provided shall be provided before the first use of the associated dwelling(s), and those spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles. The parking spaces shall not be used for any trade or business and shall be installed in a manner to ensure access to all users without obstruction.

Reason: To ensure that visitor parking and parking provision is provided for future residents and wider application site in accordance with Policies HQ/1, TI/3 and TI/4 of the South Cambridgeshire Local Plan.

### **Reversing Alarms**

5. No construction vehicles shall use the audible 'beeping' reversing alarms. Alternative vehicle alarms should be used such as the use of white noise, infrared, or visible alarm systems.

Reason: To ensure that the amenities of neighbouring residents are not unduly inconvenienced by development of the site construction operations, having regard to the impact on Rampton Drift and in accordance with Policies HQ/1 and CC/6 of the South Cambridgeshire Local Plan and Policies NS/1, NS/2 and NS/27 of the Northstowe Area Action Plan and the aims and objectives of the National Planning Policy Framework.

### **Site Compound**

6. Prior to the commencement of each sub-phase of the development (as outlined within the Design and Access Statement), details of the site compound shall be submitted to and agreed in writing by the Local Planning Authority. The site compound should be positioned as far away from Rampton Drift as reasonably



practicable and should not be positioned in root protection areas. The submitted details shall include:

- i. The sub-phases that the compound will serve
- ii. Delivery and storage areas for materials and equipment
- iii. The location and size of any temporary buildings
- iv. Parking for onsite contractors and visitors
- v. Fencing and security measures, including opportunities for public viewing,
- vi. Location and details of the sales office

The proposed site compound shall be implemented in accordance with the approved details and retained throughout the construction process.

Reason: To ensure satisfactory functioning of the construction process, to protect the amenities of existing residents in accordance with Policies HQ/1, CC/5 and CC/6 of the South Cambridgeshire Local Plan and Policies NS/1, NS/2 and NS/27 of the Northstowe Area Action Plan and the aims and objectives of the National Planning Policy Framework

### **No use of Rampton Road**

7. No construction or delivery vehicles associated with the construction of the site shall use Rampton Road for access, parking or deliveries.

Reason: To safeguard the amenities of neighbouring and nearby residents and in accordance with Policies HQ/1 and CC/6 of the South Cambridgeshire Local Plan and Policies NS/1, NS/2 and NS/27 of the Northstowe Area Action Plan and the aims and objectives of the National Planning Policy Framework.

### **Solar Panels and EV Charging in Dwellings.**

8. Prior to the commencement of development of each sub-phase of the development hereby approved details of solar PV installations and provide full design stage SAP calculations and electric charging points shall be submitted to and agreed in writing by the Local Planning Authority. Any building without solar panels or without at least one electric vehicle charging point shall include passive design measures to allow their future installation. The development shall be carried out in accordance with the agreed details and shall be implemented in full prior to the occupation of each dwelling.

Reason: To ensure that the development meets the saving set out in the submitted Sustainability and Energy Statement and the requirements of Policies CC/1, CC/2 and CC/3 of the South Cambridgeshire Local Plan and Policies NS/1 and NS23 of the Northstowe Area Action Plan and the aims and objectives of the Local Plan.

### **Hard and soft landscaping**

9. i) No development above ground level within each sub-phase, 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, cycle and/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.

ii) 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.

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 and Policy NS/14 of Northstowe Area Action Plan 2007.

### **Cycle Parking within Houses**

10. Prior to the commencement of development of each sub-phase of the development hereby approved details of cycle storage (providing at least one space per bedroom) within the curtilage of each dwellinghouse shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and shall be implemented in full prior to the occupation of each dwelling.

Reason: To ensure that the development meets the saving set out in the submitted Sustainability and Energy Statement and the requirements of Policies CC/1 and TI/3 of the South Cambridgeshire Local Plan and Policies NS/1, NS/11 and NS23 of the Northstowe Area Action Plan and the aims and objectives of the Local Plan.

## **Informatives**

### **Ordinary Watercourse Consent**

1. 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-andwaste/watercourse-management/>

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

### **Pollution Control**

2. 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.

### **Outline Planning Conditions**

3. The information submitted is appropriate to satisfy the requirements of Conditions 9, 10, 11, 12, 16, 19, 20, 23, 24, 27, 32, 33, 34, 37, 41, 42, 43, 45, 48, 57, 58, 60 and 64 of the Phase 2 outline planning permission reference S/2011/14/OL.

### **Background Papers**

Outline Planning Permission S/2011/14/OL and associated s106 Legal Agreement (available on the online planning register)

### **Appendices**

None

### **Report Author:**

Andrew Thompson – Principal Planner (Strategic Sites)  
Telephone: (01954) 713223

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# Agenda Item 6



**Report to:** South Cambridgeshire District Council Planning Committee 13 October 2021

**Lead Officer:** Joint Director of Planning and Economic Development

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## **S/3290/19/RM – Land East of Teversham Road Fulbourn**

Proposal: Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works. The outline was screened and confirmed not to be EIA development.

Applicant: Castlefield International Limited

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

Date of Member site visit: None

Is it a Departure Application: Yes (advertised 02 October 2019)

Decision due by: 18 January 2021

Application brought to Committee because: Fulbourn Parish Council requests the application is determined by Planning Committee; this application was deferred by the Planning Committee on 13 January 2021.

Officer Recommendation: Approval

Presenting officer: Michael Sexton

## **Executive Summary**

1. Outline planning permission was granted on 26 October 2017 for residential development of up to 110 dwellings with areas of landscaping and public open space and associated infrastructure works through outline consent S/0202/17/OL, which also established means of access to the site.
2. This application seeks reserved matters approval for the appearance, layout, scale, and landscaping of the development, as required by condition 1 of the outline consent.
3. Whilst the concerns of the Parish Council and residents are acknowledged, there are no technical objections to the proposed reserved matters application, with several conditions recommended to ensure appropriate arrangements, detailing and quality of the scheme are delivered.
4. Officers acknowledge that the proposed development would result in a degree conflict with parts of the Fulbourn Village Design Guide SPD, although as matters of design these are partly subjective. However, the conflict identified, and the extent of that harm, must be weighed against the benefits and positive design responses of the scheme.
5. In turn, the proposed development offers several positive responses to the requirements of the Fulbourn Village Design Guide SPD, in particular Section 10 that deals with integrating larger developments within the village.
6. The development would not provide a measurable net gain in biodiversity but must be considered in the context of the outline consent and associated conditions. Although there is no measurable net gain, there are several elements of the scheme that will see biodiversity conserved or enhance within the site.
7. Significant local concern has been raised in respect of drainage. However, the requirement to provide a detailed surface water drainage scheme for the site, with full technical details, is reserved by condition 8 of the outline consent.
8. For the purposes of the reserved matters stage, in consultation with the Lead Local Flood Authority, officers consider that sufficient information has been provided to demonstrate that the layout of the site could accommodate a suitable drainage solution. Officers therefore do not consider there to be sufficient grounds to refuse the application based on drainage or flood risk given the nature of the application, being a reserved matters application, and the pre-commencement requirements of condition 8 of the outline consent.
9. Overall, on balance, given the requirements of the outline consent to which the proposal adheres, officers consider the reserved matters to be acceptable and

that the benefits and positive design responses of the scheme outweigh the limited harm identified and the associated conflict with elements of the Fulbourn Village Design Guide SPD.

10. The development of the site would result in the provision of 110 dwellings towards the Council's 5-year housing land supply and the erection of 33 affordable units to help meet an identified local need.
11. The scheme has therefore been recommended for approval subject to planning conditions.

## **Relevant planning history**

12. S/0202/17/CONDA – Submission of details required by condition 20 (First Part) (Noise Mitigation Strategy) of outline planning permission S/0202/17/OL – Discharge Condition in Part (02 September 2021).
13. S/3209/19/DC – Discharge of conditions 7 (Arboricultural method statement), 12 (Landscape and biodiversity management plan) 14 (Grassland mitigation strategy) and 19 (Noise mitigation strategy) pursuant to outline planning permission S/0202/17/OL – Discharge Condition in Full (04 October 2021).
14. S/0626/17/E1 – Screening opinion – Not EIA Development (01 March 2017).
15. S/0202/17/OL – Outline application including consideration of access points for residential development of up to 110 dwellings with areas of landscaping and public open space and associated infrastructure works – Approved (26 October 2017).
16. S/2273/14/OL – Outline application including consideration of access points for high quality residential development of up to 110 dwellings with areas of landscaping and public open space and associated infrastructure works – Refused (12 August 2015); Appeal Dismissed (03 November 2016; APP/W0530/W/15/3139730).

## **Planning policies**

### **National Guidance**

17. National Planning Policy Framework 2021  
National Planning Practice Guidance  
National Design Guide 2019

### **South Cambridgeshire Local Plan 2018**

18. S/1 – Vision  
S/2 – Objectives of the Local Plan  
S/3 – Presumption in Favour of Sustainable Development

S/4 – Cambridge Green Belt  
 S/5 – Provision of New Jobs and Homes  
 S/7 – Development Frameworks  
 S/9 – Minor Rural Centres  
 CC/1 – Mitigation and Adaptation to Climate Change  
 CC/3 – Renewable and Low Carbon Energy in New Developments  
 CC/4 – Water Efficiency  
 CC/6 – Construction Methods  
 CC/7 – Water Quality  
 CC/8 – Sustainable Drainage Systems  
 CC/9 – Managing Flood Risk  
 HQ/1 – Design Principles  
 HQ/2 – Public Art and New Development  
 NH/2 – Protecting and Enhancing Landscape Character  
 NH/3 – Protecting Agricultural Land  
 NH/4 – Biodiversity  
 NH/8 – Mitigating the Impact of Development In and Adjoining the Green Belt  
 NH/11 – Protected Village Amenity Area  
 NH/12 – Local Green Space  
 NH/14 – Heritage Assets  
 H/8 – Housing Density  
 H/9 – Housing Mix  
 H/10 – Affordable Housing  
 H/12 – Residential Space Standards  
 SC/2 – Health Impact Assessment  
 SC/6 – Indoor Community Facilities  
 SC/7 – Outdoor Play Space, Informal Open Space and New Developments  
 SC/9 – Lighting Proposals  
 SC/10 – Noise Pollution  
 SC/11 – Contaminated Land  
 SC/12 – Air Quality  
 TI/2 – Planning for Sustainable Travel  
 TI/3 – Parking Provision  
 TI/8 – Infrastructure and New Developments  
 TI/10 – Broadband

## **Neighbourhood Plans**

19. Fulbourn Neighbourhood Plan (Pre-submission public consultation stage)

## **South Cambridgeshire Supplementary Planning Documents (SPD):**

20. Fulbourn Village Design Guide SPD – Adopted January 2020  
 Sustainable Design and Construction SPD – Adopted January 2020  
 Cambridgeshire Flood and Water SPD – Adopted November 2016  
 Health Impact Assessment SPD – Adopted March 2011  
 Affordable Housing SPD – Adopted March 2010  
 District Design Guide SPD - Adopted March 2010  
 Landscape in New Developments SPD - Adopted March 2010



Biodiversity SPD - Adopted July 2009  
Open Space in New Developments SPD - Adopted January 2009  
Trees & Development Sites SPD – Adopted January 2009  
Public Art SPD – Adopted January 2009

## **Other Guidance**

21. Greater Cambridge Housing Strategy 2019 – 2023  
Fulbourn Conservation Area Appraisal – Adopted January 2008.

## **Consultation**

22. **Fulbourn Parish Council** – Objection.

A full copy of the three sets of comments received from Fulbourn Parish Council are appended to this report (appendix 1) and set out below.

Comments dated 14 June 2021 (in full)

We reiterate our previous comments. We note the future Management Plan of the development has still not been satisfactorily resolved. The flooding issues are still outstanding. We have major concerns about these together with neighbouring properties which could possibly be susceptible to flooding. We note the affordable rented properties are only in two blocks and should be pepper potted around the development.

Consideration should also be given to the Village Design Statement.

We therefore recommend refusal.

Comments dated 02 April June 2021 (in full)

Fulbourn Parish Council strongly objects to the above Reserved Matters Planning Applications - amended plans and documents. It is still our opinion that the site is unable to support the development of 110 dwellings while satisfying both national and local planning legislation or satisfying the requirements of the NPPF (National Planning Policy Framework), the South Cambs Local Plan (approved September 2018), the Fulbourn Village Design Guide SPD, and the Conditions pertaining to the Outline Planning Approval S/0202/17/OL.

Surface Water Drainage - the Parish Council reiterates concerns regarding the long-term maintenance of Surface Water Drainage and Open Spaces which do not appear to have been properly addressed. The current proposals still do not adequately discharge Conditions 12 and 14 of the Outline Permission. The surface water drainage design and management scheme are untried and untested, it has not been future-proofed in the light of the continuing Climate Emergency, and the precautionary principle has not been applied. In addition, Condition 8 of the Outline Approval has not been adequately discharged as

there is no full detail of how the scheme will be monitored, managed, and funded in perpetuity.

Vehicular access to Cox's Drove - there is no assurance that Cox's Drive will only be used only by pedestrians, cyclists, and emergency vehicles. The design of the claimed pedestrian, cycle, and emergency only access from the development into Cox's Drove will not prevent its use by lorries, some vans, and high wheel-base cars such as SUVs and 4x4s. Cox's Drove is not suitable for this potential increase in traffic. Access to the site must be restricted to Teversham Road and not via Cox's Drove other than for emergency service vehicles.

Public Open Space - inadequate accessible public open space for recreation is provided due to the need for 'green spaces' to contribute to the retention, mitigation and translocation of the existing flora and fauna biodiversity, and for their use as surface water retention facilities via bio-retention (attenuation) basins and to accommodate potential flooding/high water table.

Biodiversity monitoring and management - the proposals do not adequately discharge Conditions 12 and 14 of the Outline Permission. Full details are not given to confirm how the proposed scheme of biodiversity monitoring and management will be effective, deliverable, and funded in perpetuity or enhance, restore, or add to the present biodiversity of the two fields and the bisecting chalk stream. The development results in a significant negative biodiversity impact resulting in the need for offsite compensation. No details of how this can be achieved are given in the application.

Housing Design and Planning - there has been only minor modifications to address some of the concerns particularly relating to the car parking provision to the blocks of flats. One item of particular concern is the location of the rented and shared-ownership dwellings which are still almost exclusively located in blocks of flats, either adjacent to the chalk stream or in the area to the north of the west field opposite the adjacent industrial site and this is socially questionable. It ignores the normal rule that should 'pepper-pot' the 'affordable' housing throughout the scheme. In addition, the 'affordable' housing should include conventional houses with gardens, not just flats. The 3-storey blocks of flats are of poor architectural design and inappropriate in a rural and village context.

Fulbourn Village Design Guide - the proposals do not achieve the aims of the Fulbourn Village Design Guide and do not take into account the design guidance in the Fulbourn Village Guide which aims to ensure that new development is of high-quality design and sympathetic to the character of, and vision for, Fulbourn.

For the reasons set out above, and in our letter of 30th October 2019, Fulbourn Parish Council recommends refusal. Also because of the complexity of this matter, it is our opinion that the applications should be deferred until the Covid 19 pandemic is over and the application can be determined by full Planning Committee.

Comments dated 30 October 2019 (in summary)

Object for the following reasons and requests that the application goes to the Planning Committee

- Concerns regarding the long-term maintenance of Surface Water Drainage and Open Space. Condition 8 of the outline approval has not been adequately discharged.
- Access to the site during construction should be restricted to Teversham Road.
- Site is unable to support 110 dwellings on the site while satisfying policy.
- Development does not adequately maintain, enhance, restore or add to biodiversity.
- Inadequate accessible public open space for recreation is provided.
- Proposals do not adequately discharge conditions 12 and 14 of the outline consent.
- Proposals fail to take proper account of the design guidance embedded in the Fulbourn Village Design Guide 2019.
- Incorporation of all rented and shared-ownership homes into the 2- and 3-storey blocks of flats is socially questionable.
- Significant negative biodiversity impact.
- Design of Cox's Drove access will not prevent its use by lorries, vans and cars.
- Three storey block of flats are poor in design and inappropriate in a rural village context.
- The S106 has not been addressed.

23. **Teversham Parish Council** – Objection.

Comments dated 28 July 2021 (in full)

Teversham PC objects to the development because it is in the wrong place in terms of infrastructure and traffic. No amount of landscaping is going to change this.

We also are very disappointed that in the plan there has been no revision of the affordable housing provided which currently stands at only 30% instead of the recommended 40%.

Comments dated 08 June 2021 (in full)

The Parish Council is concerned about the detrimental effects of increased traffic through Teversham. There will be an increase in noise, smells or fumes generated by the proposal. New roads and access will generate excess traffic and need to ensure the village's road are kept safe for road users and pedestrians. Teversham village's traffic calming is deteriorating and we have been informed there is no money in the County Council budget to restore it. Therefore, Teversham Parish would like to request some S106 money.

Comments uploaded 06 May 2020 (in full)

Teversham Parish Council have the following comments regarding the above planning application but would like to point out that it is difficult to make sense of everything due to the large number of documents associated with the plans.

1. Affordable Housing - There are concerns that the affordable housing is all situated on one area and appears to be all in flats. The affordable housing should be dotted around the development and offer a mix of housing types.
2. Biodiversity - what has been done to mitigate building on a flood plain, manage the chalk streams, aquifers and springs, preserve the original grass land and therefore maintain biodiversity.
3. Noise pollution – there were some concerns raised regarding noise pollution where dwellings are planned close to existing industrial buildings, Teversham Road, and the railway line.

24. **Cllr Cone** – Objection.

Three representations dated 14 June 2021, 03 April 2020 and 31 October 2019 have been received raising objection on the following grounds (in summary):

- Very concerned about flooding on the site.
- Affordable housing does not meet the Council's criteria (40%) and nearly all is comprised of flats that are not pepper potted across the site.
- Given the site will be raised due to the water table two storeys should be a maximum across the site.
- Access onto Cox's Drove will be a problem unless more measures are put in place to stop traffic.
- Insufficient information on how the site will be managed in perpetuity.
- Following Planning Committee in January 2021 was under the impression that no additional time would be given for the applicant to make large amendments, concerned advice to the committee not followed.
- Objection from the LLFA should not be considered lightly.
- There are several very sensitive biodiversity issues on the site, concerned that conditions 12 and 14 of the outline permission are not met.
- Fulbourn Village Design Guide not fully considered by developer.

25. **Cllr Daunton** – Objection

Three representations dated 20 April 2020, 03 April 2020 and 31 October 2019 have been received raising objection on the following grounds (in summary):

- The preservation of retained grassland is a key component of landscape that makes effective provision for biodiversity, there should not be removal or replanting as indicated.
- Development does not take account of the principles laid out in the Village Design Guide SPD.
- No indications that sufficient account has been taken for actions to mitigate climate change or provide biodiversity net gain.

- No provision for self-built dwellings and the requirements for affordable housing provisions have not been met (40%) and are not spread throughout the development.
- 2.5 storey apartment blocks and individual dwellings with similar heights do not preserve the rural character of the area, nor does the grouped scheme of dwellings preserve the linear arrangement of the village adjacent buildings.
- Development fails to take into account the recommendations of the National Design Guide.
- No indication that the reserved matters application deals with drainage problems.

**26. Cllr Williams – Objection**

Three representations dated 28 May 2021, 03 April 2020 and 08 October 2019 have been received raising objection on the following grounds (in summary):

- The site is unsuitable for this development because of its high-water table and that Policy CC/9 cannot be met with any certainty.
- There continues to be no solution proposed for whole life management of the drainage system required by Policy CC/8.
- Apartment blocks do not meet Policy HQ/1 in that there are incompatible with their location. By virtue of their height, mass and size they create an urban character at odds with the very rural nature of the landscape to the north of Cow Lane Fulbourn.
- The location of the affordable rented accommodation fails to meet the spirit and expectation of Policy H/10 being located opposite the Breckenwood Industrial Estate.
- Development fails to take into account Climate Change and considers no initiatives to reduce its impact on the proposed development such as grey water recycling or electric vehicle charging points.
- No provision has been made for self-build dwellings.
- Application fails to provide 40% affordable housing and by concentrating the affordable housing element in the apartment blocks fails to provide a harmonious integrated mix of uses within the site to deliver an inclusive community.
- The dwellings proposed to be located along the northern boundary of the site would continue to be subject to noise and air pollution from the existing Breckenwood industrial estate.
- Application fails to respond to the Fulbourn Village Design Guide, in particular the application fails to preserve and enhance the existing building rooflines which are consistently below the tree crowns around the site of the development; sustain and enhance the characteristic short distance views from inside the village to open landscape at the Poor Well; and deliver buildings that are not repetitive and aligned to avoid massing and the forming of perimeter blocks.
- The application fails to meet the SPD requirement that it will integrate into the patterns of streets and lanes of the village, at least for pedestrians and cyclists, rather than remain an isolated housing estate.

27. **Affordable Housing Officer** – Support the scheme, as amended.

The applicant has worked with the Housing Strategy Team to slightly amend the housing mix. They have reduced the number of 2 bed flats by four and replaced with 2 bed houses. There will now be 2 x 2 bed houses for rent & 2 x 2 bed houses for shared ownership. The S106 allows for up to 20 Affordable Housing Units to be clustered together; with the addition of the houses the affordable units are spread out further into the site.

28. **Anglian Water** – No objection.

There are assets owned by Anglian Water close to or crossing the site therefore requests an informative is added to any consent granted to require the layout to take this into count and if not practicable then sewers will need to be diverted at the developers cost. The foul drainage from the development is in the catchment of Cambridge Water Recycling Centre that will have available capacity for these flows. The site falls within a Source Protection Zone, and there is no risk to potable water source.

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

As part of the Outline Consent, the Geosphere Phases I and II report were reviewed and no conditions were required. The reserved matters do not include any further pertinent information with regard to contaminated land and therefore there are no further comments to make.

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

The proposed layout appears to provide high levels of natural surveillance with pedestrian and vehicle routes aligned together and that high levels of natural surveillance should be achieved from neighbours which should deter searching behaviour and distraction offences, particularly targeting vulnerable or elderly occupants. Permeability has been limited to essential areas/routes only, away from access to rear of properties and this will also provide high levels of territoriality amongst residents. Vehicle parking is predominantly in-curtilage to the front/sides of properties, allowing owners the ability to view their vehicles from inside their home from active windows.

Requests to be consulted on a lighting plan when available.

31. **Ecology Officer** – No objection, as amended.

The grassland translocation strategy has been suitably amended and presents a much clearer view as to how much grassland is to be translocated, removing previous concerns. The reptile relocation strategy is now much clearer and includes areas of grassland that are to be retained to the south of the woodland, brash piles and other enhancements will be included, removing previous concerns.

The chalk stream habitat restoration plan appears to enhance the habitat and return it to a more natural state which will increase its biodiversity and help to encourage aquatic species in the area. The need for specific water vole and otter mitigation was scoped out at outline stage; however, the documents state that no works will go ahead without further services for these species being completed and the 'all clear' given by the project ecologist.

The development will incur an overall loss to measurable biodiversity; however, the development will provide double the provision of bat, bird and hedgehog boxes required by the SPD, re-naturalise the chalk stream at the centre of the site, enhancing the gardens to the south and provide reptile habitat enhancement to the north.

Given the housing density approved within the outline application can see no way in which further gains in measurable biodiversity can be provided without either a loss of housing density, or increased building heights. Consider all opportunities to provide biodiversity net gain have been provided.

Satisfied that all the amendments submitted have removed previous concerns and that the application can move to determination without ecology and biodiversity being of further material concern.

**32. Environment Agency – No objection.**

No objection in principle to the proposal provided all outstanding pre-commencement conditions are discharged prior to development.

**33. Environmental Health Officer – no objection.**

To address environmental related issues a site wide Construction Environmental Management Plan (CEMP) was required by Condition 16 of the outline consent prior to commencement. Controls on construction noise, dust, building site activities including working and delivery times is contained in Condition 16 of the outline permission, which required the provision and adherence to the CEMP submitted and should carry through.

No new conditions are necessary as these will carry through from the Outline permission. However, due to the potential impacts that can result from Piling operations an informative relating to piling is recommended.

Conditions 19 and 20 of the outline consent S/0202/17/OL requires the provision of noise assessments. Condition 19 has been recommended for discharge and condition 20 can only be discharged in full after completion and post construction noise testing has been carried out.

Therefore, no new conditions are necessary and Condition 20 will carry through.

Agree with the findings and conclusions of the Noise Assessment Report and comments that most of the site is not contentious. The blocks within the north western corner next to Breckenwood Industrial Estate are within the 50 metre

exclusion zone imposed on the outline consent. With suitable mitigation, these buildings provide a shielding effect to the rest of the development whilst providing the residents of these premises with an appropriate level of protection. The mitigation will enable building to occur within the 50 metre exclusion zone, with predicted noise levels within habitable rooms to meet the recommendations contained within BS8233 2014 and sufficient mitigation has been recommended when based on the external noise levels modelled across the site.

Condition 18 relates to lighting and condition 17 waste management from the outline consent and no further conditions are required.

34. **Historic Buildings Officer** – No objection, as amended.

Note the comments made by the Inspector at the appeal on this site and acknowledge that it has been accepted that the impact on the Poor Well part of the Conservation Area will not be significant. The comments on the original driveway to the waterworks have not been addressed and a condition would be appropriate requiring this detail.

35. **Historic Environment Team (Archaeology)** – No objection.

An archaeological evaluation has already been conducted within the redline indicated against the outline application which identified a low density of archaeological features in the eastern half of the development area comprising undated pits of possible prehistoric date and unknown function, and the ditches of a post-medieval drainage system (Cambridgeshire Historic Environment record reference ECB4441). No further archaeological works are required in mitigation of the development impacts and do not consider the inclusion of an archaeological condition to be necessary.

36. **Landscape Officer** – No objection, as amended.

Raises no objection to the landscaping works but suggest further enhancements including native planting to be included around the substation and pumping station to reduce the visual impact when entering the site and a hedgerow to be included around the front elevation amenity area of Block B, similar to Block A. vehicle access to pumping station and substation to be replaced with concrete grasscrete or equivalent and shared and private roads are the same paving surface but could be altered to enhance character areas.

Requests details of vehicular bridge and footbridge and queries whether the timber rail to northern deck and boardwalk is required. Supports details of onsite open space and requests confirmation of cycle store and layout for several apartment blocks.

37. **Lead Local Flood Authority** – No objection to the reserved matters application, as amended.

A full copy of the Lead Local Flood Authority's comments dated 09 September 2021 are appended to this report (appendix 2).



Comments dated 09 September 2021 (detailed summary)

The documents submitted demonstrate that surface water from the proposed development can be managed through the use of tanked permeable paving throughout the private and shared access areas and parking. Highway access from Teversham Road will be managed through a filter drain. Surface water will be shared across basins around the development, and crated attenuation below permeable paving before discharge from the site at a rate of 0.3 l/s/ha, equivalent to the 1 in 1-year greenfield runoff rate.

A flood mitigation basin is proposed along the southern boundary of the site, to capture and retain flood flows which may come down the southern boundary, with a filter drain allowing the water to seep out from the basin and empty into the watercourse. The basin is sized to accommodate the displaced surface water from the development platforms without impacting the land or properties to the south. An illustrative LiDAR survey has been submitted to demonstrate the fall of land from the south to the north adjacent to the basin, indicating that any surface water which may be present on the surface will flow to the north and west.

The proposals have left a lower greenspace in the centre of the proposed development platforms to provide passage of surface water flows in times of flooding. There are a number of culverts to allow this water to pass through the proposed infrastructure and into the watercourse passing through the centre of the site.

The Lead Local Flood Authority include several informatives in their comments:

#### Groundwater Monitoring

The groundwater report included as part of the outline planning permission was carried out in 2014. This recorded groundwater levels at approximately 0.8m below ground level. Anecdotal data has been provided which indicates that groundwater may be shallower than this, at approximately 0.4m below ground level, which would impinge on the base of attenuation features across the site. It must be investigated and demonstrated as part of the discharge of condition application whether there is a clearance to groundwater from the base of the attenuation features, to avoid groundwater ingress. If groundwater is discovered to be shallower than previously recorded, measures will be required to ensure that this does not impact the proposed surface water drainage strategy, or significantly displace groundwater.

#### Surface Water Modelling

It is noted that mitigation measures are being implemented as part of the proposed scheme to reduce the risk of flooding from overland surface water flows. While this is acceptable in principle, the LLFA would be looking for updated modelling as part of the discharge of condition application to demonstrate that these features will work in the landscape, without increasing flood risk to any adjacent land or property.

#### OW Consent

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).

#### Signage

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

#### Pollution Control

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.

38. **Local Highways Authority** – No objection, as amended.

The Highway Authority confirm that they will not be adopting any part of this development in its present format and therefore requests conditions regarding proposed arrangements for future management and maintenance of the proposed streets within the development.

In their comments of 15 June 2020, the Highways Authority also requested a condition for two 2x2 metre visibility splays as shown on drawing numbers: B411-PL-DR-016 Rev P01, B411-PL-DR-017 Rev P01 and B411-PL-DR-018 Rev P01, with these areas to be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

An informative relating to works to or within the public highway is also requested.

39. **Public Health England** – No comments to offer.

40. **Sport England** – No comments to offer.

41. **Sustainability Officer** – No comments to make on the application.

42. **Sustainable Drainage Engineer** – No objection, as amended.

Comments dated 19 November 2020:

No condition(s) are required for this application.

Drawing number B411-PL-SK-320 P06 dated 18/11/2020 (FLOOD MANAGEMENT STRATEGY) shows that the Proposed Road Edge/Footpath Levels upstream of the 5 no. 150mm diameter pipes are above the 1 in 100 year plus 40% climate change and 1 in 1000-year return period flood levels.

In the south-east corner of the site, where the 1 in 100 year plus 40% climate change and 1 in 1000-year return period flood levels are close to the Proposed Road Edge/Footpath Levels, finished floor levels are 150mm above the highway level.

Lastly, the applicant's email dated 14/10/2020 confirms that the flood levels on the plan are the result of interrogating the outputs of the August 2020 HR Wallingford Model.

43. **Transport Assessment Team** – No comments to offer.

44. **Trees Officer** – No objection, as amended.

Amended landscape management and Maintenance Plan revision A (dated September 2020) is sufficient.

Text re 3D tree pits published 21 Sep 2020 - No objections to condition 3D tree pits for those trees whose potential semi-mature rooting zone will be more than 50% hard surfacing. There are many methods of providing 3D pits, but developers commonly use an off the shelf product supplied by companies such as GreenBlue Urban as they have all the necessary features such as irrigation pipes and root deflectors incorporated into the design.

45. **Urban Design Officer** – No objection, as amended.

Officers do not object but raise some concerns and consider that further improvements can be made, particularly regarding residential amenity and appearance aspects of the scheme. These include tree planting to the communal amenity area of Block A, relocation of parking space away from ground floor flat at Block B, improving the activity on the site elevation of Plot 2, increased separation distances between certain plots and variation in materials for the row of 4 apartment blocks (C1, C, D and D1).

## **Representations from members of the public**

46. Approximately\* 102 representations have been received raising objection to the proposed development. Full redacted versions of these comments can be found on the Council's website. In summary the following concerns have been raised:

*\*approximately has been stated due to the number of duplicate representations that have been received, where the same comments have been provided in multiple forms including through the Council's website, by email and by post. Furthermore, a small number of representations were received with a postal address for the respondent.*

#### Access

- Construction traffic should be prohibited from Cow Lane.
- Design and Access Statement (6.2) confirms Cox's Drove access will be used by the weekly refuse lorries, and some undefined entity called 'servings'.
- No raised walkway should be provided across Poor Well (as originally proposed).
- Object to any access through the Pumphouse Gardens.
- Owners will inherit right of way across the grounds of the Pumphouse offices.
- Pedestrian and cycle routes exit the development into an unsuitable part of Cox's Drove with no pavement.
- Robust arrangements enforcing access via Cox's Drove are not in place.
- The access to Cox's drove must be exclusively for cyclists and pedestrians.

#### Biodiversity

- All houses should have provision for bat and swift boxes.
- Development does not adequately maintain, translocate and enhance the present biodiversity of the two fields and the bisecting chalk stream/wildlife corridor.
- Fencing between the proposed development and existing dwellings is of concern as it hinders the movement of wildlife.
- Lack of detail on retention of existing flora and fauna.
- Lizards and ground birds alongside a vast amount of wildlife use the field as a route.
- Loss of wildlife
- Only low-level lighting should be provided.
- Recently observed water vole in the stream that bisects the development, which is a protected species; it is a criminal offence to intentionally or recklessly damage, destroy or obstruct access to any structure or place which water voles use for shelter or protection
- Surrounding trees provide habitat for bats, owls, birds of prey, woodpeckers and other bird life.
- The proposed path running all round the site including the back of the gardens of the houses fronting Cow Lane is not acceptable as the fields are wildlife sanctuaries and merge into the back gardens of the existing properties.

#### Contamination

- Water will be contaminated.

### Design / Visual Amenity

- Block of flats located too close to what is intended to be a sensitive area of enhanced biodiversity.
- Block of flats on the edge of Poor Well would destroy the unspoilt view north from Cow Lane towards the open countryside (loss of view through Poor Well from the south).
- Density out of place in a village setting.
- Houses have relatively high-pitched roofs which will overpower the adjacent existing houses in Cow Lane.
- Housing is too crammed together with inadequate open space for recreation.
- Inadequate bin and cycle storage.
- Lack of ground floor shower rooms & single storey houses for those wanting to downsize.
- Lack of provision of a visual and physical barrier between this development and the houses in Cow Lane.
- More rear courtyards for parking could be used and houses face green areas across footpaths.
- No attempt to present sympathetic design and landscaping to compliment a rural boundary to the village.
- Poor design means cramped conditions internally.
- Putting all the affordable/rented/shared ownership housing in flats, pushed to the corners (effectively) of the site is socially wrong.
- The Fulbourn Village Design Guide is a material consideration but ignored.
- The old Cambridge Water pump house in Cow Lane is a unique building and the developer should not have attempted to copy its build materials, particularly as they will not be using welsh roofing slates.
- The proposed development does nothing to enhance a unique area of the village with offering views from the adjacent sites of the Horse Pond & Poor Well (in Cow Lane) across Fulbourn Fen towards the village's agricultural green belt.
- The proposed development will change the view and extend the urban environment past the existing limits and into the green fields beyond.
- The three-character areas are unconvincing.
- The development is out of character, destroys valuable natural environment, and paves over the history and tradition of the village's immediate fenland setting.
- Three storey houses are completely out of character in this rural setting.

### Drainage / Flood Risk

- Built form of development reduces the area left for rain to soak into, increasing flood risk.
- Cannon have not demonstrated how the culvert under the railway line can cope with increased flow northwards.
- Castlefields, having accepted there is a problem with drainage have now modified their plans to provide a steep run-off from the raised platforms of their proposed development - there is no evidence provided that this will reduce the risk of flooding to adjacent houses.
- Concerns for long term maintenance of drainage infrastructure.

- Concerns over the unsatisfactory and untried drainage system with no guarantee the developer can provide the necessary maintenance of the proposed drainage system as well as maintenance of open spaces in perpetuity.
- Developers' latest submission is incorrect with inaccuracies in topological measurements (Cow Lane Flood Basin Additional Information).
- Development is on a flood plain.
- Flooding already affects the adjacent Thomas Road estate.
- General water and sewerage concerns.
- Global warming is noticeably increasing the incidence of flash flooding in this area and the original photos and Castlefield assessments were made many years ago.
- Granting approval in the face of a demonstrable and foreseeable flood risk is unlawful and puts the Council at risk of claims for compensation.
- High water table across the site requires exceptional engineering countermeasures.
- If ditches are not maintained, the water will flood into the surrounding properties as well.
- In the absence of any clear strategy for long term management of the development site, it remains unclear whether any individual or organisation will be responsible for keeping this series of complex filters clear of debris.
- Inadequate assessment of modified flooding risk in surrounding properties.
- Inadequate assessment with modelling parameters based on limited historical groundwater records.
- Inadequate information on how site sewerage will operate.
- Insufficient concern is given to the long-term effect on the water table levels and future flooding.
- Multiple experts concur site drainage is very difficult.
- No account has been taken of the flow through Poor Well, which is permanently wet.
- No adequate consideration of the impact of storm events, on-site water storage will fail to discharge sufficiently making limited storage capacity available.
- No coherent plan for a clearly defined legal entity that would bear financial responsibility for those whose properties are repeatedly flooded because of this development.
- Request for an independent review of likely flood risk, a detailed and workable proposal with proper management of the site in perpetuity and a legally binding agreement from the developer with each adjacent property to indemnify their property against all forms of flooding.
- Risk of smells with flooding rise (i.e., smell of sewage).
- Risk to Horse Pond and associated streams within the Poor Well Water Conservation Area.
- Site floods regularly.
- Strongly question the validity of the hydrodynamic model, missing ground water observations, inadequacy of surface water management plans
- Surrounding properties in Teversham Road, Roberts Way and Breckenwood Road historically have had an ingress of foul water in their

gardens and plugholes, sinks, baths and showers, presenting a hazard to health.

- The borehole readings are years out of date, and do not match the visible and measurable level of the water table in 2021
- The creation of retention ponds just inside the boundary of the development immediately to the north of existing Cow Lane properties will cause run off into adjacent existing properties.
- The developer's own modelling including this pond shows the flood risk persists, with predicted flood levels above finished floor levels of multiple existing properties
- The development lies on very flat land with shallow groundwater.
- The drainage ditches along the east side of Teversham Road are silted up.
- The field is essentially already a swamp and will become more so in future due to climate change.
- The surface water management plan contains models which do not extend beyond the development boundary.
- The water table is far higher than suggested so the proposed arrangements will fail as the basin cannot legally be less than 100cms above the water table.
- There are no barriers to surface water flow from the development into existing properties either to the east (Cox's Drove) or to the south (Cow Lane).
- There is significant water flooding on the site and it is not clear if this has been taken through to the final design of development and landscape proposals
- This piece of land is full of underground springs and prone to flooding.
- Unclear how the drainage scheme and any pumping station will operate efficiently and in perpetuity to manage flood risk.

#### Heritage

- Block of flats would introduce an urban character which is alien to this part of Fulbourn Conservation Area.
- Building in open spaces round Poor Well will degrade the setting and result in loss of aesthetic amenity for those who live in the village.
- Loss of view through Poor Well from the south.
- Poor Well is an historic and aesthetic asset to the village and should be protected, not spoiled.

#### Highway Safety & Parking

- Concern regarding heavy machinery moving along Cow Lane during building work.
- Concerns over highway safety of the proposed access.
- Cox's Drove and Teversham Road cannot accommodate in excess of 110 vehicles entering and exiting on a daily basis.
- Cox's Drove is narrow with poor visibility and is not suitable for high volumes of traffic.
- Increase existing parking issues on High Street.
- Increased traffic is risk to children and animals.
- Insufficient parking provision.

- No footpath on Hinton Road, Teversham Road and no island on Hinton Road.
- Pedestrian and cycle routes exit onto Cox's Drove appears a poor choice.
- Teversham Road and Hinton Road junction already very busy and has seen several accidents – this will be increased due to further traffic from the development.
- Unsafe for vehicles, cyclists or pedestrians to access the site through the front garden of The Gate Lodge, 2 Hinton Road.

#### Landscape / Trees

- Lack of trees within the development.
- Loss of existing trees, some of which appear to be protected trees.
- Mature planting and trees should be planted to screen the footpath from residents and improve the landscaping.
- No details on future maintenance of landscape features.
- There should be a screening hedge of native species and trees planted around the border prior to commencement of the work on the site.

#### Open Space

- Not enough public open recreational space.
- There is no year-round usable green space.

#### Outline Consent

- Details do not comply with the statutory requirements under the Town and Country Planning (General Management Procedure)(England) Order 2015 – specifically the details do not comply with article 6(b); they do not include such particulars as are necessary for the local authority to deal with the matters reserved.
- Details provided not in general accordance with illustrative layout as required by condition 6 (of the outline consent).
- Only the mix of housing is detailed and not split of affordable and non-affordable, breaching condition 5 (of the outline consent).
- The reserved matters are no in accordance with the outline permission and are therefore not valid – development beyond extent of Parameters Plan), breaching condition 4 (of the outline consent)., planting plan also fails to comply.

#### Renewables

- Details of photovoltaic panels should be shown at the design stage.
- Disappointing that all other technologies have been discounted.
- The plan fails to address the subject of utilities (i.e. vehicle charging points).

#### Residential Amenity

- Concerns regarding the siting of the proposed new electricity substation being too close to existing residents and noise generated.
- Congestion will cause more pollution.
- Cramped internal conditions for future residents.
- Elevation of the proposed properties will result in overshadowing and loss of privacy.



- Lack of provision of a visual and physical barrier between the development and the houses in Cow Lane.
- Loss of light and privacy from three storey flats.
- Noise during construction, working hours should be set and strictly monitored.
- Noise from piling works.
- None of the houses should contain any windows facing existing properties.
- Object to footpath running adjacent to the rear boundaries of the houses in Cow Lane (loss of privacy, noise, detrimental to wildlife).
- Parking provision for contract vehicles should be made before any work commences on site.

#### Sustainable Development

- Adverse impact on local infrastructure (e.g., doctors surgery).
- Pressure on Stagecoach to improve their unreliable services to Fulbourn
- Roads cannot cope with additional traffic.
- The school and pre-school are not big enough for an influx of new children.
- There are no community facilities at this end of the village except for a pub and a long walk to a supermarket leading to no benefit to village life and an increase in vehicles.

#### Other Matters

- Arrangements for maintenance of common parts of the development, pumping station and vehicular access are unclear.
- Consideration of health and safety implications of the railway boundary fencing and/ or additional hedge and tree screening of the Breckenwood Industrial Estate.
- Expect stringent and robust enforcement against any breach of planning condition.
- Hold that the Council acted outside its legal powers in continuing to allow (non-compliant) amendments to be submitted by the applicant for over 14 months beyond the deadline of 25 October 2019.
- It is essential that the application is reviewed by the full planning committee and not delegated under any circumstances.
- Long waiting list for limited allotment spaces; new developments need larger gardens to encourage growing food or developers need to provide alternative land for additional allotments.
- No justification for removing these green fields for a housing development.
- Object on grounds of security, privacy, health and safety to access through pumphouse gardens (deep water present, access onto busy road junction)
- Other developments underway (e.g., Ida Darwin developments, Armistice Close, The Swifts, Newmarket Road) adequately provide for local and national house building targets.
- Plans difficult to read given the scale of plans and size of writing in the key.
- Potential increase in accidents on the railway line from increased adjacent housing.

- The Council cannot consider reserved matters submitted after 25 October 2019, therefore question validity of the original reserved matters application and the ability of the Council to accept further amendments outside the period provided by condition 2 of the outline consent.
- The ongoing pandemic has demonstrated to all the importance and health benefits of access to green spaces close to homes
- The part of the development that is to be 'affordable housing' is not affordable.
- The proposals do not adequately discharge conditions 8, 9, 12 and 14 of the outline consent.
- The Section 106 has not been addressed, it should include money to update and improve Town Close footway to give pedestrian access from Cow Lane to Pierce Lane.
- The serene green setting around Poor Well provides a valuable function in improving and maintaining the mental wellbeing of those who live in or visit the area.
- The site is unable to support the development of 110 dwellings

47. Several representations were received shortly before the reserved matters application was due to be considered by the Council's Planning Committee on 13 January 2021. The representations reiterated objections to the proposed development on drainage grounds and legal liability, non-compliance with the outline consent and the loss of biodiversity, alongside requests for a deferral of the application (with reference to the impact of the Covid-19 Pandemic and drainage objections). Reference was also made to a lack of notice to an objector of the Committee meeting. A draft statement of grounds of challenge (judicial review) was also submitted, with reference to failure to comply with the outline consent (and therefore the validity of the reserved matters application).

48. **Fulbourn Forum for Community Action – Objection.**

Several representations have been received from Fulbourn Forum (approximately 7, again noting duplicate submissions). Full redacted versions of these comments can be found on the Council's website. In summary the following concerns have been raised:

- The site is unable to support the development of 110 dwellings while satisfying both national and local planning legislation.
- The development does not adequately maintain, enhance, restore or add to the present biodiversity of the two fields and the bisecting chalk stream.
- The development result in a significant negative biodiversity impact resulting in the need for offsite compensation. No details of how this can be achieved are provided.
- The proposals do not adequately discharge Condition 12 and 14 of the outline consent.
- The surface water drainage design and management scheme are untried and untested, it has not been future proofed in light of the continuing climate emergency. Condition 8 of the outline consent has not been adequately discharged as there is no full detail of how the scheme will be monitored, managed and funded in perpetuity.

- Review of Surface Water Flood Management , Fulbourn' was published by HR Wallingford (an independent engineering and environmental hydraulics organisation) for Cannon Consulting Engineers, the applicant's consultant. This clearly showed that the risk of flooding both on and off the site identified by the village was real, and that the flood management scheme prepared by Cannon was not fit for purpose.
- Concern over the adequacy of the existing culvert under the railway line, the only exit for the discharge of water from the site.
- Cannon have constantly underplayed the problems, changing their proposals several times, not due to their own assessment of the risk, but due to issues raised by the village and in independent reports. Their latest proposal for a 'Cow Lane Flood Basin' appears to be yet another last minute, ill-conceived, and unsubstantiated attempt to resolve an intractable problem.
- Inadequate accessible public open space for recreation is provided due to the need for green spaces to contribute to the retention, mitigation and translocation of existing flora and fauna biodiversity.
- Proposals fail to take proper account of the design guidance embedded in the Fulbourn Village Design Guide.
- The 3-storey block of flats are of poor architectural design and inappropriate in a rural and village context, detrimental to the setting of Poor Well in the Conservation Area and intrude on the wildlife corridor along the chalk stream.
- The incorporation of all rented and shared-ownership homes into the 2- and 3-storey blocks of flats is socially questionable.
- The flats have internal layouts that are not fit for purpose and are undersized with inadequate cycle and bin storage.
- The design of the claimed pedestrian, cycle and emergency only access onto Cox's Drove will not prevent its use by lorries, vans and cars – as configured this access and Cox's Drove is not safe for children walking or cycling to the school.

## **The site and its surroundings**

49. The site is located on the north western edge of Fulbourn, outside of the development framework boundary that runs along the southern, western, and eastern boundaries of the site. A small portion of the site falls within Fulbourn Conservation Area, a part which also encompasses an area identified as a Local Green Space (Pumphouse garden). Other parts of the southern boundary of the site abut the northern edge of Fulbourn Conservation Area and a Protected Village Amenity Area (Poor Well Water). The northern boundary of the site is bound by a railway line beyond which is the Cambridge Green Belt and open countryside. The site is located in flood zone 1 (low risk) with large areas of the site identified as being at risk from surface water flooding.
50. A small part of the site fronting Cow Lane was formerly an ornamental garden but is now relatively inaccessible and heavily overgrown (Pumphouse garden). The site abuts the Poor Well Water site across which a low-quality pedestrian access has been informally created. Adjacent to the site lies the former Fulbourn Pumping Station, which is listed on the Cambridgeshire Historic

Environment Record (HER), noted as a building of importance in the Fulbourn Conservation Area Appraisal and a non-designated heritage asset, alongside Gate Lodge and Bakers Arm Public House. Two Sites of Special Scientific Interest are located within 2km of the site (forming Fulbourn and Great Wilbraham Common).

51. The site comprises approximately 6.85 hectares of undeveloped land which is partitioned by a narrow chalk stream. The site is generally flat, with the field boundaries comprising hedgerows and mature trees, following the alignment of linear drains. The fields are generally open grassland, with the Pumphouse garden to the south retaining more ornamental planting, although this has become neglected and heavily overgrown. Existing residential development is located to the west of the site, which fronts Teversham Road, with a small industrial area to the north west of the site (Breckenwood Industrial Estate). Residential development is also present to the south of the site fronting onto Cow Lane, with further residential development to the east adjacent to Cox's Drove. Open countryside lies beyond the railway line which forms the northern boundary of the site.

## **The Proposal**

52. The application seeks the approval of matters reserved for appearance, landscaping, layout, and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works.

## **Planning Assessment**

53. The application comprises the submission of the matters for approval that were reserved when outline planning permission for the development of the site was granted. Those matters that were reserved are set out in condition 1 of outline consent S/0202/17/OL and form:
  - Details of the layout of the site.
  - Details of the scale of buildings.
  - Details of the appearance of buildings.
  - Details of landscaping.
54. The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides a definition of what each of the above matters means in practice:

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

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

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

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

### **Fulbourn Neighbourhood Plan**

55. Fulbourn Parish Council completed their pre-submission consultation of their draft Fulbourn Neighbourhood Plan on 28 February 2021 and are working towards submitting their Neighbourhood Plan to the Council.
56. The weight to be given to a Neighbourhood Plan when determining planning applications depends upon the stage at which a particular Plan has reached and what objections have been made to policies within in the plan. Paragraph 48 in the National Planning Policy Framework (NPPF) sets out the weight that may be given to relevant policies in emerging plans.
57. Pre-Submission stage: Following this 6-week consultation the qualifying body will have evidence of community support for the Plan and if any policies are not supported or need to be changed. However, the Plan might not be legally compliant and has not been tested against the Basic Conditions. No weight can be given to the Plan at this stage.
58. Therefore, in the assessment and determination of this reserved matters application, no weight can be given the Fulbourn Neighbourhood Plan at this time.

### **Principle of Development**

59. The principle of residential development comprising up to 110 dwellings was established on the site under outline planning consent S/0202/17/OL, granted on 26 October 2017, which also established means of access to the site.
60. Condition 4 of the outline consent (the approved plans condition) listed five drawings as part of the permission, which comprise a Site Plan (M02 rev C), a Parameters Plan (M06 rev E), an Exclusion Zone plan (P2), a Cox’s Drove Emergency Vehicle Access plan (B411/008 Rev 1) and an Indicative Full Right Turn plan (B411/SK/09 Rev 2).
61. The key issues to consider in the determination of this application are therefore compliance with the outline planning permission, housing provision (including

affordable housing), the reserved matters (layout, scale, appearance, landscaping), biodiversity, flood risk and drainage, highway safety, parking and management of roads, residential amenity, heritage assets and other matters.

### **Compliance with the Outline Planning Permission**

62. Several conditions were imposed on the outline consent that require compliance at the reserved matters stage.
63. Condition 2 of the outline consent required the submission of an application for the approval of the reserved matters within two years of the date of approval (i.e., by 26 October 2019).
64. The reserved matters application was submitted to the Local Planning Authority in September 2019.
65. Condition 4 of the outline consent secured five approved plans, as noted above.
66. The site boundary for the reserved matters application is consistent with the approved Site Plan (M02 rev C).
67. The approved Parameters Plan (M06 rev E) sets strict guidelines for the reserved matters scheme to follow, including three development platforms for residential development alongside restrictions on the number of storeys, eaves heights and ridge heights above grade, areas of open space, existing vegetation, proposed boundary planting, a zone for a single vehicle route, a zone for up to two vehicular links, an ornamental garden retained and enhanced and the points of access by vehicles, pedestrians and cyclists.
68. However, it is important to note that in respect of the number of storeys, eaves heights and ridge heights stated on the Parameters Plan that these requirements are superseded by condition 28 of the outline consent. Condition 28 of the outline consent sets out that notwithstanding the particulars shown on the Parameters Plan, the number of storeys and the height of the eaves and ridge above ordnance datum (AOD) of any built development hereby approved shall be determined through Reserved Matters applications.
69. Although matters of layout, scale and landscaping are assessed in detail later in this report, the matters are considered to accord with the provisions of the approved Parameters Plan.
70. The requirement for the reserved matters layout to comply with the approved Exclusion Zone plan (P2) is applicable in so far as the provisions of condition 20 of the outline consent.
71. Condition 20 of the outline consent restricts residential development within the exclusion zone unless and until a detailed noise mitigation strategy and/or detailed insulation scheme to address the off-site operational noise of the Breckenwood Industrial Estate, has been submitted to and approved in writing by the Local Planning Authority.

72. Condition 20 was part discharged through discharge of conditions application S/0202/17/CONDA on 02 September 2021, which was supported by a Noise Mitigation Strategy that confirmed residential development could be located within the exclusion zone subject to appropriate mitigation measures. It is therefore acceptable for the layout of the site to provide residential development within the exclusion zone. In this respect the layout of the site is compliant with the provisions of the outline consent.
73. The main vehicular access to the site illustrated on the proposed Site Layout (A-P10-010 P4) submitted in support of the reserved matters layout, which is taken from Teversham Road to the west of the site, accords with the access plan secured at outline stage, namely the Indicative Full Right Turn plan (B411/SK/09 Rev 2). The proposed Site Layout also illustrates the provision of a pedestrian, cycling and emergency access only onto Cox's Drove to the east of the site, in accordance with the Cox's Drove Emergency Vehicle Access plan (B411/008 Rev 1).
74. Condition 5 of the outline consent requires, notwithstanding the indicative layout, details of the housing mix (including both market and affordable housing) to be submitted with any reserved matters application for housing.
75. The reserved matters application has provided details of the housing mix for both market and affordable housing, which are assessed in detail later in this report.
76. Condition 6 of the outline consent set out that detailed plans and particulars of the reserved matters pursuant to condition 1 of the outline consent shall be in general accordance with the illustrative layout (M03 rev C), subject to taking into account the 50m noise exclusion zone (P2).
77. Although matters of layout and landscaping are assessed in detail later in this report, the matters are in general accordance with the approved illustrative layout.
78. Condition 19 of the outline consent requires concurrently with any reserved matters application (and prior to commencement of development) a noise mitigation/insulation scheme to protect occupants externally and internally from rail noise to the north and noise emanating from the Breckenwood Industrial Estate to the north west, to be submitted and approved.
79. The reserved matters application is supported by a Noise Mitigation Strategy (Cass Allen, September 2019), a report that has also been submitted in support of discharge of conditions application S/3209/19/DC to discharge condition 19 of the outline consent.
80. The application therefore complies with conditions 2, 4, 5, 6, 19 and 20 of the outline consent.

## Housing Provision

81. Condition 5 of the outline consent requires details of the housing mix (including both market and affordable housing) to be submitted with any reserved matters application for housing, to ensure an appropriate mix of housing is provided.
82. The reserved matters application proposes the erection of 110 residential dwellings. The Section 106 Agreement secured at outline stage requires that 30% of the dwellings shall be constructed for affordable housing. The application therefore provides for 77 market dwellings and 33 affordable dwellings (30%).

### Housing Density

83. Policy H/8 of the Local Plan details that housing developments will achieve an average net density of 30 dwellings per hectare in Minor Rural Centre villages but that the net density on a site may vary from this figure where justified by the character of the locality, the scale of the development, or other local circumstances.
84. Section 10 of the Fulbourn Village Design Guide, which deals with integrating larger development within villages, details that developments should be compatible with the character of the village in terms of density, although this is not one of the specific guidance notes.
85. The site measures approximately 6.85 hectares in area. The provision of 110 dwellings across this area would equate to a density of approximately 16 dwellings per hectare. However, the Parameters Plan approved at outline stage restricts the areas of residential development to three development platforms which account for approximately 3.33 hectares of the site. The provision of 110 dwellings on the areas defined for residential development would equate to a density of approximately 33 dwellings per hectare.
86. Although the density is slightly higher than the requirement of an average net density of 30 dwellings per hectare the density had already been accepted through the outline planning permission. Officers therefore consider the density of the site to be acceptable on balance, noting the provisions of the outline consent, and to be compatible with the character of the area.
87. The proposal would therefore be in general accordance with Policy H/8 of the Local Plan and the Fulbourn Village Design Guide.

### Market Housing Mix

88. 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.



89. Policy H/9 of the Local Plan requires market homes in developments of 10 or more homes to consist of a mix of at least 30% 1 or 2-bed homes, 30% 3-bed homes and 4 or more bed homes with a 10% flexibility above each category.
90. The application provides for 77 market dwellings which, as amended, would provide a split of 27x2-bed properties (35%), 27x3-bed properties (35%), 19x4-bed properties and 4x5-bed properties (30%).
91. Officers are satisfied that the proposed development would provide for an appropriate market mix of housing on the site, noting that the mix would accord with policy H/9 of the Local Plan.
92. Officers note that Policy H/9(2.f) requires sites of 20 dwellings or more to supply dwelling plots for sale to self and custom builders. When the outline consent was granted the Council did not have an adopted policy relating to self or custom build. No requirement for such provision was secured at outline stage by way of a condition or through the Section 106 Agreement and therefore no self or custom build provision can be secured at reserved matters stage.
93. Policy H/9(4) of the Local Plan states that 5% of homes in a development should be built to the accessible and adaptable dwellings M4(2) standard rounding down to the nearest whole property. This provision shall be split evenly between the affordable and market homes in a development rounding to the nearest whole number.
94. The proposal would provide six units built to the accessible and adaptable dwellings M4(2) standard, split evenly between market and affordable homes, namely Plot 7 (shared ownership), Plots 11 and 12 (affordable rented) and Plots 77, 84 and 85 (market units).
95. The proposal would therefore be in general accordance with Policy H/9 of the Local Plan and comply with the provisions of the outline consent.

#### Affordable Housing

96. Policy H/10 of the Local Plan states that all developments of 11 dwellings or more will provide affordable housing (a) to provide that 40% of the homes on site will be affordable, (b) to address evidence of housing need; an agreed mix of affordable house tenures will be determined by local circumstances at the time of granting planning permission and (c) in small groups or clusters distributed through the site.
97. Notwithstanding the requirements of Policy H/10(a) of the Local Plan, the Section 106 Agreement attached to the outline consent secured a 30% provision of affordable homes on the site, as set out in the Definitions and Interpretation section and Schedule 3 of the agreement.
98. In terms of the units being in small groups or clusters distributed through the site, the Section 106 agreement sets out in the Definitions and Interpretation section that for the purposes of the "Affordable Housing Scheme" no more than

20 Affordable Housing Units may be clustered together and no such clusters are to adjoin or neighbour each other.

99. Officers also note the provisions of the Greater Cambridge Housing Strategy 2019-2023 Annex 10 (Clustering and Distribution of Affordable Housing Policy) which sets out in Section 7 that for medium mixed tenure residential developments of 30 to 200 units, maximum clusters of 15 units are accepted, clusters should not abut each other and be dispersed appropriately across the whole development (and will include blocks of flats).
100. Schedule 3 of the Section 106 sets out the specific requirements for affordable rented units and shared ownership units, being 8x1-bed, 8x2-bed affordable rent (16 units) and 12x2-bed and 5x3 bed shared ownership (17 units).
101. The application proposes the development of 33 affordable units in the form of 8x1-bed flats, 16x2-bed flats, 4x2-bed houses and 5x3-bed flats, 16 of which would be for shared ownership and 17 for affordable rented, adhering to the requirements of the Section 106 Agreement.
102. The Council's Affordable Housing Team has confirmed their support for the mix, tenure and layout of affordable housing proposed.
103. As noted above, 5% of the scheme will be built to accessible and adaptable dwellings M4(2) standard, which includes three affordable units.
104. The proposal would therefore comply with the provisions of the outline consent and associated Section 106 Agreement in terms of affordable housing provision and clustering within the proposed layout.

#### Residential Space Standards

105. 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.
106. Given that the outline planning consent did not require the dwellings to be built to meet the residential space standards and this matter does not fall under the definition of the reserved matters for layout, appearance or scale, the development would not need to accord with national space standards.
107. However, the proposed development meets Nationally Described Space Standards and would therefore accord with Policy H/12 of the Local Plan.

#### Open Space Provision

108. Paragraph 2.6 of the Second Schedule of the Section 106 Agreement for the development sets out the criteria to calculate the minimum area and composition of the Locally Equipped Area of Plan (LEAP) and Public Open

Space as part of the reserved matters submission, which is to be provided per dwelling.

109. The Section 106 Agreement also sets out relevant definitions of each type of open space to be provided on site in the Definitions and Interpretation. Parts 2 and 3 of the Second Schedule of the Agreement ensure that appropriate management, public access and maintenance arrangements for the LEAP, Public Open Space and General Open Space will be secured.
110. The following areas of open space are therefore required to be delivered on site, based on the number of dwellings of each type (by bedrooms) against the minimum amount of open space provision:
  - 945.3 sqm LEAP.
  - 945.3 sqm Informal Play Space.
  - 988.5 sqm Informal Open Space.
111. Alongside plans showing the layout of the proposed development and landscape proposals, the application is supported by a Landscape Management and Maintenance Plan (LLMP) (rev A v2, April 2021), which is informed by the requirements of the Section 106 Agreement. The LMMP sets out details of management and maintenance for all landscape infrastructure including retained features, proposed hard and soft landscape elements, including play areas and streetscape, as shown on the Illustrative Landscape Masterplan
112. Officers are satisfied that the minimum open space requirements of the Section 106 Agreement have been met.

## **Reserved Matters**

### **Layout**

113. The layout of the site has been largely defined by condition 4 of the outline consent, which secured a Parameters Plan and access plans, along with condition 6 of the outline consent, which required the reserved matters to be in general accordance with the Illustrative Layout plan submitted at outline stage.
114. The Parameters Plan sets strict guidelines for the reserved matters scheme to follow, including three development platforms for residential development, areas of open space including proposed planting, play areas, footpaths, broad walks, SuDS and occasional parking, existing vegetation to be retained, managed and enhanced, proposed boundary planting including in rear gardens, new boundary planting within open space, existing watercourse, a zone for a single vehicle route, a zone for up to two vehicular links, an ornamental garden retained and enhanced and the points of access by vehicles, pedestrians and cyclists.
115. The Illustrative Masterplan shows how the development of 110 dwellings could be accommodated within the restrictions of the Parameters Plan. It shows three distinct development parcels linked by one or two access roads, several cul-de-sacs on the two eastern two parcels of the site, a central green space with the existing chalk stream bisecting the site from north and south enhanced with

further soft landscaping and several footpath links through the site to enable good levels of permeability. The three parcels are confined within the site surrounded by landscape buffers along the southern, eastern and northern boundaries of the site.

116. Section 10 of the Fulbourn Village Design Guide, sets out that a key objective of the Design Guide is the integration of new development, ensuring it becomes a part of the village rather than a disconnected extension and development should be carefully designed to ensure it respects and enhances the village character.
117. The Village Design Guide further sets out that large developments should not adopt the urban patterns of rigid grids, boulevards and built corner gateways, and not even the suburban style of grassed verges and repetitive houses. New development should reflect the diversity and informality of the village, taking inspiration from the historic core of Apthorpe Street, Cow Lane and Pierce Lane without pastiche or replica. It should be contemporary and yet compatible with the character of the village in terms of scale, density, mass, form, siting, design and proportion.
118. The Village Design Guide then provides points of guidance on site layout, building design and landscape design before providing additional guidance specifically for the Teversham Road Site (illustrated in figure 46).
119. The additional site guidance highlights that the development of the site will have to address several challenges to respect the sensitive natural location and for successful integration in the village; the penetration of the countryside within the village and the delicate wildlife area of the chalk stream require the establishment of a green natural corridor of sufficient width to retain the connection and protect the environment. Natural areas should be protected from artificial lighting and encroachment of human activities. The guidance highlights that it will also be essential that the site is integrated into the patterns of streets and lanes of the village, at least for pedestrians and cyclists, rather than remaining an isolated housing estate.
120. The proposed layout comprises three development platforms, as secured at outline stage, and incorporates a road hierarchy connecting the platforms together.
121. The primary road, which is a 5.5 metre road with a 2 metre footpath and 1 metre verge, runs from the sites access from Teversham Road (secured at outline stage) through the western platform and the central meadow space over the chalk stream and along the southern edge of the northern development platform. A secondary road, which is 5 metre road with a 2 metre footpath and 1 metre verge, connects the northern and southern platforms before running along the northern edge of the southern platform. Shared surface roads, being a 6 metre road with a 0.5 metre verge on either side, and private driveway, being 5 metres in width, then provide means of access for residential units not served by the main two roads.

122. The vehicular routes that connect the development platforms comply with their locations as defined by the Parameters Plan while the roads themselves avoid being overly rigid or forming regular grids within the site, a relatively positive response to the Village Design Guide (guidance note 10.4), while adhering to the restrictions imposed by the outline consent (conditions 4 and 6).
123. Areas of soft landscaping and tree planting are incorporated where possible adjacent to the streets, in particular the primary road that runs east-west across the site, responding to guidance note 10.5 of the Village Design Guide which sets out that sensitive treatment of main road frontages should include trees, hedgerows and boundary walls typical of Fulbourn.
124. Noting the parameters of the outline consent, the layout of the site emphasises key open spaces at the heart of the development and the importance of the chalk stream bisecting the site and the central meadow space formed at the centre of the development. The central open space (Meadow Park), which includes public open space and play space, allows for the retention of views through the site from the village and Conservation Area, out towards the countryside. This arrangement provides a relatively positive response to guidance note 10.3 of the Village Design Guide that requires site planning to incorporate open views from and through the interior of the site towards the countryside as well as responding to the illustration of Figure 46.
125. However, officers acknowledge that there would be a degree of conflict with Figure 46 and guidance note 10.3 of the Village Design Guide and the existing view northwards through the site to the open countryside beyond by virtue of the introduction of a built form of development. Nonetheless, to comply with conditions 4 and 6 of the outline consent, the introduction of a built form of development into the existing undeveloped view is inevitable and the layout has sought to retain key views along the chalk stream, framed by the proposed development.
126. Soft edges and landscape buffers are provided on the southern, eastern and northern edges of the layout, in line with the parameters plan, while allowing for pedestrian and cycle movement and permeability through these spaces. This arrangement is considered to be in line with guidance note 10.1 of the Village Design Guide which sets out that sites should have planted and irregular soft edges at the interface with the countryside and guidance note 10.2 which details that any green buffer between new and existing built-up areas of the village should be intended to protect privacy but not isolate the new community.
127. Alongside the road network, the layout of the site incorporates a range of connecting footpaths that enhances the permeability and ease of movement through and within the site as well as connection to the existing village for pedestrians and cyclists. A crossing over the chalk stream is provided towards the centre of the site with two further pedestrian bridges to allow connectivity through the site, again responding positively to guidance note 10.4 in terms of providing a natural extension of the village with informal, interconnected streets, lanes and spaces and guidance note 10.8 for providing a network of pedestrian routes and cycleways to the village.

128. The development incorporates nine different house types (types A-J, excluding I), several of which have subtle variations in layout, fenestration, architectural detailing and external finish (i.e., type F and F1) to increase variety. Two large apartment blocks are provided centrally within the site on either side of the chalk stream adjacent to the Meadow Park, with smaller apartment blocks located on the northern edge of the western development platform. The house types are mixed across the site to avoid repetitive houses within the layout with minor variations in their siting relative to the public highways, positive responses to the Village Design Guide (guidance notes 10.7 and 10.13). No gateway buildings are provided at the entrance of the site (as recommended by guidance note 10.6).
129. Parking is largely accommodated to the side of residential properties or in small parking courts for the apartment buildings, reducing the potential for car dominated frontages as required by Policy HQ/1 of the Local Plan and highlighted in guidance note 10.16 of the Village Design Guide. There are some areas of frontage parking, but in the context of the wider site represent a relatively small proportion of the required parking arrangements.
130. Officers acknowledge that is one small area of parking that extends beyond the development platforms defined by the Parameters Plan and onto an area defined as open space. This area relates to the western development platform and the parking provision for Apartment Block B, specifically Plots 41, 44 and 47. However, the legend of the Parameters Plan defines the area in question as “Open Space, including proposed planting, children's play areas, footpaths, boardwalks, SuDS and occasional parking”. Officers therefore do not consider that the layout has breached the requirements of the parameters plan as it does allow for occasional parking and only five parking spaces fall within this area across the layout.
131. In respect of the adjacent Green Belt to the north of the site, the layout and general siting of residential development was established at outline stage through the approved Parameters Plan and Illustrative Masterplan. The residential properties along the northern edge of the northern development platform, which are the closest to the Green Belt, are set approximately 13 metres from the northern boundary of the site, slightly away from the edge of the Green Belt. The proposed layout, given the details secured at outline stage, is considered to accord with Policy NH/8 of the Local Plan.
132. Overall, collectively the design elements as detailed above are considered to contribute towards a positive design and layout response to the provisions of the outline consent and the character of the area and would be in general accordance with Policy HQ/1 of the Local Plan and responsive to the Fulbourn Village Design Guide SPD.
133. Officers acknowledge that there is a degree of conflict with Figure 46 and guidance note 10.3 of the Village Design Guide by virtue of the introduction of a built form of development. However, the conflict must be weighed against the requirement for the layout of the site to follow the provisions of the outline consent secured in conditions 4 and 6 of that permission. Therefore, the

introduction of a built form of development into the existing undeveloped view is inevitable. Officers consider that the layout has sought to retain key views along the chalk stream, framed by the proposed development, as highlighted within the Village Design Guide.

## **Scale**

### Existing Development

134. The scale and character of the existing residential development near to the site presents a mixture of two storey, one and a half storey and single storey properties of varying designs and footprints, with two storeys being the prevailing scale of development. In general properties are good-sized detached dwellings with some examples of semi-detached properties to the south of Cow Lane and west of Teversham Road.

### Proposed Development

135. The Parameters Plan secured at outline stage sets out that residential development can be up to 2.5 storeys with eaves heights of up to 6 metres and ridge heights up to 10.5 metres above grade. However, condition 28 of the outline consent states that notwithstanding the particulars shown on the parameters plan, the numbers of storeys and the height of the eaves and ridge above AOD of any built development hereby approved shall be determined through Reserved Matters applications.
136. The proposed development generally provides a two storey, pitched roof approach throughout the site, with single storey garages serving several plots, responding to the general scale and form of existing residential development in the immediate area and the wider village. The ridge heights of these properties range from approximately 8.4 metres (house type G) to 9.4 metres (house type H1). The proposed dwellings comprise a mix of two storey detached and semi-detached properties. This approach is considered to provide a compatible and coherent scale of development (guidance note 10.13), appropriate to the context of the area.
137. The development would also provide apartment buildings within the layout of the site. Four two storey apartment buildings, Blocks C, C1, D and D1, are provided along the northern edge of the western development platform with ridge heights around 9.6 metres. The scale of these buildings, adjacent to the industrial area and away from the northern edge of the Conservation Area, are considered to be acceptable and compatible with the context of the area.
138. Two central apartment blocks, Blocks A and B, would provide a stepped ridge arrangement ranging from a two and a half storey ridge to a two-storey ridge and then a one and a half storey ridge (for Block A). Block A would provide main ridge heights of approximately 11.5 metres, 10 metres and 9.5 metres while Block B would provide main ridge heights of approximately 11.4 metres and 10 metres. These two central apartment blocks would represent the largest buildings within the site.

139. In considering the issue of scale and in particular the heights of the proposed buildings, it is important to note that, for the purposes of managing flood risk, the proposed development will be constructed on three raised development platforms, which are raised up to approximately 0.7 metres above existing ground levels.
140. The general approach of a two-storey scale of development across the site is considered to be acceptable and compatible with the character of the area, where two storey properties are the prevailing form of development, noting the raising of ground levels associated to the development. In this respect the proposed height of the development is considered appropriate to the rural character and location of the site and generally responsive to the Village Design Guide.
141. In terms of the central apartment buildings, Blocks A and B, guidance note 10.10 of the Village Design Guide sets out that 3 storey buildings are not typical of the village and should be considered with extreme care, they should be sited away from prominent frontages to minimise visual presence and be articulated to avoid any bulkiness.
142. Officers acknowledge that these two apartment buildings would be taller than the prevailing scale of development in the area. However, they have been sited relatively centrally within the development and orientated to frame Meadow Park and the chalk stream and allow northward views to be maintained through the site from Poor Well and the adjacent Conservation Area from within the village out towards the countryside. The blocks are also positioned such that their gable ends face south towards the Conservation Area with heights rising northwards into the site, assisting in reducing the visual mass of the development in outward views northwards from the Conservation Area. Furthermore, these units provide an important corner frontage around the large central open space of Meadow Park and are located away from the rural aspect of the northern boundary. It is also important to acknowledge that the scale of the buildings fall within the parameters established at outline stage.
143. However, officers acknowledge that the two central apartment buildings may generate a degree of conflict with the Fulbourn Village Design Guide in terms of providing a scale of development that is compatible with the character of the village. That said, the Village Design Guide does not prohibit the scale of development proposed for apartment Blocks A and B, rather it seeks that 3 storey buildings should only be considered with extreme care and sited away from prominent frontages to minimise visual presence and articulated to avoid any bulkiness. As set out in the paragraph above, consideration has been taken regarding the orientation and siting of these buildings and the degree of harm is a matter of planning judgement that forms part of the wider planning balance.
144. The Village Design Guide also notes in respect of building design that the height of buildings should be lower than the crown of surrounding mature trees to retain the setting of a village among trees (guidance note 10.12). The prevailing two storey scale of the scheme would generally comply with this design criteria (as illustrated on Street Scene elevations submitted). However,



officers acknowledge that again there may be a degree of conflict with this guidance note arising from the taller elements of Blocks A and B.

145. It is important to note that the matter of scale extends beyond a simple consideration of height, it also includes the width and length of each building proposed within the development in relation to its surroundings. The dwellings and apartment buildings within the site incorporate variations in width and length across the house and apartment types, which are responsive to the context of the site and wider character of the village and considered acceptable.
146. In terms of the adjacent Green Belt to the north of the site, the scale of development at the northern edge of the site would be two storey residential properties. The scale of development is considered compatible with the wider context of the area and the adjacent Green Belt, noting existing built forms near to the Green Belt boundary. The proposed scale is therefore considered acceptable in the context of Policy NH/8 of the Local Plan.
147. Overall, the proposed scale of development is considered to be acceptable and compatible with its surroundings, in general accordance with Policy HQ/1 of the Local Plan and the guidance of the Fulbourn Village Design Guide SPD.
148. Officers acknowledge that there may be a degree of conflict with the Village Design Guide arising from the heights of the central apartment buildings, in particular guidance notes 10.10 and 10.12. Again, the conflict must be weighed against the provisions of the outline consent secured in conditions 4 and 6 of that permission and officers consider the level of harm to be limited and not sufficient to warrant a refusal of the application in isolation.

### **Appearance**

149. Section 4 of the Fulbourn Village Design Guide, which deals with character areas, identifies the site and surrounding area as the Poor Well Character Area. It details that the area is a unique highlight in Fulbourn and partly in the Conservation Area with links to the heritage of water management and fenland agriculture and brings nature directly into the village. The tall trees and green aspect of Cow Lane at this location provide a memorable image of the village within trees; it has a part natural / part agricultural feel; it has ditches running along the roads, a chalk stream and wetlands; and it contains small industrial buildings and the grand Victorian building of the former Cambridge Water Company.
150. As noted above, guidance note 10.13 of the Village Design Guide sets out that for integrating larger developments within the village building should not be repetitive and provide variety of building types and design with coherent scale, massing and elegant simplicity in detailing. Guidance note 10.14 goes on to state that local and contemporary features, materials and detailing should be used with guidance on materials and detailing that are appropriate to the village context can be found in Section 11.

151. Section 11 of the Village Design Guide sets out that buildings in Fulbourn have typically simple forms and features, and the character comes from the horizontal proportions and attractive diversity created by irregular building alignments and prominent roofs. Pale Cambridgeshire bricks or renders in white or natural colours are prevalent, with wood used for the doors and details. The integration of building and planting is critical. In Fulbourn, the character and quality of the village is often in the details: traditional boundary walls, gates and posts, and in elegant simple arrangements for the doors and windows.
152. The proposal would provide three distinct character areas which would each have their own appearance and character to provide a sense of place. These areas comprise the Village Lanes, Meadow Park and Village Street character areas.
153. The Village Lanes character area lies adjacent to Teversham Road and the primary access onto the site. This area draws on the variety of scale, building form and materials present within the historic character areas of High Street. This is evident in narrow frontages with hedges or defined walls, building type diversity and use of traditional materials. The character area which has black timber boarding on key elevations along with dark grey bargeboards and windows and black rainwater ironmongery. The Village Street character area which contains a range of Cambridge Buff and Multi-Red brick finishes has a mix of white and dark grey roof timber trims and window frames.
154. The Meadow Park character area places a large central open space at the heart of the development, an area which includes the proposed LEAP, with residential units surrounding the area to frame the existing nature site features, chalk streams and hedging, including the larger two apartment blocks (Blocks A and B). The siting of the built form of development in this area allows open views of the countryside northwards. The area comprises a range of built form with simple detailing and traditional materials.
155. The Village Streets character area is located towards the eastern end of the site, towards the railway line and Cox's Drive, bisected by the new Linear Park that separates the northern and southern development platforms. This area seeks to identify with the Station Road character area (as defined by Figure 9 of the Village Design Guide) with housing styles and appearance from the Victorian to recent times. With a strong linearity of the area, architectural reference is made to the residential developments in Fulbourn post-industrial area comprising Station Road, Cambridge Road and Cow Lane. There are a variety of building types and when similar building types are used, different fenestration and roofing materials ensure a visual difference.
156. The proposed development provides a predominately two storey pitched roof approach throughout the site with single storey ancillary garages to several plots, with two central apartment buildings providing a two and a half storey form and being the tallest units on the site and two storey apartment blocks located on the northern edge of the western development platform.

157. As noted above, the development incorporates nine different house types which have subtle variations in layout, fenestration, architectural detailing and external finish, with minor variations on the external appearance of individual house types (i.e., types F and F1) and have been sited within the layout to avoid a distinct run of identical units. This approach, together with the use of some apartment buildings, provides a variety of house types, material palettes and architectural language across the site to avoid repetitive houses providing a positive response to the Village Design Guide (guidance notes 10.7 and 10.13).
158. The Council's Urban Design Officer has raised concern that the four two storey apartment buildings along the northern edge of the western development platform (Blocks C, C1, D and D1) contain identical colours and materials and therefore repetitive looking, recommending a variation to the colours and materials provided for these units. Officers concur with this view and consider these four units to be lacking in variation as a positive response to the recommendations of the Village Design Guide. Officers therefore consider it reasonable and necessary to impose a condition requiring the submission of materials prior to development above slab level, notwithstanding the approved plans. This would ensure that the appearance of the development is satisfactory and compatible with its surroundings but also provide opportunity for improvements to be made to the external appearance of the four apartment buildings in terms of a more varied appearance.
159. Officers note that the affordable properties within the site are to benefit from the same quality of materials and architectural characteristics of the market housing, further integrating these units within the site.
160. The overall appearance and detailing of the proposed units are considered acceptable and to include a variety of interest within the development, which draws on the context the sites rural location while creating its own identity. Officers consider that the materials palette and architectural detailing includes variety and interest within a coherent, place-responsive design, which is legible and creates a positive sense of place and identity whilst also responding to the local context and respecting local distinctiveness, although a condition is recommended to ensure appropriate finish.
161. Overall, the proposed appearance of the development is considered accord with Policy HQ/1 of the Local Plan, and to be responsive to the guidance of the Fulbourn Village Design Guide SPD.

### **Landscape**

162. In terms of landscaping, several relevant conditions were imposed as part of outline consent S/0202/17/OL. These include condition 4, which secured the Parameters Plan that included details of landscape areas, and condition 6, which secured an illustrative masterplan showing how areas of landscaping could be incorporated into the development. Three further conditions, all of which are pre-commencement conditions, require the submission of specific details relating to landscaping (and biodiversity).

163. Condition 7 of the outline consent requires full details of tree protection measures for all trees and hedges to be retained to be submitted and approved. Condition 12 requires the submission of a Landscape and Biodiversity Management Scheme to include full details of the landscape and ecological management objectives for the site to enhance the ecological interests of the site. Condition 14 requires a Scheme of Grassland Mitigation and Translocation to include botanical surveys, method statement for grassland removal and details for long-term management, to mitigate ecological interests.
164. Details to discharge these three conditions have been formally submitted to the Council and form part of discharge of conditions application S/3209/19/DC. Officers note that the Council's Ecology Officer and Trees Officer are supportive of the details submitted to support that application and have both recommended that the conditions are discharged.
165. Section 5 of the Fulbourn Village Design Guide, which focuses on a close relationship with the countryside, highlights the important relationship of the village to the countryside as being a defining feature of Fulbourn. The Village Design Guide emphasises the landscape setting of the village being set among trees, views and direct access to the countryside from within the village itself and the presence of tall trees, hedgerows and rural planting with the built up areas of the village. Several fields have an important relationship to the village as they provide strong settling linking countryside and village and establish a visual relationship within the built up area (Figures 14 to 16).
166. The Village Design Guide provides eight points of design guidance, including the importance for a clearly identifiable separation of the built up area of Fulbourn from the countryside and specific fields identified in Figure 17 that contribute to the characteristic short distance views from inside the village to open landscape; open views should be sustained and enhanced.
167. The Village Design Guide sets out in Figure 46, with specific guidance for the Teversham Road site, the importance of the continuous green link from Poor Well along the chalk stream and wildlife corrido and soft green edges to the site.
168. The reserved matters application is supported by a landscape masterplan, a hard landscaping strategy, a planting strategy, schedule and key plan, a detailed LEAP Plan, details of the Pump House Garden and a Landscape Management and Maintenance Plan, several of which have been amended in response to concerns raised.
169. The Illustrative Landscape Masterplan highlights key landscape details within the site. The site houses a delicate wildlife area of chalk streams, which provides a natural green corridor from the countryside to the village and an existing pond in the south-west portion of the site within the pumphouse garden, which is an area that has largely been neglected. There are several existing trees to be retained along the southern, eastern and northern boundaries of the site, with the site boundaries and internal layout enhanced through further planting. The key view northwards through the site to the open countryside

beyond is retained (in part) and enhanced, as required by the Village Design Guide.

170. The network of existing and proposed green open spaces comprise areas accessible to the public and other landscaped areas. The accessible areas include the Meadow Park (western and eastern fields), the Linear Park and the Pumphouse Garden with formal and informal play opportunities are incorporated into the site. Other landscape areas are comprised largely of existing vegetation, woodland and existing areas retained for their ecological value, along with proposed boundary planting.
171. A Planting Key Plan provides a high-level summary of the soft landscape approach to the site. The Planting Strategy Plans then set out a more detailed approach to the proposed soft landscaping within the site. The Plans show large areas of existing retained landscape, retained landscape with additional grass seed, proposed meadow, proposed wildflower mix, bio retention basins, two types of native buffer planting, a linear park and proposed aquatic/marginal planting. These Plans are then informed further by detailed planting sheets which identify specific species to be used within the site.
172. The soft landscape plans show the retention and enhancement of a continuous green link from Poor Well along the chalk stream and wildlife corridor that bisect the site, as illustrated on Figure 46 of the Village Design Guide. Soft green edges are also applied to the northern boundary of the site adjacent to the open countryside and Green Belt beyond which are also illustrated within the Village Design Guide and referenced in guidance note 10.1, with further soft edges incorporated along the eastern and southern boundaries of the site. The northern landscape buffer also provides a positive response to the requirements of Policy NH/8 of the Local Plan.
173. The soft landscape plans also indicate that landscaping has been incorporated within the streets of the site to break up parking and provide some tree lined street scenes, particularly towards the northern edge of the western development platform. The Meadow Park at the heart of the site and the linear park that sits between the northern and southern development platforms provide important large areas of open landscaping within the site, enhancing the rural characteristics of the development. This is a positive response to Fulbourn being cited as a village set among trees. Landscape works are proposed to the neglected pumphouse garden which would provide a significant and positive contribution to the site and surrounding area.
174. Overall, the soft landscape approach to the site is considered to make a positive contribution to the quality of development and to follow the key guidance of the Fulbourn Village Design Guide.
175. In terms of hard landscaping, the development is considered to compliment the local context of the area and emphasis the hierarchy of public and private spaces across the site. Street surfaces assist in defining the road hierarchy within the layout of the site while multiple pathways and footbridges are incorporated to aid ease of movement and increase the permeability of the

development for pedestrians and cyclists, an important criterion of the Village Design Guide (guidance notes 5.8, 10.4, 10.8, 10.18 and 10.19). No access to the site is proposed through Poor Well Water, are recommended in the Village Design Guide. Several elements of the hard landscaping are to be of permeable construction to assist with drainage measures, highlighted in guidance notes 10.9 and 10.20 of the Village Design Guide.

176. The application has been subject to formal consultation with the Council's Landscape Officer and Trees Officer who are generally supportive of the proposal, subject to conditions relating to cycle store buildings, vehicular bridges and tree pit planting. Officers consider these conditions to be reasonable to ensure appropriate detailing in the developer of the development.
177. Officers consider that the proposed landscaping would comply with the provisions of the Parameters Plan secured at outline stage and principles of the illustrative masterplan.
178. Overall, the proposed landscape approach is considered to make a positive contribution to the quality of development and integration with its surroundings and to accord with Policies HQ/1, NH/4 and NH/8 of the Local Plan, and to be responsive to the guidance of the Fulbourn Village Design Guide SPD.

### **Local Green Space**

179. The site encompasses the Pumphouse garden, which is identified as a Local Green Space under Policy NH/12 of the Local Plan.
180. Policy NH/12 of the Local Plan states that Local Green Space identified on the Policies Map will be protected from development that would adversely impact on the character and particular local significance placed on such green areas which make them valued by their local community. Inappropriate development, as defined in the National Planning Policy Framework, would not be approved except in very special circumstances and in discussion with the local community.
181. The proposed layout of the development does not encroach into the Local Green Space as set out in the Local Plan, only positive landscape enhancements are proposed in this area, which would represent a compatible form of works within a Local Green Space.

182. The proposal would accord with Policy NH/12 of the Local Plan.

### **Protected Village Amenity Area**

183. Poor Well Water, which abuts the southern boundary of the application site and falls within Fulbourn Conservation Area, is identified as a Protected Village Amenity Area (PVAA) under Policy NH/11 of the Local Plan.
184. Policy NH/11 of the Local Plan 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.

185. The principle of residential development on the site, adjacent to the PVAA, was established at outline stage, with the proximity of the development platforms to the PVAA secured at outline.
186. In terms of the reserved matters layout, the southern elevation of Apartment Block A would be approximately 20.5 metres from the northern edge of the PVAA while Plot 56 would be approximately 13.5 metres from this boundary. The southern development platform is separated from the edge of the PVAA by an area of soft landscaping and no direct access to the site takes place through the PVAA.
187. Given the arrangements of the site, including means of access, retention of long-distance views northwards from the village over the PVAA and the proximity of the southern development platform to the PVAA, the proposed development is not considered to result in significant adverse harm to the character, amenity, tranquillity or function of the village.
188. The proposal would accord with Policy NH/11 of the Local Plan.

## **Biodiversity**

### Background

189. The ecological constraints of the site were considered as part of outline consent S/0202/17/OL, with paragraphs 99 to 104 of the outline report provided below:

The NPPF advises the planning system should contribute to and enhance the natural and local environment by, amongst other criteria, minimising the impacts on biodiversity and contributing to the Government's commitment to halt the overall decline in biodiversity. Paragraph 113 advises 'distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and contribution they make to the ecological network'. Paragraph 118 advises development resulting in significant harm should be refused.

The council's ecologist advises the site is not of county wildlife site quality but is of 'local district/parish level' importance primarily due to the range of species found on the grasslands. These species include Early Marsh Orchid, Common Spotted Orchid, Adders Tongue and Yellow Rattle. Additionally, the mature hedgerows provide habitats for a wide range of bird species and other fauna including some species of conservation importance.

The indicative layout plan shows the retention of the mature hedgerow and buffer areas around as well as a central green corridor, but previously did

not address the protection of the grassland habitat, this has now been addressed in this later application.

The application is in outline form and consent is not sought for the layout. The proposal is accompanied by a drainage plan which demonstrates how the site is to be drained of surface water, with this plan indicating engineering operations within the area of high value grassland. No evidence has been supplied demonstrating how these engineering works, necessary to drain the site of surface water, can be achieved without impacting on the grassland. Officers are of the view the loss of this grassland, without appropriate compensation/mitigation, would result in substantial harm to ecological interests however, the Inspectorate resolved that this issue could be addressed by the imposition of conditions, which form part of this application and therefore can mitigate any loss.

In respect of the impact higher tier ecological sites, Natural England advice the sites proximity to Fulbourn Fen and Great Wilbraham Common SSSI will not damage or destroy the interest features for which these sites have been notified, and this does not represent a constraint in determining this application.

The development has been screened under the Environmental Impact Assessment Regulations and found not to constitute EIA development.

190. Two ecological conditions were imposed as part of the outline consent. Condition 12 of the outline consent requires, prior to commencement of the development, the submission of a Landscape and Biodiversity Management Scheme to include full details of the landscape and ecological management objectives for the site to enhance the ecological interests of the site. Condition 14 of the outline consent requires, prior to the commencement of development, a Scheme of Grassland Mitigation and Translocation to include botanical surveys, method statement for grassland removal and details for long-term management, to mitigate ecological interests.
191. Details to discharge both conditions have been formally submitted to the Council and form part of discharge of conditions application S/3209/19/DC. Officers note that the Council's Ecology Officer is supportive of the details submitted to support that application and has recommended that both conditions are discharged.

#### Reserved Matters

192. Section 10 of the Fulbourn Village Design Guide highlights the importance of biodiversity within its landscape design sub-section.
193. Guidance note 10.20 states that enhancement of biodiversity and opportunity for wildlife should be included within the development area. Attracting birds through hedgerow planting and bird boxes is particularly important as Fulbourn is well known for its swifts.



194. With specific reference to the Teversham Road development site, the Fulbourn Village Design Guide sets out in Figure 46 the importance for environmental management and biodiversity enhancement of the chalk stream corridor (which runs north-west south-east through the centre of the site) and a continuous green link from Poor Well along the chalk stream and wildlife corridor.
195. The reserved matters application is supported by an updated Landscape and Biodiversity Management Plan (Rev A, LSC, March 2020) and an update letter from LSC dated 09 April 2021 following amendments to the site layout.
196. The Landscape and Biodiversity Management Plan (LBMP) sets out a description of the site, impacts and proposed mitigation/enhancement measures, management of the constructional phase and operational phase of development and management schedules. The LBMP also includes details relating to a Scheme for Grassland Mitigation and Translocation, which relates to condition 14 of the outline consent, a Chalk Stream Habitat Restoration Plan, a Reptile Mitigation Strategy and Biodiversity Offsetting Calculations, all of which relate to condition 12 of the outline consent.
197. The update letter from LSC sets out that the amended layout would have no material impact to ecological and Arboricultural constraints, noting that additional areas of open space arising from the amended layout will ease pressure on these constraints.
198. The application has been subject to formal consultation with the Council's Ecology Officer who raises no objection to the reserved matters submission, as amended.
199. Officers note that the updated LBMP submitted to support the reserved matters application is the same as the LBMP that has been submitted to discharge of conditions application S/3209/19/DC, which also has the support of the Council's Ecology Officer.
200. The Council's Ecology Officer notes that the amended grassland translocation strategy presents a clearer view as to how much grassland is to be translocated, the use of seed collection and where grassland is to be retained and removed. The reptile translation strategy has been updated and includes areas of grassland that are to be retained to the south, with brash piles and other enhancements included within this grassland area and should provide the necessary carrying capacity needed to hold the translocated population.
201. The chalk stream habitat restoration plan appears to enhance the habitat and return it to a more natural state, which will increase its biodiversity and help to encourage aquatic species in the area and confirms that no works will go ahead without further surveys for water voles and otters and relevant sign off from the project Ecologist.
202. The Council's Ecology Officer also sets out that the development will incur an overall loss to measurable biodiversity; however, the development will provide double the provision of bat, bird and hedgehog boxes required by the Council's

Biodiversity SPD, re-naturalise the chalk stream at the centre of the site, enhance the gardens to the south and provide reptile habitat enhancements to the north. The Council's Ecology Officer notes that without either a reduction in housing density approved at outline stage or increased building heights, no mechanisms are available for further gains in measurable biodiversity.

203. The proposed layout of the site has been designed to retain higher quality areas of grassland and provide a permanent home for key botanical species within the landscaping. The proposal also seeks to preserve the natural habitat an eco-system along the chalk stream with planting enhancements.
204. Officers acknowledge that the site would not result in a measurable net gain in biodiversity, as confirmed in the comments of the Council's Ecology Officer and a point of concern raised in a significant number of local objections. However, the proposal must be framed within the context of the outline consent and the relevant conditions of that permission.
205. The proposal may not achieve an overall measurable net gain, but it does provide several notable biodiversity elements including the chalk stream habitat restoration, grassland enhancement areas within the area to the south of the site, works within the Poor Well Water section of the site and provide reptile habitat enhancements to the north. Therefore, there are several elements of the scheme that will see biodiversity conserved or enhance within the site, in line with guidance note 10.20 of the Village Design Guide which seeks enhancement of biodiversity and opportunity for wildlife. Precise details of these related works were / are secured through conditions 12 and 14 of the outline consent.
206. Officers note that the outline consent does not contain a condition that would specifically require the submission of a scheme for biodiversity enhancement, as would likely be the case now given how policy and guidance has moved forward in this respect since the 2017 outline consent.
207. The proposal would therefore provide some conflict with Policy NH/4 of the Local Plan, paragraphs 174 and 180 of the NPPF and the guidance of the Fulbourn Village Design Guide but is, on balance, considered acceptable within the context of the requirements of the outline consent and therefore does not provide sufficient grounds to sustain a refusal of the reserved matters application on this basis.

## **Flood Risk and Drainage**

### **Background**

208. The site is located in flood zone 1 (low risk) with large areas of the site identified as being at risk from surface water flooding.
209. Drainage is largely a matter dealt with at outline stage when establishing the principle of development, with reserved matters applications requiring supporting details to demonstrate that drainage arrangements could be

provided appropriately within the proposed layout of the site. Outline consents typically impose a condition requiring a detailed surface water drainage scheme for the site, along with details of its maintenance. A discharge of conditions application then provides the full technical details, calculations, maintenance details etc., as required by the condition, to discharge the relevant requirements and approve an appropriate drainage scheme for a development in full.

210. In this instance, condition 8 of the outline consent requires the submission of a surface water drainage scheme, with the wording of the condition provided in full below for ease of reference:

Prior to the commencement of the development a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) CCE/B411/FRA-03 September 2014 by Cannon Consulting Engineers has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the long term ownership/adoption of the surface water drainage system and maintenance of the same. The scheme shall be constructed, completed and properly retained /maintained thereafter in accordance with the approved plans and implementation programme agreed in writing with the Local Planning Authority.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007)

211. In terms of foul water drainage, condition 9 of the outline consent secures the foul drainage scheme, with the wording of the condition provided in full below for ease of reference:

Prior to the commencement of the development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development, or in accordance with the implementation programme agreed in writing with the Local Planning Authority and properly retained /maintained thereafter.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/9 of the adopted Local Development Framework 2007.)

#### Reserved Matters

212. The reserved matters application is supported by an array of plans, documents and calculations relating to the surface water drainage strategy for the site, which have been amended several times and subject to the submission of additional supporting information following significant objections to the details provided.
213. As amended, the application is supported by Surface Water Management documents (Cannon Consulting Engineers, 27 February 2020, 03 December

2019, 12 September 2019), Review of Surface Water Management (HR Wallingford, August 2020), Reserved Matters Application Layout (Cannon Consulting Engineers 13 April 2021, 12 August 2020), Flood Management Strategy (Cannon Consulting Engineers, 14 April 2021) and Cow Lane Flood Basin (Cannon Consulting Engineers, Dated: 14 April 2021). These documents and plans have been produced to demonstrate that the proposed development is deliverable from a drainage perspective.

214. Officers acknowledge the high level of local objection received to the reserved matters application on the grounds of flood risk. The reserved matters application has been subject to several rounds of consultation and robust scrutiny from relevant technical consultees, who have had the opportunity to consider points raised in local representations.
215. The application has been subject to formal consultation with the Lead Local Flood Authority (LLFA) who raise no objection to the reserved matters application, as amended. A full copy of the most recent comments from the LLFA dated 09 September 2021 are appended to this report for reference (appendix 2).
216. Notwithstanding the 'high-level' statement of "no objection to the reserved matters application", officers recognise the more intrinsic detail of the LLFA's response to the reserved matters application.
217. The LLFA set out that based on the documents provided (as referenced in their comments and noted above), the information demonstrates that surface water from the proposed development can be managed through the use of tanked permeable paving throughout the private and shared access areas and parking. Highway access from Teversham Road will be managed through a filter drain. Surface water will be shared across basins around the development, and crated attenuation below permeable paving before discharge from the site at a rate of 0.3 l/s/ha, equivalent to the 1 in 1-year greenfield runoff rate.
218. A flood mitigation basin is proposed along the southern boundary of the site, to capture and retain flood flows which may come down the southern boundary, with a filter drain allowing the water to seep out from the basin and empty into the watercourse. The basin is sized to accommodate the displaced surface water from the development platforms without impacting the land or properties to the south. An illustrative LiDAR survey has been submitted to demonstrate the fall of land from the south to the north adjacent to the basin, indicating that any surface water which may be present on the surface will flow to the north and west.
219. The proposals have left a lower greenspace in the centre of the proposed development platforms to provide passage of surface water flows in times of flooding. There are several culverts to allow this water to pass through the proposed infrastructure and into the watercourse passing through the centre of the site.

220. However, the LLFA have included several important informatives as part of their response, informatives that officers consider critical to include as part of any reserved matters permission for the information of the applicant pursuant to any submission to discharge condition 8 of the outline consent.
221. The first informative relates to groundwater monitoring. The LLFA's comments acknowledge that the groundwater report included as part of the outline application was carried out in 2014, which recorded ground water levels at approximately 0.8 metres below ground level. 'Anecdotal' information has been submitted during the reserved matters application that indicates groundwater may be shallower than the 2014 data, at approximately 0.4 metres below ground level, which would impinge on the base of attenuation features across the site.
222. The LLFA has therefore made it clear that it must be investigated and demonstrated as part of the discharge of condition application whether there is a clearance to groundwater from the base of the attenuation features, to avoid groundwater ingress. If groundwater is discovered to be shallower than previously recorded, measures would be required to ensure that this does not impact the proposed surface water drainage strategy, or significantly displace groundwater.
223. The second informative, which relates to surface water modelling, notes that mitigation measures are being implemented as part of the proposed scheme to reduce the risk of flooding from overland surface water flows. While this is acceptable in principle, the LLFA would be looking for updated modelling as part of the discharge of condition application to demonstrate that these features will work in the landscape, without increasing flood risk to any adjacent land or property.
224. An informative relation to pollution control is also offered, detailing that 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.
225. Informatives are also provided in respect of constructions or alterations within an ordinary watercourse requiring consent from the LLFA and appropriate signage being used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events.
226. Officers, in consultation with the LLFA, therefore acknowledge that there are questions remaining relating to the groundwater levels provided by the applicant and the modelling that has been performed. Officers note that groundwater level is a common and significant point of local objection to the application.

227. However, the requirement to provide a detailed surface water drainage scheme for the site, with full technical details, is reserved by condition 8 of the outline consent, along with maintenance of the scheme, another significant local concern.
228. The wording of condition 8 of the outline consent is rather general, requiring a detailed surface water drainage scheme for the site, based on the Flood Risk Assessment agreed at outline stage. Imposing the informatives suggested by the LLFA as part of any reserved matters permission would assist in informing the information that is required as part of any discharge of conditions application. Clearly the information submitted would need to be sufficient, robust, reliable and evidenced to ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in order for the condition to be formally discharged.
229. It is critical to note that condition 8 of the outline consent is a pre-commencement condition. Therefore, no development can take place on the site before a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority (in consultation with relevant technical consultees). Any failure to adhere to that requirement would likely be subject to formal enforcement action from the Council. The granting of the reserved matters does not therefore conclude the issue of surface water drainage and flood risk.
230. It is therefore accepted that if, following further groundwater investigation, modelling and other relevant information, the details submitted to condition 8 fail to provide a satisfactory method of surface water drainage for the site and fail to prevent the increased risk of flooding, development of the site cannot proceed as it would conflict with the requirements of the condition and with local and national planning policy.
231. For the purposes of the reserved matters stage, based on the information submitted and the advice of the LLFA, sufficient information has been provided to demonstrate that the layout of the site could accommodate a suitable drainage solution. Officers therefore do not consider there to be sufficient grounds to refuse the application based on drainage or flood risk given the nature of the application, being a reserved matters application, and the pre-commencement requirements of condition 8 of the outline consent.
232. It is also important to note that the recommended approved plans condition for the reserved matters application does not include any of the specific drainage plans, documents or calculations. Such details are not necessary as part of the reserved matters approval but importantly they are excluded because full technical details are required through the discharge of condition 8 of the outline consent. It is not within the remit of the reserved matters application to approve technical details that are reserved by condition on the outline consent.
233. Overall, given the comments of the LLFA, officers are satisfied that the proposed development could provide an appropriate drainage and flood risk solution, a scheme that would need to be formally agreed prior to commencing

through the discharge of condition 8 of the outline consent to ensure the development would accord with Policies CC/7, CC/8 and CC/9 of the Local Plan.

234. In terms of foul water drainage, no objection has been raised by Anglian Water to the reserved matters application and details submitted. The application is therefore considered acceptable in terms of foul water drainage at this stage of the process, with a full and detailed scheme to be submitted through a discharge of conditions application to discharge condition 9 of the outline, details that would ensure compliance with relevant planning policies.

### **Highway Safety, Management of Roads and Parking**

235. The matter of access to the site was dealt with at outline stage with appropriate details secured through condition 4 of the outline consent, the approved plans condition, which included a Parameters Plan (M06 rev E), a Cox's Drove Emergency Vehicle Access plan (B411/008 Rev 1) and an Indicative Full Right Turn plan (B411/SK/09 Rev 2).
236. The layout of the reserved matters application is consistent with the points of vehicular and pedestrian/cycle access secured at outline stage.
237. The application has been subject to formal consultation with the Local Highways Authority, who raise no objection to the proposal.
238. The Local Highway Authority has stated that they would not seek to adopt the proposed development in its current format, commenting that suitable inter vehicle visibility for all accesses serving more than one dwelling should be shown and the structures shown in the vicinity of the Central Meadow Space would require a commuted sum if the site is brought forward by the developer for adoption. The Local Highways Authority further comment that the proposed SuDS would need to be managed by either the Parish Council or another body with a successor and that the Highway Authority will not accept the use of a Management Company to maintain apparatus that directly relates to the drainage of surface water.
239. The fact that the Local Highways Authority would not seek to adopt the proposed development does not mean the scheme is not acceptable in highway safety terms (a technical objection would have been raised if that were the case), such an arrangement is not unusual for schemes of this nature.
240. In consultation with the Local Highways Authority, officers consider it reasonable and necessary to impose a condition requiring details of the proposed arrangements for future management and maintenance of the proposed streets and visibility splays within the development in the interests of highway safety.
241. Subject to the recommended conditions, officers are satisfied that the development is acceptable in highway safety terms and would accord with Policies HQ/1 and TI/2 of the Local Plan and paragraphs 110 and 112 of the

NPPF.

242. In terms of car and cycle parking provision, each property would benefit from acceptable levels of off-road parking spaces as required by Policy TI/3 of the Local Plan, which sets an indicative car parking provision for residential dwellings of two spaces per dwelling (1 space to be allocated within the curtilage). Cycle storage, where Policy TI/3 requires one space per bedroom, would be provided in a mix of forms throughout the site comprising lockable garden sheds, private garages and cycle stores for the apartment buildings.
243. Officers note that condition 23 of the outline consent requires, prior to the occupation of the dwellings, a scheme for appropriate car parking and covered and secure cycle parking, to be implemented and thereafter maintained. Those details would need to be provided through a formal discharge of conditions application.
244. Notwithstanding condition 23 of the outline consent, officers are satisfied that the proposed development provides an acceptable level of car and cycle parking in accordance with Policy TI/3 of the Local Plan.

## **Residential Amenity**

### Neighbouring Properties

245. There are existing residential properties to the west, south and east of the site. The properties with the greatest potential for impact from the proposed development are nos.6 to 12 Teversham Road (evens) to the west, nos.1 and 2 The Pines, nos.48 to 60 Cow Lane (evens) and no.3 Cox's Drive to the south, Bansbury Farm and Willow Lodge to the east.
246. Paragraph 6.68 of the Council's District Design Guide details that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15 metres is provided between the windows and the property boundary; for two storey residential properties, a minimum distance of 25 metres should be provided between rear or side building faces containing habitable rooms, which should be increased to 30 metres, for 3 storey residential properties.
247. In considering the potential impact on neighbouring properties officers acknowledge that the proposed development will be sited on development platforms where ground levels will be raised slightly above existing levels.
248. No.6 Teversham Road is located to the south of Plots 1 to 3, which form a detached and pair of semi-detached two storey residential properties. The southern side elevation of Plot 1 is approximately 25 metres from the northern residential boundary of no.6 Teversham Road with the southern front elevations of Plots 2 and 3 approximately 18 metres from this boundary. Given the degree of separation, the proposed development is not considered to result in significant harm to the amenities of no.6 Teversham Road.



249. No.8 Teversham Road is located to the north of Plots 1 to 3 and to the west of Plot 5. The northern side elevation of Plot 1 is approximately 6.5 metres from the southern residential boundary of no.8 but adjacent to the front garden and driveway area rather than a private amenity area. The northern rear elevation of Plots 2 and 3 are approximately 17 metres from this boundary. Given the degree of separation and relationship between the properties, Plots 1 to 3 are not considered to result in significant harm to the amenities of no.6 Teversham Road.
250. To the rear (east) of no.8 Teversham Road is Plot 5, a semi-detached two storey residential dwelling. The side elevation of Plot 5 is approximately 6 metres from the rear eastern boundary of no.8 and approximately 15 metres from the dwelling itself. Given the orientation of the site and degree of separation Plot 5 is not considered to result in a significant loss of light or overbearing impact to no.8 Teversham Road. In terms of potential loss of privacy, Plot 5 would have one first floor windows in the western side elevation serving a bathroom. To ensure there is no significant loss of privacy to no.8 officers consider it reasonable and necessary to impose a condition requiring the window to be fixed shut and obscure glazed.
251. Subject to the recommended condition the proposed development is not considered to result in significant harm to the amenities of no.8 Teversham Road.
252. No.12 Teversham Road is next property along from no.8 north along the highway. The area of development that abuts the rear boundary of no.12 comprises an area of landscaping and parking. Given the siting of the proposed dwellings in relation to no.12, the proposed development is not considered to result in significant harm to the amenities of no.6 Teversham Road.
253. Nos.1 and 2 The Pines are separated from Apartment Block B, a two and a half storey building, by approximately 43 metres. Given the degree of separation the proposed development is not considered to result in significant harm the amenities of nos.1 and 2 The Pines.
254. No.60 Cow Lane is located to the south of Plots 57, 66 and 67, all of which are two storey detached properties, with Plot 66 being directly adjacent the rear elevation of no.60.
255. Plot 57, which is located to the north-west of no.60 Cow Lane, would be sited approximately 14.5 metres from the northern boundary of no.60, with the properties themselves separated by approximately 39 metres at an oblique angle. On its southern side elevation, Plot 57 would have a projecting bay window at ground floor level and two small first floor windows serving a bathroom and an en-suite.
256. Given the degree of separation and relationship between the properties, Plot 57 is not considered to result in significant harm to the amenities of no.60 Cow Lane. However, officers consider it reasonable to impose a condition requiring the first-floor windows in the southern elevation to be fixed shut and obscure

glazed, to protect the amenities of no.60 from any potential significant loss of privacy.

257. Plot 66, directly north of no.60 Cow Lane, would be sited approximately 14.5 metres from the northern boundary of no.60 and approximately 28 metres from the property itself. On its southern side elevation, Plot 66 would have a projecting bay window at ground floor level and two small first floor windows serving a bathroom and an en-suite.
258. Given the orientation of the site and degree of separation Plot 66 is not considered to result in a significant loss of light or overbearing impact to no.60 Cow Lane. In terms of potential loss of privacy, there are two first floor windows facing directly towards the rear elevation and private amenity space of no.60. Notwithstanding the degree of separation, to ensure there is no significant loss of privacy to no.60 officers consider it reasonable and necessary to impose a condition requiring the first-floor windows in the southern elevation of Plot 66 to be fixed shut and obscure glazed.
259. Plot 67 is located to the north-east of no.60 Cow Lane, would be sited approximately 14.5 metres from the northern boundary of no.60, with the properties themselves separated by approximately 28 metres at a slightly oblique angle. On its southern side elevation, Plot 67 would have a large ground floor window and a single first floor window serving an en-suite.
260. Given the orientation of the site and degree of separation Plot 67 is not considered to result in a significant loss of light or overbearing impact to no.60 Cow Lane. In terms of potential loss of privacy, there is a single first floor window facing towards the rear elevation and private amenity space of no.60, albeit at a slightly oblique angle. Notwithstanding the degree of separation, to ensure there is no significant loss of privacy to no.60 officers consider it reasonable and necessary to impose a condition requiring the first floor windows in the southern elevation of Plot 67 to be fixed shut and obscure glazed.
261. In terms of nos.48 to 58 Cow Lane (evens), Plots 67, 76 and 77, all of which are two storey detached properties, would be located to the north of these properties. The southern side elevations of these Plots, which would feature a large ground floor window or bay window at ground floor level and a single first floor en-suite window on Plots 67 and 76 (noting that Plot 77 has no first floor window on the southern elevation), would be sited approximately 15 to 16 metres from the northern residential boundary nos.48 to 58 Cow Lane. These existing properties all have private rear gardens ranging from approximately 14.5 metres to 18.5 metres in length, further enhancing the degree of separation between existing and proposed residential properties.
262. Given the orientation of the site and degree of separation, Plots 67, 76 and 77 are not considered to result in a significant loss of light or overbearing impact to no.60 Cow Lane. Notwithstanding the degree of separation, to ensure there is no significant loss of privacy to nos.48 to 58 Cow Lane, officers consider it

reasonable and necessary to impose a condition requiring the first-floor window in the southern elevation of Plot 67 and 76 to be fixed shut and obscure glazed.

263. No.3 Cox's Drove is located to the south of Plot 85, a semi-detached two storey property. The southern side elevation of Plot 85 is approximately 14.5 metres from the northern residential boundary of no.3 and approximately 17 metres from the property itself. On its southern side elevation, Plot 85 would have a kitchen ground floor level and a small first floor window serving an en-suite.
264. Given the orientation of the site and degree of separation Plot 85 is not considered to result in a significant loss of light or overbearing impact to no. 3 Cox's Drove. In terms of potential loss of privacy, officers consider it reasonable and necessary to impose a condition requiring the first-floor windows in the southern elevation of Plot 85 to be fixed shut and obscure glazed.
265. In terms of Bansbury Farm and Willow Lodge to the east of the site, the separation distance between existing and proposed development is at least 30 metres. Therefore, the proposed development is not considered to result in significant harm to the amenities of the residential development to the east of the site.
266. Subject to the recommended conditions, the proposed development is not considered to result in significant harm to the amenities of existing residential development adjacent to the site.

#### Future Occupiers

267. Consideration is also given to the amenities of the future occupiers of the site.
268. The internal layout of the site is such that it is not considered to significantly compromise the quality of amenity afforded to each property. The separation distances between properties generally follow the principles of the Council's District Design Guide, with some back to back distances a metre or two short of the recommendations but considered acceptable. Each dwelling would benefit from its own private amenity space while the apartments would have use of a communal area, with upper floor apartments also provided with private balconies. Officers also acknowledge the high level of open space provided within the site that is easily accessible to potential future occupiers.
269. The relationship with existing residential development adjacent to the site is such that the proposed plots nearest to existing properties are not considered to suffer from a significant loss of light, loss of privacy or overbearing impact.

#### Noise

270. As noted above, conditions 19 and 20 of the outline consent relate to mitigating noise impacts on future occupiers of the site from adjacent sources of noise, namely the railway line and Breckenwood Industrial Estate, with condition 20 restricting residential development within the exclusion zone unless suitable mitigation measures can be applied.

271. Condition 20 was part discharged through discharge of conditions application S/0202/17/CONDA, which was supported by a Noise Mitigation Strategy (Cass Allen, September 2019) that confirmed residential development could be located within the exclusion zone subject to appropriate mitigation measures, secured by the discharge of conditions part-approval.
272. Condition 20 also requires a post installation acoustic/noise assessment prior to occupation to demonstrate the effectiveness of the works, an element of the condition that remains outstanding and would need to be discharged formally at a later stage.
273. The reserved matters application is supported by a Noise Mitigation Strategy (Cass Allen, September 2019), a report that has also been submitted in support of discharge of conditions application S/3209/19/DC to discharge condition 19 of the outline consent. The report identifies noise mitigation measures to be installed to protect residents and that noise levels in external amenity areas are predicted to achieve the BS8233 recommended levels.
274. The application has been subject to formal consultation with the Council's Environmental Health Officer who raises no objection to the proposal, who recommends an informative relating to piling works. Although more relevant to the outline stage officers consider it acceptable to include an informative relating to piling works as part of any reserved matters consent.
275. Officers are satisfied that, subject to appropriate mitigation measures secured by conditions 19 and 20 of the outline consent, the future occupiers of the development would not be adversely impacted by adjacent noise sources.

#### Conclusion

276. The proposal is considered to accord with Policy HQ/1 of the Local Plan which requires development to protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight.
277. The proposal has been assessed in terms of noise impact upon residential amenity and is considered acceptable and would therefore comply with Policies HQ/1 and SC/10 of the Local Plan.

#### Heritage Assets

278. The northern boundary of Fulbourn Conservation Area runs along a large part of the southern boundary of the site, with a small southern section of the site being located within the Conservation Area (the pumphouse garden). The pumphouse garden originally formed part of the grounds of the historic waterworks (a non-designated heritage asset) and the driveway from the original gate lodge to the main pumping station building passed through this space. The pumping station has been converted to office accommodation and the gate lodge has become a private house.

279. The buildings within the former pumping station, gate house and open space are identified as making a positive contribution to the character and appearance of the Conservation Area, with the pumping station identified as a focal point as detailed in the Fulbourn Conservation Area Appraisal.
280. In the 2016 appeal it was recognised that due to the physical proximity between the site and the Conservation Area, the site 'should be serving as some part of the setting of the Conservation Area' (refer to paragraph 49 of the Inspector's Report).
281. The potential impact of the development on heritage assets was also considered as part of outline consent S/0202/17/OL. Paragraph 25 of the outline report provides a summary of the Council's Historic Environment Team's comment at that stage, which states:
- Two small parts of the site lie within the Fulbourn Conservation Area. No development is proposed for these areas so there will be no harm to the conservation area itself, However the Inspectorate in the appeal did accept that the site made some contribution to the Setting of the Conservation Area. It was deemed that the development resulted in "very minor adverse" impact on the Setting of the Conservation area and therefore a very minor impact on its significant harm. This harm could be further mitigated through the design of the development on site.
282. The Fulbourn Conservation Area Appraisal states that development within the Conservation Area should respect the scale, pattern, materials, and boundaries of the existing settlement.
283. Section 4 of the Fulbourn Village Design Guide, which deals with character areas, notes the site and surrounding area as the Poor Well Area. It details that the area is a unique highlight in Fulbourn and partly in the Conservation Area with links to the heritage of water management and fenland agriculture and brings nature directly into the village.
284. The reserved matters application is supported by a Heritage Statement that includes a statement of significance and an assessment of the heritage impact from the proposed development.
285. The Statement concludes that the only part of the site within the Conservation Area boundary is the ornamental gardens and pond that will be enhanced through proposed landscaping and thus deliver an enhancement to the character and appearance of the conservation area. The Statement also details that there would be no adverse impact on the pumping station with the restoration of the garden and pond together with improved public access restoring lost significance and delivering benefits to the Conservation Area and setting of the pumping station.
286. The application has been subject to formal consultation with the Council's Historic Buildings Officer who raises no objection to the proposal, referencing

the comments made by the Inspector at the appeal on the site and conclusions drawn at that stage.

287. The Council's Historic Buildings Officer has commented that the detail for the treatment of the driveway from the original gate lodge to the main pumping station building is not clear and it is important that the integrity of the complete driveway route from the gates to pumping station remains perceptible and distinct from additional routes created as part of this development. The Council's Historic Buildings Officer has requested a condition requiring the details of the treatment of the driveway if those details are not already provided. Given the importance of the treatment officers consider such a condition reasonable and necessary as part of any consent.
288. In terms of the impact of the development on the Conservation Area, the layout of the site has retained a green buffer and landscaping along the southern and eastern boundaries of the site, as defined in the parameters plan secured at outline stage, which mitigates views outwards from the Conservation Area to the built form of development beyond. The general pattern, siting, appearance and scale of the proposed development is considered compatible in the context of the adjacent Conservation Area, being predominately two storey in scale. For the larger apartment blocks, the proposed positioning of the apartment blocks with gable ends facing south towards the Conservation Area is considered to reduce the visual mass of the development in outward views northwards from the Conservation Area, although there may be a degree of conflict with the Village Design Guide as set out earlier in this report.
289. Overall, and subject to the recommended condition, the proposed development is considered to preserve the character and appearance and setting of relevant designated and non-designated heritage assets, with some areas of enhancement.
290. The proposal would therefore accord with Policies HQ/1 and NH/14 of the Local Plan, Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF guidance, the Fulbourn Conservation Area Appraisal and Fulbourn Village Design Guide.

## **Other Matters**

### Contamination

291. The outline application was supported by Phases I and II Contamination Reports and subject to formal consultation and assessment. The details submitted were found acceptable, with condition 10 of the outline consent in place to deal with the potential identification of contamination not previously identified being found on the site during development and appropriate measures for resolution.

### Renewables & Climate Change

292. Condition 27 of the outline consent secures the submission of a scheme for the provision of on-site renewable energy to meet 10% of the projected energy requirements of the development. Therefore, such details will be dealt with through a formal discharge of conditions application(s) rather than the reserved matters application.

#### Third Party Comments

293. The comments made in third-party representations are noted, with many points already considered in the report. The remaining matters raised are considered below.

294. Several representations have raised concern over the suitability of the measures in place at the emergency access onto Cox's Drove. Although already noted above, details of access were secured at outline stage at the details of the Cox's Drove Emergency Vehicle Access (B411/008 Rev 1) cited as an approved plan as part of the outline consent. The development is therefore expected to be carried out in accordance with the approved details.

295. In terms of construction traffic accessing the site and contractor parking arrangements, such details are secured under condition 16 of the outline consent which requires the submission of a Construction Environmental Management Plan (CEMP) prior to the commencement of works, which also requires details of construction hours.

296. Concern has been raised on the additional pressures put on village services and the public highway. These are details relevant to the outline stage in considering the sustainability of the site and are not details for consideration at the reserved matters stage.

297. Reference is made to the need for robust enforcement against any breach of condition. The Council would be able to consider any necessary enforcement action should any breaches in condition occur on site.

298. Concern is raised as to the health and safety implications of the railway line to the north of the site. The layout of the site follows the approved Parameters Plan from outline stage and proposes no direct access onto the railway line. Soft landscaping would aid in dividing access from the site to the railway line.

299. Several comments refer to the impact of Covid-19 and the need for outdoor open spaces to be retained. The principle of residential development on this site has already been established through the outline consent and cannot be revisited at this stage.

300. Representations point out that the reserved matters application has not adequately discharged conditions 8, 9, 12 and 14 of the outline consent. Although there is a degree of overlap and relevance of information across the reserved matters and discharge of conditions stage, the reserved matters application is not intended to discharge these conditions. The conditions would

be dealt with formally through the submission of a discharge of conditions applications (i.e., S/3209/19/DC).

## **Planning balance and conclusion**

301. The principle of residential development of up to 110 dwellings with areas of landscaping and public open space and associated infrastructure works was established through outline consent S/0202/17/OL, granted on 26 October 2017.
302. Whilst the concerns of the Parish Council and residents are acknowledged, there are no technical objections to the proposed reserved matters application, with several conditions recommended to ensure appropriate arrangements, detailing and quality of the scheme are delivered.
303. Officers acknowledge that the proposed development would result in a degree conflict with parts of the Fulbourn Village Design Guide SPD, which was adopted in January 2020, although as matters of design these are partly subjective. However, the conflict identified, and the extent of that harm, must be weighed against the benefits and positive design responses of the scheme.
304. The development incorporates two central apartment buildings of a two and a half storey scale, introducing a larger scale of development than is common in the surrounding area. These buildings are located at the centre of the site in views northwards across Poor Well. Consequently, there would be a degree of conflict with the Village Design Guide arising from the heights and siting of these buildings, in particular guidance notes 10.3, 10.10 and 10.12 and Figure 46.
305. However, any conflict must be weighed against the requirements of the outline consent, which was granted in October 2017 prior to the adoption of the Village Design Guide.
306. The introduction of a built form of development into the site has an inevitable impact on the existing undeveloped view that is available. The Village Design Guide does not prohibit three storey buildings, although notes they are not typical of the village. Consideration has been given regarding the orientation and siting of these buildings, as required by the Village Design Guide, to reduce their visual mass and frame views northwards along the existing chalk stream to the countryside beyond.
307. The proposed development offers several positive responses to the requirements of the Village Design Guide, in particular Section 10, including green buffers around the site, strong pedestrian and cycle routes to create a permeable development connecting to the existing village, the use of permeable materials in hard surfaced areas to assist with drainage and a wide variety of house types and materials scattered throughout the layout to avoid repetitive buildings and provide greater interest.



308. Officers acknowledge that the development would not provide a measurable net gain in biodiversity and would therefore provide some conflict with current adopted policy and associated guidance.
309. Again, the proposal must be framed within the context of the outline consent and the relevant conditions of that permission granted in 2017. Although there is no measurable net gain, the proposal does provide several notable biodiversity elements including the chalk stream habitat restoration, grassland enhancement areas within the area to the south of the site, works within the Poor Well Water section of the site and provide reptile habitat enhancements to the north. Therefore, there are several elements of the scheme that will see biodiversity conserved or enhance within the site, in line with adopted policy and guidance note 10.20 of the Village Design Guide
310. Officers acknowledge the significant local concern raised in respect of drainage. However, the requirement to provide a detailed surface water drainage scheme for the site, with full technical details, is reserved by condition 8 of the outline consent, along with maintenance of the scheme.
311. For the purposes of the reserved matters stage, based on the information submitted and the advice of the Lead Local Flood Authority, sufficient information has been provided to demonstrate that that the layout of the site could accommodate a suitable drainage solution and therefore officers do not consider there to be grounds to refuse the application based on drainage or flood risk given the nature of the application and the pre-commencement requirements of condition 8 of the outline consent.
312. Overall, on balance, given the requirements of the outline consent to which the proposal adheres, officers consider the reserved matters including the layout, scale, appearance and landscaping to be acceptable and that the benefits and positive design responses of the scheme outweigh the limited harm identified and the associated conflict with elements of the Fulbourn Village Design Guide SPD. The proposal would provide a high-quality scheme which would make a positive contribution to the local and wider context of the site and the character of the area.
313. The development of the site would also result in the provision of 110 dwellings towards the Council's 5-year housing land supply and the erection of 33 affordable units to help meet an identified local need.
314. For the reasons set out in this report, officers consider the reserved matters to be acceptable, on balance, having regard to applicable national and local planning policies, and having taken all relevant material considerations into account

## **Recommendation**

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

## Conditions

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

### Location & Layout Plans

M02 rev C (Site Location Plan)  
28815-P10-010-P4 (Site Layout)

### Floor Plans & Elevations

28815-P11-90-P3 (Apartment Block A Ground Floor Plan)  
28815-P11-91-P3 (Apartment Block A First Floor Plan)  
28815-P11-92-P3 (Apartment Block A Second Floor Plan)  
28815-P13-90-P3 (Apartment Block A Elevations)  
28815-P11-100-P3 (Apartment Block B Ground Floor Plan)  
28815-P11-101-P3 (Apartment Block B First Floor Plan)  
28815-P11-102-P3 (Apartment Block B Second Floor Plan)  
28815-P13-100-P3 (Apartment Block B Elevations)  
28815-P11-110-P1 (Apartment Block C Ground Floor Plan)  
28815-P11-111-P1 (Apartment Block C First Floor Plan)  
28815-P13-110-P1 (Apartment Block C Elevations)  
28815-P11-112-P1 (Apartment Block C1 Ground Floor Plan)  
28815-P11-113-P1 (Apartment Block C1 First Floor Plan)  
28815-P13-111-P1 (Apartment Block C1 Elevations)  
28815-P11-120-P1 (Apartment Block D Ground Floor Plan)  
28815-P11-121-P1 (Apartment Block D First Floor Plan)  
28815-P13-120-P1 (Apartment Block D Elevations)  
28815-P11-122-P1 (Apartment Block D1 Ground Floor Plan)  
28815-P11-123-P1 (Apartment Block D1 First Floor Plan)  
28815-P13-121-P2 (Apartment Block D1 Elevations)

28815-P11-10-P2 (House Type A Floor Plans)  
28815-P13-10-P2 (House Type A Elevations Village Lane)  
28815-P13-12-P2 (House Type A Elevations Village Lane)  
28815-P13-13-P2 (House Type A Elevations Village Lane)  
28815-P13-14-P2 (House Type A Elevations Village Street)  
28815-P13-15 (House Type A Elevations Village Street)  
28815-P13-16 (House Type A Plot 60 Elevations Village Street)  
28815-P11-20-P2 (House Type B Floor Plans)  
28815-P13-20-P2 (House Type B Elevations Village Street)  
28815-P11-30-P3 (House Type C Floor Plans)  
28815-P11-31 (House Type C-A Floor Plans)  
28815-P13-32-P3 (House Type C2 Elevations Village Lane)  
28815-P13-33-P3 (House Type C2 Elevations Village Street)  
28815-P13-34-P2 (House Type C Elevations Village Lane)  
28815-P13-35 (House Type C M4(2) Elevations Village Street)  
28815-P13-36 (House Type C-A Elevations Village Lane)  
28815-P11-40-P3 (House Type D Floor Plans)

28815-P13-40-P3 (House Type D Elevations)  
28815-P11-50-P3 (House Type E Floor Plans)  
28815-P11-51 (House Type E-C Floor Plans)  
28815-P13-50-P2 (House Type E Elevations Village Lane)  
28815-P13-51-P2 (House Type E1 Elevations Village Street)  
28815-P13-52-P3 (House Type E2 Elevations Village Street)  
28815-P13-53 (House Type E-C Elevations Village Lane)  
28815-P11-60-P2 (House Type F Floor Plans)  
28815-P11-62 (House Type F1 Floor Plans)  
28815-P13-60-P2 (House Type F Elevations)  
28815-P13-61-P2 (House Type F1 Elevations)  
28815-P11-70-P2 (House Type G Floor Plans)  
28815-P13-71-P2 (House Type G Elevations Village Lane)  
28815-P13-73-P2 (House Type G Elevations Village Street)  
28815-P11-81-P1 (House Type H1 Floor Plans)  
28815-P11-82 (House Type H1 Floor Plans Plot 87)  
28815-P13-81-P1 (House Type H1 Elevations Park Meadow)  
28815-P13-82 (House Type H1 Elevations Plot 87)  
28815-P11-140-P1 (House Type J Floor Plans)  
28815-P13-140-P1 (House Type J Elevations Meadow Park)  
28815-P13-141 (House Type J1 Elevations Village Lane)  
28815-P13-142 (House Type J Elevations Village Street)  
28815-P13-143 (House Type J Elevations Village Street)

28815-P11-130-P1 (Single Garages Plans and Elevations)  
A-P11-131-P1 (Double Garage Plans and Elevations)

B411-PL-DR-016-PO5 (Pedestrian Splays 1-3)  
B411-PL-DR-017-PO4 (Pedestrian Splays 2-3)  
B411-PL-DR-018-PO4 (Pedestrian Splays 3-3)

#### Ecology and Landscape Plans & Documents

TRF-CBA-1-GF-M2-L-4010-P3 (Planting Key Plan)  
TRF-CBA-1-GF-M2-L-4011-P5 (Planting Schedule Site Wide)  
TRF-CBA-1-GF-M2-L-4000-P8 (Planting Strategy 1-2)  
TRF-CBA-1-GF-M2-L-4001-P8 (Planting Strategy 2-2)  
TRF-CBA-1-GF-M2-L-4012-P4 (Planting Plan Sheet 1-6)  
TRF-CBA-1-GF-M2-L-4013-P4 (Planting Plan Sheet 2-6)  
TRF-CBA-1-GF-M2-L-4014-P4 (Planting Plan Sheet 3-6)  
TRF-CBA-1-GF-M2-L-4015-P4 (Planting Plan Sheet 4-6)  
TRF-CBA-1-GF-M2-L-4016-P5 (Planting Plan Sheet 5-6)  
TRF-CBA-1-GF-M2-L-4017-P5 (Planting Plan Sheet 6-6)  
TRF-CBA-1-GF-M2-L-2001-P1 (Detail Plan Pump House Garden)  
TRF-CBA-1-GF-M2-L-8500-P3 (Soft Landscape Outline Details)  
TRF-CBA-1-GF-M2-L-1010-P6 (Hard Landscape Strategy 1-2)  
TRF-CBA-1-GF-M2-L-1011-P6 (Hard Landscape Strategy 2-2)  
TRF-CBA-1-GF-M2-L-2000-P4 (Detail Plan LEAP)  
TRF-CBA-1-GF-M2-L-8300-P2 (Play Feature)

Landscape Management and Maintenance Plan (Rev A v2 September 2020)

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

- b) Notwithstanding the approved plans, no development above slab level shall take place until details of external materials of construction for the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- c) Notwithstanding the approved plans, no development above slab level shall take place until details of external appearance of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- d) No development above foundation level shall take place until the details and appearance of the vehicular bridge have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- e) No development above foundation level shall take place until the details of the position and appearance of the electric meter boxes have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

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

- g) Notwithstanding the approved plans, no development above slab level shall take place until details of tree pit planting shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- h) No new hard landscaping shall take place in the former waterworks grounds until a detailed plan for the treatment of the original driveway, its surface, edges, junctions with other paths, and terminations have been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of interpretive material about the waterworks.

Reason: To safeguard the significance and visual impact of the Conservation Area in accordance with Policy NH/14 of the adopted Local Plan 2018.

- i) The two 2.0 x 2.0 metre visibility splays as shown on the drawing numbers B411-PL-DR-016-PO5, B411-PL-DR-017-PO4 and B411-PL-DR-018-PO4 shall be kept clear of all planting, fencing and walls exceeding 600mm high.

Reason: For the safe and effective operation of the highway in accordance with Policy HQ/1 of the adopted Local Plan 2018.

- j) Plots 5, 57, 66, 67, 76 and 85, hereby permitted, shall not be occupied until the proposed first floor windows in the side elevation of Plots 5, 57, 66, 67, 76 and 85 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.

## **Informatives**

- a) **Groundwater Monitoring**  
The groundwater report included as part of the outline planning permission was carried out in 2014. This recorded groundwater levels at approximately 0.8m below ground level. Anecdotal data has been provided which indicates that groundwater may be shallower than this, at approximately 0.4m below ground level, which would impinge on the base of attenuation features across the site. It must be investigated and demonstrated as part of the discharge of condition application whether there is a clearance to groundwater from the base of the attenuation features, to avoid groundwater ingress. If groundwater is discovered to be shallower than previously recorded, measures will be required to ensure that this does not impact the proposed surface water drainage strategy, or significantly displace groundwater.

- b) **Surface Water Modelling**  
It is noted that mitigation measures are being implemented as part of the proposed scheme to reduce the risk of flooding from overland surface water flows. While this is acceptable in principle, the LLFA would be looking for updated modelling as part of the discharge of condition application to demonstrate that these features will work in the landscape, without increasing flood risk to any adjacent land or property.
- c) **OW Consent**  
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.
- d) **Signage**  
Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.
- e) **Pollution Control**  
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.
- f) **Foundation Piling**  
In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.

## **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)
- Fulbourn Conservation Area Appraisal
- Fulbourn Neighbourhood Plan
- Greater Cambridge Housing Strategy 2019 – 2023
- Planning File References: S/0202/17/CONDA, S/3209/19/DC, S/0626/17/E1, S/0202/17/OL and S/2273/14/OL (APP/W0530/W/15/3139730).

## **Appendices**

Appendix 1: Fulbourn Parish Council Comments

Appendix 2: Lead Local Flood Authority Comments (09 September 2021)

## **Report Author**

Michael Sexton – Principal Planner  
Telephone: 07704 018467

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# Comments for Planning Application S/3290/19/RM

## Application Summary

Application Number: S/3290/19/RM

Address: Land East Of Teversham Road Fulbourn Cambs

Proposal: Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works The outline was screened and confirmed not to be EIA development

Case Officer: Michael Sexton

## Customer Details

Name: Fulbourn Parish Council

Address: Fulbourn Hub, Home End, Fulbourn, Cambridge CB21 5BS

## Comment Details

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We reiterate our previous comments.

We note the future Management Plan of the development has still not been satisfactorily resolved.

The flooding issues are still outstanding. We have major concerns about these together with neighbouring properties which could possibly be susceptible to flooding.

We note the affordable rented properties are only in two blocks and should be pepper potted around the development.

Consideration should also be given to the Village Design Statement.

We therefore recommend refusal.

# FULBOURN PARISH COUNCIL

Fulbourn Parish Council



Fulbourn Hub  
Home End,  
Fulbourn,  
Cambridge CB21 5BS  
Telephone: 01223 785683  
email: [clerk.fpc@btconnect.com](mailto:clerk.fpc@btconnect.com)



2nd April 2020

Ms Katie Christodoulides  
Greater Cambridge Joint Planning – Development Control  
South Cambridgeshire District Council  
Cambourne Business Park  
Cambourne  
Cambridge CB23 6EA

By email

Dear Ms Christodoulides

**Planning Application Ref: S/3290/19/RM Further consultation on application for Approval of Reserved Matters - amended plans and documents.** Following outline planning permission S/0202/17/OL

**Planning Application S/3209/19/DC Further Consultation on application for Approval of Details Reserved by Condition - amended plans and documents.** Following outline planning permission S/0202/17/OL

**Proposed development of up to 110 dwellings with areas of landscaping and public open space and infrastructure works. Land East of Teversham Road, Fulbourn, Cambridgeshire.**

1 Fulbourn Parish Council strongly objects to the above Reserved Matters Planning Applications - amended plans and documents. It is still our opinion that the site is unable to support the development of 110 dwellings while satisfying both national and local planning legislation or satisfying the requirements of the NPPF (National Planning Policy Framework), the South Cambs Local Plan (approved September 2018), the Fulbourn Village Design Guide SPD, and the Conditions pertaining to the Outline Planning Approval S/0202/17/OL.

2 **Surface Water Drainage** - the Parish Council reiterates concerns regarding the long term maintenance of Surface Water Drainage and Open Spaces which do not appear to have been properly addressed. The current proposals still do not adequately discharge Conditions 12 and 14 of the Outline Permission. The surface water drainage design and management scheme is untried and untested, it has not been future-proofed in the light of the continuing Climate Emergency, and the precautionary principle has not been applied. In addition, Condition 8 of the Outline Approval has not been adequately discharged as there is no full detail of how the scheme will be monitored, managed and funded in perpetuity.

3 **Vehicular access to Cox's Drove** - there is no assurance that Cox's Drive will only be used only by pedestrians, cyclists and emergency vehicles. The design of the claimed pedestrian, cycle and emergency only access from the development into Cox's Drove will not prevent its use by lorries, some vans, and high wheel-base cars such as SUVs and 4x4s. Cox's Drove is not suitable for this potential increase in traffic. Access to the site must be restricted to Teversham Road and not via Cox's Drove other than for emergency service vehicles.

4 **Public Open Space** - inadequate accessible public open space for recreation is provided due to the need for 'green spaces' to contribute to the retention, mitigation and translocation of the existing flora and fauna biodiversity, and for their use as surface water retention facilities via bio-retention (attenuation) basins and to accommodate potential flooding/high water table.

5 **Biodiversity monitoring and management** - the proposals do not adequately discharge Conditions 12 and 14 of the Outline Permission. Full details are not given to confirm how the proposed scheme of biodiversity monitoring and management will be effective, deliverable, and funded in perpetuity or enhance, restore or add to the present biodiversity of the two fields and the bisecting chalk stream. The development results in a significant negative biodiversity impact resulting in the need for offsite compensation. No details of how this can be achieved are given in the application.

6 **Housing Design and Planning** - there has been only minor modifications to address some of the concerns particularly relating to the car parking provision to the blocks of flats. One item of particular concern is the location of the rented and shared-ownership dwellings which are still almost exclusively located in blocks of flats, either adjacent to the chalk stream or in the area to the north of the west field opposite the adjacent industrial site and this is socially questionable. It ignores the normal rule that should 'pepper-pot' the 'affordable' housing throughout the scheme. In addition, the 'affordable' housing should include conventional houses with gardens, not just flats. The 3-storey blocks of flats are of poor architectural design and inappropriate in a rural and village context.

7 **Fulbourn Village Design Guide** - the proposals do not achieve the aims of the Fulbourn Village Design Guide and do not take into account the design guidance in the Fulbourn Village Guide which aims to ensure that new development is of high quality design and sympathetic to the character of, and vision for, Fulbourn.

For the reasons set out above, and in our letter of 30<sup>th</sup> October 2019, Fulbourn Parish Council recommends refusal. Also because of the complexity of this matter, it is our opinion that the applications should be deferred until the Covid 19 pandemic is over and the application can be determined by full Planning Committee.

Yours sincerely

Mrs P Newman  
Clerk

Enc

S/3290/19/RM – comments received – 30/10/19

FAO Katie Christodoulides

Please find attached comments from Fulbourn Parish Council regarding the above planning application.

A hard copy is being posted along with the mentioned enclosures from parishioners following both a Public Exhibition and Planning Meeting.

Yours faithfully

Mrs Patricia Newman  
Clerk

# FULBOURN PARISH COUNCIL

Fulbourn Parish Council



C/o The Fulbourn Centre,  
Home End,  
Fulbourn,  
Cambridge CB21 5BS  
Telephone/Fax: 01223 881042  
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30<sup>th</sup> October 2019

Ms Katie Christodoulides  
Principal Planning Officer  
Greater Cambridge Shared Planning Service  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

Dear Ms Christodoulides

**Planning Application Ref: S/3290/19/RM Approval of matters reserved for appearance, landscaping, layout and scale following outline planning permission S/0202/17/OL for the development of up to 110 dwellings with areas of landscaping and public open space and associated infrastructure works. Land east of Teversham Road, Fulbourn, Cambs.**

Fulbourn Parish Council objects to this planning application for the reasons set out below and requests that this application goes to the Planning Committee:

- The Parish Council reiterates concerns regarding the long term maintenance of Surface Water Drainage and Open Spaces which do not appear to have been properly addressed. The surface water drainage design and management scheme is untried and untested, it has not been future-proofed in the light of the continuing Climate Emergency, and the precautionary principle has not been applied. In addition, Condition 8 of the Outline Approval has not been adequately discharged as there is no full detail of how the scheme will be monitored, managed and funded in perpetuity.
- Access to the site during construction should be restricted to Teversham Road and not via Cox's Drove which is totally unsuitable and would cause havoc to neighbouring roads if not implemented.
- The site is unable to support the development of 110 dwellings on this very challenging site while satisfying both national and local planning legislation and without compromising the existing biodiversity and associated water regime.
- The development does not adequately maintain, enhance, restore or add to the present biodiversity of the two fields and the bisecting chalk stream.

- Inadequate accessible public open space for recreation is provided due to the need for 'green spaces' to contribute to the retention, mitigation and translocation of the existing flora and fauna biodiversity, and for their use as surface water retention facilities via bio-retention (attenuation) basins and to accommodate potential flooding/high water table.
- The proposals do not adequately discharge Conditions 12 and 14 of the Outline Permission. Full details are not given which confirm how the proposed scheme of biodiversity monitoring and management will be effective, deliverable, and funded in perpetuity.
- The proposals fail to take proper account of the design guidance embedded in the Fulbourn Village Design Guide 2019, which attempts to ensure that new development is of high quality design and sympathetic to the character of, and vision for, Fulbourn.
- The incorporation of all rented and shared-ownership homes (so-called 'affordable' homes) into the 2- and 3-storey blocks of flats is socially questionable.
- The development results in a significant negative biodiversity impact resulting in the need for offsite compensation. No details of how this can be achieved are given in the application.
- The design of the claimed pedestrian, cycle and emergency only access from the development into Cox's Drove will not prevent its use by lorries, some vans, and high wheel-base cars such as SUVs and 4x4s. Cox's Drove is not suitable for this potential increase in traffic.
- The 3-storey blocks of flats are of poor architectural design and inappropriate in a rural and village context, detrimental to the setting of Poor Well in the Conservation Area, and intrude on the necessarily wide wildlife corridor along the line of the chalk stream.
- The site cannot accommodate as many as 110 dwellings on this very challenging site without compromising the existing biodiversity and associated water regime and at the same time providing acceptable living conditions at this density.
- The PC would like to also point out that the S106 has not been addressed.

Fulbourn Parish Council fully endorses the comments eloquently expressed by its County and District Councillor John Williams, District Councillor Graham Cone, Chairman of Fulbourn Forum, Mr R Townley and Fulbourn Forum.

Enclosed are comments from parishioners received following a Public Exhibition of this planning application arranged by the PC.

Yours sincerely

Mrs P Newman  
Clerk

Encs

GDPR - Please see our website for all Policy Documents including the Data Privacy Notice at [www.fulbournpc.org](http://www.fulbournpc.org)

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**My ref:** FR/19-000431  
**Your ref:** S/3290/19/RM  
**Date:** 09/09/2021  
**Doc no:** 201106687  
**Officer:** Harry Pickford  
**E Mail:** [harry.pickford@cambridgeshire.gov.uk](mailto:harry.pickford@cambridgeshire.gov.uk)

**Place and Economy  
Environment and Commercial**

Michael Sexton  
South Cambridgeshire District Council  
South Cambridge Hall  
Cambourne Business Park  
CB23 6EA

Alconbury Weald Civic Hub  
Emery Crescent  
Enterprise Campus  
Alconbury Weald  
PE28 4YE

**Proposal: Approval of matters reserved for appearance, landscaping, layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works The outline was screened and confirmed not to be EIA development**

**Land east of Teversham Road, Fulbourn, Cambs**

**Comments from Lead Local Flood Authority (LLFA)**

Dear Sir,

Thank you for your re-consultation which we received on 28<sup>th</sup> July 2021.

We have reviewed the following documents:

- Discharge of Conditions – Surface Water Management, Cannon Consulting Engineers, Dated: 12 September 2019
- Discharge of Conditions – Surface Water Management, Cannon Consulting Engineers, Dated: 3 December 2019
- Discharge of Conditions – Surface Water Management, Cannon Consulting Engineers, Dated: 27 February 2020
- Review of Surface Water Management, HR Wallingford, Ref: FWM8709-RT001-R01-00, Dated: August 2020
- Reserved Matters Application – Layout, Cannon Consulting Engineers, Dated: 12 August 2020
- Reserved Matters Application – Layout Updated, Cannon Consulting Engineers, Dated: 13 April 2021
- Flood Management Strategy, Cannon Consulting Engineers, Ref: B411-PL-SK-320 Rev P09, Dated: 14 April 2021
- Cow Lane Flood Basin, Cannon Consulting Engineers, Ref: B411-PL-SK-321 Rev P02, Dated: 14 April 2021

Based on these, as Lead Local Flood Authority (LLFA) we **have no objection** to the reserved matters application.

The above documents demonstrate that surface water from the proposed development can be managed through the use of tanked permeable paving throughout the private and shared access areas and parking. Highway access from Teversham Road will be managed through a filter drain. Surface water will be shared across basins around the development, and crated attenuation below permeable paving before discharge from the site at a rate of 0.3 l/s/ha, equivalent to the 1 in 1 year greenfield runoff rate.

A flood mitigation basin is proposed along the southern boundary of the site, to capture and retain flood flows which may come down the southern boundary, with a filter drain allowing the water to seep out from the basin and empty into the watercourse. The basin is sized to accommodate the displaced surface water from the development platforms without impacting the land or properties to the south. An illustrative LiDAR survey has been submitted to demonstrate the fall of land from the south to the north adjacent to the basin, indicating that any surface water which may be present on the surface will flow to the north and west.

The proposals have left a lower greenspace in the centre of the proposed development platforms to provide passage of surface water flows in times of flooding. There are a number of culverts to allow this water to pass through the proposed infrastructure and into the watercourse passing through the centre of the site.

## **Informatives**

### **Groundwater Monitoring**

The groundwater report included as part of the outline planning permission was carried out in 2014. This recorded groundwater levels at approximately 0.8m below ground level. Anecdotal data has been provided which indicates that groundwater may be shallower than this, at approximately 0.4m below ground level, which would impinge on the base of attenuation features across the site. It must be investigated and demonstrated as part of the discharge of condition application whether there is a clearance to groundwater from the base of the attenuation features, to avoid groundwater ingress. If groundwater is discovered to be shallower than previously recorded, measures will be required to ensure that this does not impact the proposed surface water drainage strategy, or significantly displace groundwater.

### **Surface Water Modelling**

It is noted that mitigation measures are being implemented as part of the proposed scheme to reduce the risk of flooding from overland surface water flows. While this is acceptable in principle, the LLFA would be looking for updated modelling as part of the discharge of condition application to demonstrate that these features will work in the landscape, without increasing flood risk to any adjacent land or property.

### **OW Consent**

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.

### **Signage**

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

### **Pollution Control**

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.

Yours faithfully,

*H Ellis*

**Hilary Ellis**

**Acting Flood Risk & Biodiversity Business Manager  
Environment and Commercial**

**If you have any queries regarding this application please contact the Officer named at the top of this letter (contact details are above).**

*Please note: We are reliant on the accuracy and completeness of the reports in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.*

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# Agenda Item 7



**Report to:** South Cambridgeshire District Council Planning Committee 13 October 2021

**Lead Officer:** Joint Director of Planning and Economic Development

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## **21/02594/S73 – Land To The East of Collins Close Near Meldreth Road Shepreth**

Proposal: S73 Variation of conditions 2 (Approved plans), 3 (Hard and soft Landscape), 7 (Noise), 8 (Acoustic Insulation), 9 (Energy Delivery Strategy), 10 (Foul Water Drainage), 11 (Surface water drainage), 13 (Flood Risk), 14 (Traffic Management plan), 17 (Electronic Vehicle Charging), 19 (Biodiversity Enhancements), 21 (Reptile Survey), 22 (External Lighting), 23 (Covered and secure cycle parking), 24 (Waste), 25 (Boundary Treatment) and 26 (Construction Programme) and the removal of condition 16 (Visibility splays) following planning permission S/3052/16/FL (Erection of 25 dwellings including 40% affordable along with access car and cycle parking and associated landscaping).

Applicant: Stonebond Properties (Chelmsford) Ltd

Key material considerations: Principle of Development (relevant planning history)  
Housing Provision  
Character / Visual Amenity  
Landscaping  
Noise  
Renewables  
Flood Risk and Drainage  
Highway Safety and Parking Provision  
Biodiversity  
Lighting  
Residential Amenity  
Other Matters

Date of Member site visit: None

Departure Application: Yes (advertised 21 June 2021)

Decision due by: 15 October 2021 (extension of time agreed)

Application brought to Committee because: Departure from the development plan.

Presenting officer: Michael Sexton

## **Executive Summary**

1. Full planning permission was granted on 30 August 2018 for “Erection of 25 dwellings including 40% affordable along with access car and cycle parking and associated landscaping” under planning reference S/3052/16/FL. A Section 106 agreement dated 14 August 2018 is attached to the consent.
2. The applicant, Stonebond Properties who are now developing the site, has reviewed the original permission and identified several areas of change within the consented scheme.
3. This application seeks to vary several conditions of the 2018 consent including condition 2 (approved plans), which seeks to replace the approved house types with a different style and character to those approved, although there is no alteration to the number of market or affordable units or to the mix of housing provided, alongside some minor changes to the layout. This in turn gives rise to minor alterations to other elements of the consented scheme including landscape, drainage and renewables, which also form part of the proposed variation.
4. There are no technical objections to the proposed variations.
5. There are no local objections to the proposed variations.
6. This Section 73 application will, if approved, give rise to a new planning permission for 25 dwellings. As the site is located outside of the development framework boundary of Shepreth the permission would represent a departure from the development plan and has been advertised as such.
7. If approved, a Deed of Variation would be required to attach the Section 106 from the 2018 permission to this Section 73 application.
8. Officers are satisfied that the proposed variations are acceptable and generally accord with relevant planning policy, with any conflict with adopted policy (as set out in this report) being outweighed by other material planning considerations, most notably the implementation of the 2018 consent.
9. Officers recommend that the Planning Committee grants delegated authority to officers to issue a new planning permission, subject to the conditions and informatives set out in this report and conditional on the completion of a Deed of Variation.

## **Relevant planning history**

10. 21/01590/S73 – Variation of condition 2 (approved plans) following planning permission S/3052/16/FL (Erection of 25 dwellings including 40% affordable along with access car and cycle parking and associated landscaping) to replace the approved house types with a different style and character to those approved and make some very minor changes to the layout – Withdrawn (01 June 2021).

11. 20/02116/CL2PD – Certificate of lawfulness to confirm that either: a) construction of 3m of entrance road up to but not including the wearing course and including kerb stones; or b) the excavation of no less than 3m strip foundations for either plot 9 or plot 10 will constitute lawful implementation of planning consent reference S/3052/16/FL – Certificate Granted (19 October 2020).
12. S/3052/16/CONDB – Submission of details required by condition 26 (Indicative Build Programme) of planning permission S/3052/16/FL – Approved (25 September 2020).
13. S/4460/19/DC – Discharge of conditions 10 (Foul water drainage) and 11 (Surface water drainage) pursuant to planning permission S/3052/16/FL – Approved (28 July 2020).
14. S/3052/16/COND27 – Condition 27 - Fire Hydrants Plan – Approved (23 July 2020).
15. S/0141/20/DC – Discharge of condition 3 (Landscapes) – Approved (05 May 2020).
16. S/3628/19/DC – Discharge of condition 14 (Traffic Management Plan) of planning application S/3052/16FL – Approved (09 April 2020).
17. S/3637/19/DC – Discharge of condition 6 (Airborne dust method statement) for planning permission S/3052/16/FL – Approved (09 April 2020).
18. S/0140/20/DC – Discharge of condition 19 (Biodiversity enhancement plan) – Approved (12 March 2020).
19. S/4461/19/DC – Discharge of condition 26 (Indicative Build Programme) pursuant to planning S/3052/16/FL – Approved (14 February 2020).
20. S/4359/19/DC – Discharge of condition 25 (Boundary Treatments) of planning permission S/3052/16/FL – Approved (10 February 2020).
21. S/2924/19/DC – Discharge of Condition 5 (Ground Contamination) of planning permission S/3052/16/FL – Approved (10 January 2020).
22. S/3348/19/DC – Discharge of condition 7 (Noise) pursuant to planning permission S/3052/16/FL – Approved (21 November 2019).
23. S/3052/16/FL – Erection of 25 dwellings including 40% affordable along with access car and cycle parking and associated landscaping – Approved (30 August 2018).

## **Planning policies**

### **National Guidance**

24. National Planning Policy Framework 2021  
National Planning Practice Guidance  
National Design Guide 2019

### **South Cambridgeshire Local Plan 2018**

25. 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 2021  
S/7 – Development Frameworks  
S/11 – Infill Villages  
CC/1 – Mitigation and Adaption to Climate Change  
CC/3 – Renewable and Low Carbon Energy in New Developments  
CC/4 – Water Efficiency  
CC/6 – Construction Methods  
CC/7 – Water Quality  
CC/8 – Sustainable Drainage Systems  
CC/9 – Managing Flood Risk  
HQ/1 – Design Principles  
HQ/2 – Public Art and New Development  
NH/2 – Protecting and Enhancing Landscape Character  
NH/3 – Protecting Agricultural Land  
NH/4 – Biodiversity  
NH/14 – Heritage Assets  
H/12 – Residential Space Standards  
SC/2 – Health Impact Assessment  
SC/4 – Meeting Community Needs  
SC/6 – Indoor Community Facilities  
SC/7 – Outdoor Play Space, Informal Open Space and New Developments  
SC/9 – Lighting Proposals  
SC/10 – Noise Pollution  
SC/11 – Contaminated Land  
SC/12 – Air Quality  
TI/2 – Planning for Sustainable Travel  
TI/3 – Parking Provision  
TI/8 – Infrastructure and New Developments  
TI/10 – Broadband

### **South Cambridgeshire Supplementary Planning Documents (SPD):**

26. Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016



Health Impact Assessment SPD – Adopted March 2011  
Affordable Housing SPD – Adopted March 2010  
District Design Guide SPD – Adopted March 2010  
Landscape in New Developments SPD – Adopted March 2010  
Biodiversity SPD – Adopted July 2009  
Listed Buildings: Works to or affecting the setting of – Adopted July 2009  
Development Affecting Conservation Areas SPD – Adopted January 2009  
Open Space SPD – Adopted January 2009  
Public Art SPD – Adopted January 2009  
Trees and Development Sites SPD – Adopted January 2009

## **Other Guidance**

27. Greater Cambridge Housing Strategy 2019 – 2023

## **Consultation**

28. **Shepreth Parish Council** – No objection.
29. **Ecology Officer** – No objection.

I am satisfied that the revised Biodiversity Management Plan (MKA Ecology, March 2021) is sufficient to discharge condition 19. However, the report specifically references Practical Ecology Limited (Practical Ecology, 2019) in relation to reptile mitigation and states that any update to method statements regarding reptiles or great crested newts are assumed to be managed by Practical Ecology not MKA Ecology (please see section 2.1 of the MKA Ecology report).

Therefore, I am currently unsure if any variation to condition 21 can be supported by the submitted document.

Action required:

Applicant to provide clarity on who is providing support for reptile mitigation and, if necessary, submit an updated report.

30. **Environment Agency** – No comments to offer.
31. **Environmental Health** – No comments to offer.
32. **Landscape Officer** – No objection.
33. **Lead Local Flood Authority** – No objection.
34. **Local Highways Authority** – No objection.

The submitted Traffic Management Plan (Condition 14) is acceptable to the Highway Authority.

With regards to the removal of Condition 16 (Visibility splays), whilst the Highway Authority agrees with the removal of this condition insofar as it relates to the sites point of access with the existing adopted public highway, we would request that the applicant provide two pedestrian visibility splays of 2m x 2m on each side of each vehicular access within the development. These splays shall be within the curtilage of each individual plot and shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Confirms that the Highways Authority will not seek to adopt the development, recommends a condition for details of arrangements, access falls and levels and access materials, along with an informative relating to works to or within the public highway.

35. **Network Rail** – No objection.

Encourages developer to contact Network Rail's Asset Protection and Optimisation team before works commence on site.

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

Recommends wording for the variation of conditions 10 and 11 to require a scheme for surface water and foul water drainage to be submitted prior to commencement of development.

37. **Sustainability Officer** – No objection.

38. **Trees Officer** – No objection.

39. **Urban Design** – No significant objection but offer comments and recommendations about revisions to the layout and parking arrangements.

- Very similar to the consented scheme, would have preferred carports to remain and recommend driveways reduced to a maximum of 10 metres in length.
- Plots 6, 7 and 8 are below the minimum space standards stipulated in Policy H/12.
- Plots 8, 22, 23 and 25 feature blank elevations which face the public realm and it is recommended more features such as additional fenestration area added to these facades to better activate the street scene.
- Additional fenestration to Plots 22 and 25 would provide informal surveillance over the public open space.
- Officers would have preferred to retain some of the more distinctive features from elevations on the consented scheme.

## **Representations from members of the public**

40. None received.

## **The site and its surroundings**

41. The site is located on the western edge of Shepreth, outside of the development framework boundary that runs parallel along the south eastern boundary of the site. To the east and south of the site are areas of existing residential development with a small area of commercial buildings to the north east. The north western boundary of the site abuts the railway line beyond which are areas of open countryside. The site is located in flood zone 1 (low risk).
42. The site benefits from full planning permission for the development of 25 residential properties and associated works. Works have commenced on site.

## **The proposal**

43. The application seeks vary conditions 2 (Approved plans), 3 (Hard and soft Landscape), 7 (Noise), 8 (Acoustic Insulation), 9 (Energy Delivery Strategy), 10 (Foul Water Drainage), 11 (Surface water drainage), 13 (Flood Risk), 14 (Traffic Management plan), 17 (Electronic Vehicle Charging), 19 (Biodiversity Enhancements), 21 (Reptile Survey), 22 (External Lighting), 23 (Covered and secure cycle parking), 24 (Waste), 25 (Boundary Treatment) and 26 (Construction Programme) and the removal of condition 16 (Visibility splays) following planning permission S/3052/16/FL (Erection of 25 dwellings including 40% affordable along with access car and cycle parking and associated landscaping).

## **Planning Assessment**

### **Key Issues**

44. The key issues to consider in the determination of this application relates to the principle of development (relevant planning history), housing provision, character / visual amenity, landscaping, noise, renewables, flood risk and drainage, highway safety and parking provision, biodiversity, lighting, residential amenity and other matters.
45. As the application proposes the variation of a range of conditions these are considered in turn within this report under the relevant key considerations.
46. This application has been made under Section 73 of the Town and Country Planning Act 1990. Consideration has therefore been given to the question of the conditions subject to which planning permission should be granted if the Section 73 application is approved. Due regard has been had to the development plan and all material considerations including any changes to policies and circumstances since the granting of the original planning permission.

## **Principle of Development**

47. The principle of development has already been established through planning consent S/3052/16/FL, which granted full planning permission for the erection of 25 dwellings and associated works on 30 August 2018. Condition 1 of the 2018 consent required works to commence on site before the expiration of two years from the date of permission (i.e., by 30 August 2020).
48. A Lawful Development Certificate was granted on 19 October 2020, reference 20/02116/CL2PD, which provided confirmation from the Council that works undertaken on site prior to the submission of the Certificate constituted the lawful implementation of planning consent S/3052/16/FL. The 2018 permission has therefore been implemented and works continue to progress on site.
49. As a permission under Section 73 would constitute a new permission for development previously approved, the development would represent a departure from the development plan, being residential development located outside of the development framework boundary of Shepreth contrary to the provisions of Policy S/7(2) of the Local Plan. As a result, the application has been advertised as a departure.
50. Notwithstanding the departure from the development plan there are clear material considerations that outweigh the conflict, that being the implementation of the 2018 permission.
51. Therefore, there is no in principle objection to the proposed Section 73 application.

## **Housing Provision**

52. The Section 73 application does not alter the number of dwellings provided on site, which remains 25 units comprising 15 market and 10 affordable dwellings (40%). Therefore, there is no change to the density of development which remains 21 dwellings per hectare.
53. In terms of Policy H/8 of the Local Plan, which requires a density of 30 dwellings per hectare with provision for net density to vary from that figure where justified by the character of the locality, scale of development and other local circumstances, the density of 21 dwellings per hectare is considered acceptable in this instance. Significant weight is attached to the consented scheme that has been implemented and the lower density considered acceptable given the sites edge of village location and character of the surrounding area.
54. 15 market houses are provided across a split of 6x2-bed, 6x3-bed and 3x4-bed units, matching that provided on the original consent.
55. In terms of Policy H/9 of the Local Plan, which requires a market mix of at least 30% 1 or 2-bed homes, 30% 3-bed homes and 4 or more bed homes with a

10% flexibility above each category, the development would provide a split of 40% 1 or 2-bed homes, 40% 3-bed homes and 20% 4 or more bed homes.

56. Although the market mix would not strictly comply with Policy H/9 of the Local Plan, significant weight is attached to the mix secured on the consented scheme that has been implemented. Furthermore, the provision of market units favours the smaller units rather than larger, which officers consider acceptable noting the importance increasing the stock of smaller properties available as referenced in the Local Plan (see paragraphs 7.37 of the Local Plan).
57. Officers therefore consider the market mix acceptable in this instance.
58. Officers note that Policy H/9(2.f) requires sites of 20 dwellings or to supply dwelling plots for sale to self and custom builders while Policy H/9(4) requires 5% of homes to be built to the accessible and adaptable dwellings M4(2) standard, rounding down to the nearest whole property. As neither of these requirements were adopted policy when the original permission was granted, they cannot now be required as part of this Section 73 application.
59. 10 affordable units are provided within the site comprising 3x1-bed, 5x2-bed and 2x3-bed units across a 70% Social and 30% Intermediate split, matching those provided on the original consent. The dwellings are integrated within the site and distributed in a matter that would avoid significant clustering of affordable units. The development would therefore accord with Policy H/10 of the Local Plan.
60. In terms of Policy H/12 of the Local Plan, which deals with residential space standards and minimum gross internal floor areas, officers note that the Council did not have a policy requiring the units to meet residential space standards when the original consent was issued. However, the proposed units that form part of this Section 73 application would meet residential space standards and accord with Policy H/12 of the Local Plan.
61. Overall, officers are satisfied that the housing provision on the site would accord with Policies H/8, H/10 and H/12 of the Local Plan, with a slight departure from Policy H/9 justified by other material circumstances including the consented and implemented scheme and weighting in favour of smaller market units.

### **Character / Visual Amenity (Conditions 2, 24 and 25)**

62. Condition 2 of planning consent S/3052/16/FL secured the approved plans for the development, including site layout and house types.
63. The application is supported by a range of plans setting out the revised layout and house types within the proposed development. The general layout of the site is very similar to the consented scheme, with the proposed dwellings remaining in similar positions around the spine road that runs through the site, with front gardens slightly enlarged to provide a greater green frontage to each plot. To the north of the developed area within the site is an area of woodland

with a new woodland footpath again linking the site to an existing play area to the west, enhancing the permeability of the site, as per the consented scheme.

64. The general scale and appearance of the dwellings remains two storey formed from a mixture of detached, semi-detached and terraced properties. The external detailing of the properties has been altered from the consented scheme but remain of a style and appearance that is considered compatible with the character of the area. Car ports have been removed from the scheme but each property would retain an appropriate level of off-road parking to comply with adopted policy. The parking is generally provided in a manner that would not result in a car dominated frontage with parking arrangements typically located to the side of the properties.
65. The siting of the proposed dwellings remains consistent in terms of relationship with existing properties adjacent to the site. As such the proposed layout is not considered to result in significant harm to the amenities of neighbouring properties by way of a significant loss of light, loss of privacy or overbearing impact. The layout of the site also provides a good quality of amenity to each of the dwellings within the site.
66. The application has been subject to formal consultation with the Council's Urban Design Officer, who has raised no objection to the proposed variation but suggested further enhancements that could be incorporated into the scheme.
67. In response to the comments of the Council's Urban Design Officer, the applicant has provided revised plans to several plots to add further fenestration to create a greater interest in elevations facing the public realm as well as providing improved informal surveillance over public spaces, a positive design response.
68. Overall, officers consider that the proposed development would be of a high-quality design that would make a positive contribution to its local context and be compatible in terms of its location, scale, form, design and materials. The proposal is therefore considered to accord with Policy HQ/1 of the Local Plan.
69. Officers therefore consider it appropriate to vary condition 2 to refer to the revised plans as submitted to this Section 73 application.
70. Condition 24 of planning consent S/3052/16/FL required the submission of the siting and design of screened storage of refuse and a waste management plan for the site.
71. The application is supported by a Bin Strategy plan, which sets out the provision of bin storage for each dwelling, residents carry distance (dwelling to bin store), refuse collectors carry distance and a short bin strategy.
72. Officers are satisfied that the details submitted provide an appropriate response to the refuse storage and waste management arrangements within the site, ensuring that areas of bin storage do not detract from the character of the area.

73. Officers therefore consider it appropriate to vary condition 24 to a compliance condition, in line with the details submitted on the Bin Strategy plan, which would accord with Policy HQ/1 of the Local Plan.
74. Condition 25 of planning consent S/3052/16/FL required the submission of details of boundary treatments for each dwelling within the site.
75. Officers note that the condition was discharged through application S/4359/19/DC on 10 February 2020.
76. The application is supported by a Boundary Treatment Plan which sets out the existing and proposed boundary treatments to be utilised within the site, including 1.8 metre close boarded fences, 1.6 metre and 1.8 metre brick garden walls.
77. Officers are satisfied that the details submitted provide a suitable and positive response to the boundary treatment arrangements within the site, ensuring that the appearance of the development does not detract from the character of the area.
78. Officers therefore consider it appropriate to vary condition 25 to a compliance condition, in line with the details submitted on the Boundary Treatment plan, which would accord with Policy HQ/1 of the Local Plan.

### **Landscaping (Condition 3)**

79. Condition 3 of planning consent S/3052/16/FL required the submission of full details of both hard and soft landscape, including all existing trees and hedgerows and any protection measures along with details of proposed trees, hedges and shrub planting.
80. Officers note that the condition was discharged through application S/0141/20/DC on 05 May 2020.
81. The application is supported by a Landscape Masterplan, a Landscape Management Plan and several hard and soft landscape plans which detail planting and hard surface details across the site, which have been amended during the course of the application in response to initial comments from the Council's Landscape Officer.
82. There are similarities between the discharged landscape scheme and the scheme which has been submitted as part of the Section 73 application, by virtue of the modest changes to the originally approved layout of the site. However, officers consider there to be several enhancements to the landscape scheme including an increase in tree planting within the site, particularly along the spine road within the site
83. The application has been subject to formal consultation with the Council's Landscape Officer who is supportive of the proposed variation of condition 3 and the details submitted, as amended.

84. Officers are satisfied that the details submitted provide a suitable and positive response to hard and soft landscaping within the site, ensuring that the development is satisfactorily assimilated into the area, enhances biodiversity and provides legibility as required by relevant planning policy.
85. Officers therefore consider it appropriate to vary condition 3 to a compliance condition, in line with the details submitted in the landscape plans and documents and plans noted above, which would accord with Policies HQ/1 and NH/4 of the Local Plan.

### **Noise (Conditions 7 and 8)**

86. Condition 7 of planning consent S/3052/16/FL required the submission of a scheme for protecting the proposed dwellings from noise from traffic on Melderth Road.
87. Officers note that the condition was discharged through application S/3348/19/DC on 21 November 2019.
88. The application is supported by a Noise Assessment (Discharge Condition 7 Cass Allen report, March 2021), which is an updated version of the noise assessment submitted and approved under application S/3348/19/DC to reflect the minor changes to the site layout. The report again identifies that through noise modelling all but three plots (those closest to the railway line) were found to require no specific acoustic mitigation measures to achieve appropriate noise levels. For the remaining three plots glazing and ventilator products will be installed based on the specified acoustic performances set out within the report.
89. The application has been subject to formal consultation with the Council's Environmental Health Team who raises no objection to the proposed variation of condition 7.
90. Officers are satisfied that the Report and associated mitigation measures ensure a satisfactory level of amenity for future occupants of the site.
91. Officers therefore consider it appropriate to vary condition 7 to a compliance condition, in line with the details submitted in the Discharge Condition 7 Cass Allen report (March 2021), which would accord with Policies HQ/1 and SC/10 of the Local Plan.
92. Condition 8 of planning consent S/3052/16/FL required, prior to occupation of any relevant dwellings, the dwellings to be acoustically insulated in accordance with the Cass Allen noise assessment (i.e., the proposed mitigation measures).
93. Noting the revisions to condition 7 as set out above, officers consider it appropriate to vary condition 8 to a compliance condition that refers to the updated Cass Allen report (March 2021), which would accord with Policies HQ/1 and SC/10 of the Local Plan.



## Renewables (Condition 9 and 17)

94. Condition 9 of planning consent S/3052/16/FL required the submission of an Energy Delivery Strategy demonstrating how at least 10% of the expected energy requirements for the development will be delivered from renewable sources or low carbon technologies.
95. The application is supported by a Renewable Energy Statement (April 2021), which is an update to the previous Energy Statement (June 2016).
96. The Statement sets out improvements made to previous submissions, which should result in an increase to the proposed developments energy and carbon emissions savings. The measures proposed include construction to ensure low thermal mass, windows and doors designed to limit solar gain and maximise daylight penetration, the use of accredited construction details to minimise heat loss through thermal bridging and energy efficient LED internal lighting throughout.
97. A feasibility study has been conducted for various types of onsite renewable and low/zero carbon technologies and concludes that the integration of photovoltaic panels across all dwelling types is the best solution for meeting the 10% carbon reduction required, with each dwelling fitted with panels.
98. The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposed variation, noting that the energy and carbon modelling for the proposed units based on the measures proposed results in a total reduction of 29.29%, exceeding the minimum requirements of Local Plan Policy.
99. Officers therefore consider it appropriate to vary condition 9 to a compliance condition, in line with the details submitted in the Renewable Energy Statement (April 2021), which would accord with Policy CC/3 of the Local Plan.
100. Officers also note that the Photovoltaic Panel Layout plan is to be listed as an approved plan as part of the approved plans condition.
101. Condition 17 of planning consent S/3052/16/FL required the submission of an electronic vehicle charging infrastructure strategy, including the location of charging points and how the use of electric cars shall be promoted through the Travel Plan for the site, to ensure an energy efficient and sustainable development.
102. The application is supported by an Electric Vehicle Infrastructure Strategy (March 2021), Electric Car Charging Points Plan and File Note: Electric Vehicle Charging Design (August 2021).
103. The Strategy sets out that the developer will provide each property with appropriate electrical infrastructure for electric car charging outside located close to the driveway where a vehicle could be parked and/or plug in points in the garages along with technical details. The Statement goes on to consider the

measures to promote the use of electric vehicles, including the provision of a travel plan in the format of a booklet provided to all new occupiers of the development.

104. The Car Charging Points Plan illustrates that each dwelling would benefit from an electric charging point adjacent to their dedicated parking areas or within their associated garages, while the File Note provides clarification on the design of the charging points themselves.
105. In consultation with the Council's Landscape Officer and Sustainability Officer no objections are raised to the details submitted, which are considered to provide a suitable solution to the original condition, noting that each dwelling would benefit from a dedicated charging point.
106. Officers therefore consider it appropriate to vary condition 17 to a compliance condition, in line with the details submitted in the Electric Vehicle Infrastructure Strategy (March 2021), Electric Car Charging Points Plan and File Note: Electric Vehicle Charging Design, which would accord with Policies CC/3 and TI/2 of the Local Plan.

### **Flood Risk & Drainage (Conditions 10, 11 and 13)**

107. Condition 10 of planning consent S/3052/16/FL required a scheme for the provision and implementation of foul water drainage while condition 11 required a scheme for the provision and implementation of surface water drainage.
108. Officers note that both conditions were discharged through application S/4460/19/DC on 28 July 2020.
109. The application is supported by a Drainage Statement (MLM Group, July 2020) which includes microdrainage calculations and management and maintenance details, and a Drainage Layout Plan. The Statement matches the approved document from discharge of conditions application S/4460/19/DC with minor updates while the Drainage Layout Plan reflects the proposed revisions to the layout of the site and how the drainage measures would be provided.
110. The application has been subject to formal consultation with the Council's Sustainable Drainage Engineer and the Lead Local Flood Authority, who raise no objection to the proposed variation, as amended.
111. Officers are satisfied that the Drainage Statement and Drainage Layout Plan provide suitable schemes for foul and surface water drainage for the site, noting the details previously approved under application S/4460/19/DC and the areas of consistency across the submissions.
112. Officers therefore consider it appropriate to vary conditions 10 and 11 to compliance conditions, in line with the details submitted in the Drainage Statement and Drainage Layout Plan, which would accord with Policies CC/7, CC/8 and CC/9 of the Local Plan.

113. Condition 13 of planning consent S/3052/16/FL required the development to be carried out in accordance with the amended Flood Risk Assessment and Surface Water Drainage Strategy.
114. Noting the revisions to conditions 10 and 11 as set out above and support of the relevant technical consultees, officers consider it appropriate to vary condition 13 to a compliance condition that refers to the updated Drainage Statement by and Drainage Layout Plan. The details are considered to ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7 and CC/9 of the Local Plan.

### **Highway Safety & Parking Provision (Conditions 14, 16 and 23)**

115. Condition 14 of planning consent S/3052/16/FL required that submission of a traffic management plan, including details of movement and control of muck away lorries, contractor parking and movement and control of all deliveries, in the interest of highway safety.
116. Officers note that condition 14 was discharged through application S/3628/19/DC on 09 April 2020.
117. The application is supported by a Construction Traffic Management plan which sets out details of deliveries, loading and unloading, contractor parking and sweeping of roads upon request of the highway authority.
118. The application has been subject to formal consultation with the Local Highways Authority, who are supportive of proposed revision to condition 14.
119. Officers are satisfied that the Construction Traffic Management plan provides a suitable response to the construction phase and would not result in significant harm to highway safety.
120. Officers therefore consider it appropriate to vary condition 14 to a compliance condition, in line with the details submitted in the Construction Traffic Management.
121. The applicant has sought to remove condition 16 of the planning consent S/3052/16/FL, which requires visibility spays to be provided on both sides of the access to the development and maintained free of obstruction over a height of 600mm within an area of 2m x 2m measured from the access to the site towards the adopted highway boundary.
122. However, in consultation with the Local Highways Authority, officers do not consider it appropriate to remove the condition entirely, except for where it relates to the sites point of access with the existing public highway. Instead, officers consider it appropriate to vary the condition to require two pedestrian visibility splays of 2m x 2m on each side of each vehicular access within the development, to be kept clear of obstructions exceeding 600mm high, in the interests of highway safety.

123. The proposed revision to condition 16 has been shared with, and agreed by, the applicant.
124. Condition 23 of planning consent S/3052/16/FL required a scheme for covered and secure cycle parking.
125. The application is supported by a Secure Cycle Parking Provision plan which is considered to illustrate appropriate provision of secure cycle parking in line with policy requirements.
126. Officers therefore consider it appropriate to vary condition 23 to a compliance condition, in line with the details submitted on the Secure Cycle Parking Provision, which would accord with Policy TI/3 of the Local Plan.

#### Street Management and Maintenance

127. The Local Highways Authority stated in their comments that they would not seek to adopt the proposed road layout as there is no footpath provision on either side of the carriageway. As a result, a condition relating to the proposed arrangements for future management and maintenance of the proposed streets has been recommended.
128. Officers note that no such condition was imposed on the 2018 consent, although areas of the consented layout would not have been finished to adoptable standards. In consultation with the Local Highways Authority, officers consider it reasonable and necessary to impose a new condition as part of any Section 73 permission requiring details of the proposed arrangements for future management and maintenance of the proposed streets prior to occupation of the site, an approach that is permissible as part of a Section 73 application.
129. The proposed addition of a new condition has been shared with, and agreed by, the applicant.
130. Subject to the recommended condition, the proposed development is not considered to result in significant harm to highway safety and to achieve a permeable development with ease of movement and access for all users and abilities in accordance with Policy HQ/1 of the Local Plan.

#### Other Highway Comments

131. The Local Highways Authority have requested two conditions relating to access falls and levels and material, along with an informative relating to works to or within the public highway.
132. Condition 15 of the original permission deals with access falls, levels and material, and is not subject to variation as part of this Section 73 application; therefore, such a condition is already in place and will be re-imposed. Similarly, an informative relating to works to or within the public highway formed part of the original consent and will also be reimposed.

### **Biodiversity (Conditions 19 and 21)**

133. Condition 19 of planning consent S/3052/16/FL required details of biodiversity enhancements, including bat and bird boxes.
134. Officers note that condition 19 was discharged through application S/0140/20/DC on 12 March 2020.
135. The application is supported by a Biodiversity Management Plan (March 2021), an updated document to that approved under discharge of conditions application S/0140/20/DC, and includes details of ecological features within the site including bird and bat boxes.
136. The application has been subject to formal consultation with the Council's Ecology Officer who raised no objection to the proposed variation of condition 19.
137. Officers are satisfied that the proposed Biodiversity Management Plan provides for a biodiversity enhancement within the site.
138. Officers therefore consider it appropriate to vary condition 19 to a compliance condition, in line with the details submitted in the Biodiversity Management Plan which would accord with Policy NH/4 of the Local Plan.
139. Condition 21 of planning consent S/3052/16/FL required the development to be carried out in accordance with the MKA Reptile Survey and MKA Preliminary Ecological Appraisal, again to ensure the development enhanced biodiversity.
140. The comments of the Council's Ecology Officer are noted, who requested clarity on who is providing support for reptile mitigation and, if necessary, to submit an update report. In response the applicant has provided a letter dated 15 July 2020 from Practical Ecology confirming the Reptile Mitigation and Translocation works that have been carried out and an email from the Council dated 27 August 2020 setting out that the Council's Ecologist has advised that they are content with the works that have been carried out and see no reason to consider that this obligation is incomplete.
141. Following the submission of additional information, officers are satisfied that condition 21 can be varied to a compliance condition in line with the submitted Biodiversity Management Plan, which would accord with Policy NH/4 of the Local Plan.

### **Lighting (Condition 22)**

142. Condition 22 of planning consent S/3052/16/FL required that no external lighting be provided or installed within the site other than in accordance with a scheme submitted to and approved by the Local Planning Authority to minimise the effects of light pollution on the surrounding area.

143. The application is supported by a Lighting Street Plan which sets out the positioning of seven streetlights within the development and their associated illuminance, which shows no significant impact on the surrounding area outside of the site.
144. The application has been subject to formal consultation with the Council's Environmental Health Team who raises no objection to the proposed variation of condition 22.
145. Officers are satisfied that the proposed Lighting Street Plan provides an appropriate scheme for the site that also minimises the effects of light pollution on the surrounding area.
146. Officers therefore consider it appropriate to vary condition 22 to a compliance condition, in line with the details submitted in the Lighting Street Plan. The condition would also specify that no external lighting shall be provided other than in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority, to ensure compliance with Policy SC/9 of the Local Plan.

#### **Residential Amenity (Condition 26)**

147. As noted above, in terms of general residential amenity the proposed revisions are not considered to result in significant harm to the amenities of adjacent neighbouring properties of the quality of amenity afforded to future occupiers of the site by way of a significant loss of light, loss of privacy or overbearing impact, in accordance with Policy HQ/1 of the Local Plan.
148. Condition 26 of planning consent S/3052/16/FL required the submission of a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution.
149. Officers note that the condition was discharged through application S/4461/19/DC on 14 February 2020.
150. The application is supported by a Construction Programme (Stonebond, 08 December 2020), which is an updated version of the Programme submitted and approved under application S/4461/19/DC. The Programme sets out each stage of works for the construction of the site and dwellings, including the timings of site set up, services and drainage, noting that works have already commenced on site.
151. The application has been subject to formal consultation with the Council's Environmental Health Team who raises no objection to the proposed variation of condition 26.
152. Officers are satisfied that the Construction Programme provides a suitable response to protect the amenities of nearby residential properties during the construction phase.

153. Officers therefore consider it appropriate to vary condition 22 to a compliance condition, in line with the details submitted in the Construction Programme, which would accord with Policies HQ/1 and SC/10 of the Local Plan.

## **Other Matters**

### Other Conditions

154. 27 conditions were attached to the 2018 permission, 18 of which are subject to variation as part of this Section 73 application. The remaining conditions 9 conditions will be dealt with as follows.
155. Condition 1 (time limit) of planning consent S/3052/16/FL does not need to be re-imposed as works have commenced on site.
156. Condition 4 (landscape compliance) of planning consent S/3052/16/FL will be re-imposed to ensure compliance with approved landscape details, with the reason for the condition updated to reference adopted policy.
157. Condition 5 (contamination) of planning consent S/3052/16/FL will be updated to reflect the fact that the details were discharged under application S/2924/19/DC to ensure compliance with previously agreed details, with the reason for the condition updated to reference adopted policy.
158. Condition 6 (airborne dust) of planning consent S/3052/16/FL will be updated to reflect the fact that the details were discharged under application S/3637/19/DC to ensure compliance with previously agreed details, with the reason for the condition updated to reference adopted policy.
159. Condition 12 (tree assessment) of planning consent S/3052/16/FL will be re-imposed to ensure compliance with previously agreed details, with the reason for the condition updated to reference adopted policy.
160. Condition 15 (access construction) of planning consent S/3052/16/FL will be re-imposed to ensure compliance with previously agreed details.
161. Condition 18 (tree protection) of planning consent S/3052/16/FL will be re-imposed to ensure compliance with previously agreed details, with the reason for the condition updated to reference adopted policy.
162. Condition 20 (construction hours) of planning consent S/3052/16/FL will be re-imposed to ensure compliance with previously agreed details, with the reason for the condition updated to reference adopted policy.
163. Condition 27 (fire hydrants) of planning consent S/3052/16/FL will be updated to reflect the fact that the details were discharged under application /3052/16/COND27 to ensure compliance with previously agreed details.

## **Planning balance and conclusion**

164. This application seeks to vary a range of conditions attached to planning consent S/3052/16/FL which granted permission for the erection of 25 dwellings and associated works, a consent that has been lawfully implemented within the required timescales of the permission.
165. No local objection has been received to the proposed variations.
166. In consultation with relevant technical consultees, officers are satisfied that the proposed variations are acceptable and generally accord with relevant planning policy, with any conflict with adopted policy (as set out in this report) being outweighed by other material planning considerations, most notably the implementation of the 2018 consent that could be built out on site.
167. Officers therefore consider that the proposed variations should be supported, and the Section 73 application approved.

## **Recommendation**

168. Officers recommend that the Planning Committee grants delegated authority to officers to issue a new planning permission subject to the conditions and informatives set out in this report and conditional on the completion of a Deed of Variation (to attach the Section 106 from the 2018 permission to the current Section 73 application).

## **Conditions**

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

Plans to be listed:

P(00)01 B (Site Location and Block Plan)  
P(90)01 K (Proposed Site Plan)  
P(90)02 C (Boundary Treatment)  
P(90)03 B (Bin Strategy)  
P(90)04 C (Electric Car Charging Points)  
P(90)05 B (Secure Cycle Parking Provision)  
P(90)06 B (Materials Plan)  
P(90)08 A (Photovoltaic Panel Layout)  
21-0111-1A (Lighting Plan)

HA 850.01 E (Plots 1, 4-5, 21-22)  
HA 850.MT01 B (Plot 2)  
HA 850.ET02 B (Plot 3)  
HA 581.ET01(SO) C02 Sheet 1 (Plots 6 and 8)  
HA 581.ET01(SO) C02 Sheet 2 (Plots 6 and 8)  
HA 581.MT01 B (Plot 7)



HA 1001.01 F (3 Bed House Plots 9-12, 17-20)  
HA 850.02 B (Plots 13, 15-16)  
HA 850.03 B (Plot 14)  
HA 1476.01(USO) C02 Sheet 1 (Plots 23-25)  
HA 1476.01(USO) C02 Sheet 2 (Plots 23-25)

2205 A2 01 E (Landscape Masterplan)  
2205 A2 02 C01 (Detailed Planting Plans 1 of 3)  
2205 A2 03 C01 (Detailed Planting Plans 2 of 3)  
2205 A2 04 C01 (Detailed Planting Plans 3 of 3)  
2205 A2 05 (Landscape Specification and Details)  
2205 A2 06 C01 (Detailed Hard Landscape Proposals 1 of 3)  
2205 A2 07 C01 (Detailed Hard Landscape Proposals 2 of 3)  
2205 A2 08 C01 (Detailed Hard Landscape Proposals 3 of 3)  
2205 A2 09 A (Woodland Infill Planting Proposal)

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.

- b) All hard and soft landscape works shall be carried out in accordance with approved drawing numbers: 2205 A2 01 E (Landscape Masterplan), 2205 A2 02 C01 (Detailed Planting Plans 1 of 3), 2205 A2 03 C01 (Detailed Planting Plans 2 of 3), 2205 A2 04 C01 (Detailed Planting Plans 3 of 3), 2205 A2 05 (Landscape Specification and Details), 2205 A2 06 C01 (Detailed Hard Landscape Proposals 1 of 3), 2205 A2 07 C01 (Detailed Hard Landscape Proposals 2 of 3), 2205 A2 08 C01 (Detailed Hard Landscape Proposals 3 of 3), 2205 A2 09 A (Woodland Infill Planting Proposal), 2205 A2 (Landscape Management Plan Woodland POS Revision A) and Liz Lake Associates Update Note 28 May 2021.

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.

- c) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

- d) The development hereby permitted shall be carried out in accordance with the Phase II Geoenvironmental Assessment by EPS dated 05 February 2019 as accepted and approved under discharge of conditions application S/2924/19/DC dated 10 January 2020.

If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.

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

- e) The development hereby permitted shall be carried out in accordance with the Airborne Dust Management Statement (This Land, September 2019) as accepted and approved under discharge of conditions application S/3637/19/DC dated 09 April 2020.

Reason: To protect the amenity of nearby properties in accordance with Policies HQ/1 and SC/14 of the South Cambridgeshire Local Plan 2018.

- f) The development hereby permitted shall be carried out in accordance with the Discharge Condition 7 Cass Allen report (RP01-15385REV1 dated 12 March 2021) for the purposes of protecting the dwellings from noise traffic on Melderseth Road. All works which form part of the scheme shall be completed before the first occupation of any of the relevant dwellings.

Reason: To ensure a satisfactory level of amenity for future occupants in accordance with Policies HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018.

- g) Before any of the relevant dwellings, hereby permitted, are occupied, the building(s) shall be acoustically insulated in accordance with the Discharge Condition 7 Cass Allen report (RP01-15385REV1 dated 12 March 2021).

Reason: To ensure a satisfactory level of amenity for future occupants in accordance with Policies HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018.

- h) The development hereby permitted shall be carried out in accordance with the Renewable Energy Statement by Abbey Consultants (PA-ES-SB-CC-21-01 dated April 2021). The scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.

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

- i) The development hereby permitted shall be carried out in accordance with the Drainage Statement by MLM Group (6100826-MLM-ZZ-XX-RP-C-0004 dated 21 July 2020) and the Drainage Layout Plan by Levee Consulting (SB/001/032E dated 24 June 2021). The scheme shall 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.

- j) The development hereby permitted shall be carried out in accordance with the Drainage Statement by MLM Group (6100826-MLM-ZZ-XX-RP-C-0004 dated 21 July 2020) and the Drainage Layout Plan by Levee Consulting (SB/001/032E dated 24 June 2021). The scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7 and CC/9 of the South Cambridgeshire Local Plan 2018.

- k) The development, hereby permitted, shall be carried out in accordance with the recommendations in Hayden's Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan dated 23 December 2015 as originally submitted and approved under planning permission S/3052/16/FL.

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.

- l) The development hereby permitted shall be carried out in accordance with the Drainage Statement by MLM Group (6100826-MLM-ZZ-XX-RP-C-0004 dated 21 July 2020) and the Drainage Layout Plan by Levee Consulting (SB/001/032E dated 24 June 2021).

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7 and CC/9 of the South Cambridgeshire Local Plan 2018.

- m) The development hereby permitted shall be carried out in accordance with the Construction Traffic Management document (Stonebond Properties, May 2021).

Reason: In the interests of highway safety.

- n) The surface of the access hereby approved shall be constructed on a level that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.

Reason: In the interests of highway safety.

- o) Prior to the first occupation of each dwelling, two pedestrian visibility splays of 2.0 x 2.0 metres shall be provided on each side of each vehicular access within the development. These splays shall be within the curtilage of each individual plot and shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety.

- p) The development hereby permitted shall be carried out in accordance with the Electric Vehicle Infrastructure Strategy (Richard Jackson, March 2021), Electric Car Charging Points Plan (drawing number P(90)04 C) and File Note: Electric Vehicle Charging Design ( Stonebond, 24 August 2021, P01). The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure an energy efficient and sustainable development in accordance with Policies CC/3 and TI/3 of the of the South Cambridgeshire Local Plan 2018 and the National Planning Policy Framework.

- q) No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

Reason: To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- r) The development hereby permitted shall be carried out in accordance with the Biodiversity Management Plan (MKA Ecology, 10 September 2021). The approved biodiversity enhancements shall be implemented in full in accordance

with the programme set out in Section 3.9 of the Biodiversity Management Plan, unless otherwise agreed in writing by the Local Planning Authority, and shall be retained as such thereafter.

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

- s) During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

- t) The development, hereby permitted, shall be carried out in accordance with the Biodiversity Management Plan (MKA Ecology, 10 September 2021).

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

- u) The external lighting for the development, hereby permitted, shall be carried out in accordance with drawing number 21-0111-1A (DW Windsor, 10 September 2021). No external lighting shall be provided or installed within the site other than in accordance with the approved details unless otherwise submitted to and approved in writing by the Local Planning Authority.

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

- v) The dwellings, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided in accordance with the approved Secure Cycle Parking Provision plan (drawing number P(90)05 B) prior to the occupation of each dwelling that the cycle storage relates.

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

- w) The development hereby permitted shall be carried out in accordance with the approved Bin Strategy plan (drawing number P(90)03 B) and shall thereafter be retained. The screened refuse storage for each dwelling shall be completed before each of the dwellings is occupied or in accordance with a programme approved in writing by the Local Planning Authority.

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.

- x) The development hereby permitted shall be carried out in accordance with the approved Boundary Treatment Plan (drawing number P(90)02 C). The boundary treatment for each dwelling shall be completed in accordance with the approved details before that dwelling is occupied and shall thereafter be retained.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- y) The development hereby permitted shall be carried out in accordance with the Construction Programme (Stonebond, 08 December 2020), unless any variation has first been agreed in writing by 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.

- z) The development hereby permitted shall be carried out in accordance with the Proposed Mains and Service Layout (SC-3001A), Fire Hydrant Plan (6100826-MLM-ZZ-XX-DR-C-0130 P01) and Indicative Water Network Plan (6100826-MLM-ZZ-XX-DR-C-0120 P01) as accepted and approved under discharge of conditions application S/3052/16/COND27 dated 23 July 2020. 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.

- aa) Prior to the first occupation of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved 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: In the interests of highway safety and to achieve a permeable development with ease of movement and access for all users and abilities in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

## **Informatives**

- a) This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated 14 August 2018 and Deed of Variation dated <INSERT DATE>
- b) Any materials brought onto site for the purpose of gardens or landscaping must be certified as clean and uncontaminated and the information provided to the Council.

- c) During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
- 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 that a separate permission must be sought from the Local Highway Authority for such works.
- e) Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Lead Local Flood Authority (LLFA). The LLFA seeks to avoid culverting and its Consent for such works will not normally be granted except as a means of access.
- f) The granting of planning approval must not be taken to imply that consent has been given in respect of the above. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
- g) Construction 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 and passage through which water flows that do not form part of main rivers. Please note that the Council does not regulate ordinary watercourses in internal drainage board areas.

## **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)
- Greater Cambridge Housing Strategy 2019 – 2023
- Planning File References: 21/02594/S73, 21/01590/S73, 20/02116/CL2PD, S/3052/16/CONDB, S/4460/19/DC, S/3052/16/COND27, S/0141/20/DC, S/3628/19/DC, S/3637/19/DC, S/0140/20/DC, S/4461/19/DC, S/4359/19/DC, S/2924/19/DC, S/3348/19/DC and S/3052/16/FL.

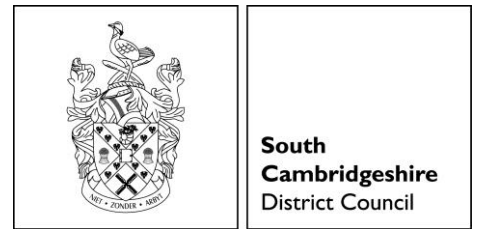
## **Report Author:**

Michael Sexton – Principal Planner  
Telephone: 07704 018467

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# Agenda Item 8



**Report to:** Planning Committee

13 October 2021

**Lead Officer:** Joint Director of Planning and Economic Development

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## **21/00955/FUL– Land adjacent to 26 Taylors Lane, Swavesey**

Proposal: Dwelling and associated landscaping to replace existing workshop

Applicant: Ms Sarah Denley

Key material considerations: Principle of Development.  
Character/Heritage Impact  
Residential Amenity  
Highway Safety  
Other Matters

Date of Member site visit: None

Is it a Departure Application: No

Decision due by: 12 August 2021

Application brought to Committee because:

Referred to Planning Committee by Swavesey Parish Council. The officer recommendation of approval conflicts with the recommendation of the Parish Council

Officer Recommendation: Delegated Approval

Presenting officer: Luke Waddington Senior Planning Officer

### **Executive Summary**

1. The application site is located outside the Swavesey Development Framework and within the Swavesey Conservation Area. The site includes part of a Scheduled Ancient Monument ('Castle Hill' earthworks). The site is accessed via an existing gateway from Taylor's Lane, and comprises of two single storey buildings, a workshop and a barn, which face each other over an area of hard standing.
2. Objections have been received from Swavesey Parish Council concerned regarding: a) residential development in the countryside b) impact upon the Conservation Area and Scheduled Ancient Monument c) concerns regarding the proposed materials
3. No objections have been received from the Council's Conservation Officer. Officers are satisfied that the proposed development is acceptable in terms of design and would not result in significant harm upon the character and appearance of the Conservation Area. The proposal would preserve the character and appearance of the Conservation Area and its setting.
4. Officers consider that the proposed development would not result in significant harm to the amenities of neighbouring properties.
5. Officers consider that, subject to conditions, the proposed development accords with national and local planning policies.

### **Relevant planning history**

6. S/0187/76/F - Erection of a stable block – approved  
  
S/0204/78/F - Erection of a barn – approved for a temporary period  
  
S/1531/83/F - Laying out of three tennis courts and erection of changing rooms/club room for private club use – approved  
  
S/0649/92/F - Retrospective application for change of use from agricultural to goods vehicle operating centre and ancillary plant hire and siting of portakabin – refused, appeal dismissed  
  
S/1416/94/F - Builders yard – refused, appeal dismissed  
  
S/1955/94/F - Storage of builders materials – refused, appeal dismissed  
  
S/1503/95/F - Storage of building materials – approved for a three year period  
  
S/1847/97/F – Removal of condition 2 (temporary permission) of planning permission

S/1503/95/F – refused, appeal allowed for the storage of building materials, associated building plant and workshop (with ancillary storage)

S/0847/10/F - Dwelling & garage (Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation) – Approved

S/1559/11 - Variation of conditions 8 and 11 of approved application S/0847/10/F to allow a reduced site area – Approved

S/1565/18/OL - Outline planning permission for change of use from builder's yard (storage and workshop) demolition of two barns and provision of x2 two storey private dwelling houses with associated garages – withdrawn

## **Planning policies**

### **National Planning Policy**

7. National Planning Policy Framework (NPPF) – 2021  
National Planning Practice Guidance (NPPG) - 2019  
National Design Guide (NDG)  
Planning Practice Guidance Circular 11/95 – The use of conditions in Planning Permissions (Annex A)

### **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  
CC/1 Mitigation and Adaption to Climate Change  
CC/4 Water Efficiency  
CC/6 Construction Methods  
CC/7 Water Quality  
CC/8 Sustainable Drainage Systems  
HQ/1 Design Principles  
H/12 Residential Space Standards.  
NH/4 Biodiversity  
NH/14 Heritage Assets  
E/14 Loss of Employment Land to Non-Employment Uses  
SC/9 Lighting Proposals  
SC/11 Contaminated Land  
TI/2 Planning for Sustainable Travel  
TI/3 Parking provision  
TI/10 Broadband

## **South Cambridgeshire Supplementary Planning Documents (SPD):**

9. District Design Guide – Adopted March 2010  
Sustainable Design and Construction SPD – Adopted January 2020  
Development Affecting Conservation Areas SPD – Adopted January 2009  
Biodiversity – Adopted January 2009  
Trees & Development Sites SPD - Adopted January 2009  
Swavesey Village Design Guide – Adopted January 2020

## **Consultations**

### **Swavesey Parish Council**

10. “As stated under Policy DP/7 Development Framework: - Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted; the proposed development is entirely outside of the Swavesey village development framework and does not meet the above criteria. - Granting of approval for development outside the stated village boundary sets a precedent for future development that may be irretrievable.

There has recently been an application refused by the Planning Authority and dismissed at Appeal, for a site further along Hale Rd to the west of this site, outside of the development framework. Following this decision the Parish Council cannot see how this application could be approved, which is also outside of the development framework. The Parish Council supports the existing development framework boundary and consistently objects to new development outside of the framework boundary.

The Parish Council notes that the site is within the Conservation Area of the Village and within the Ancient Monument site and wishes to ensure that development in these areas is restricted and contained within the designated village development framework boundary, which this proposal is not. Also that development close to or within these designated areas does not adversely impact on their settings.

The Parish Council does not consider the materials proposed for the new development would compliment the location or the property neighbouring the site. The existing workshop/building has not been used previously for agricultural purposes therefore does not consider it to be a barn eligible for conversion or redevelopment. Although the Village Design Guide does state: 7.2 Buildings should have a simple and unified material character in keeping with the rural

setting. The Council notes that the Design Guide is not in favour of using black cladding to make new builds look like agricultural barns.

References to the agricultural buildings of the village should be carefully considered in relation to the surrounding streetscape, especially where the intended use is not agricultural. The use of black cladding is to be avoided as a rule.”

### **Cambridgeshire County Council (Highways Development Control)**

11. No objections subject to condition regarding the width of the access, position of gates, pedestrian visibility splays, access materials, falls and levels and the submission of a traffic management plan.

### **Historic England**

12. Historic England does not object to the proposals on heritage grounds. We consider that the issues and safeguards relating to conditions, as outlined in our advice, need to be addressed for the application to meet the requirements of the NPPF.

### **Cambridgeshire County Council Historic Environment Team (Archaeology)**

13. “Our records indicate that this site lies in an area of very strong archaeological potential, within the boundary of the Scheduled Monument known as ‘Castle Hill’ earthworks (National Heritage List for England reference 1006913). Swavesey was a planned fortified town in the medieval period and to the south east of the development area is the medieval market place (Cambridgeshire Historic Environment Record reference 03490). To the north east of the site is the designated area of the Benedictine Priory (CHER ref 03488, NHLE 1006914) while archaeological investigations to the south of Taylors Lane have revealed evidence of settlement remains dating from the Iron Age to the medieval period, including kilns (01772B, MCB16700 and CB15288).

In light of the precedent set by recent developments already granted permission within the Scheduled area of the monument, in this instance we do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by MHCLG”

### **SCDC Sustainable Drainage Engineer**

14. No response received.

### **SCDC Environmental Health Officer**

15. No objections, subject to conditions requiring a Construction Environmental Management Plan and no construction site machinery or plant to be operated, no noisy works to be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

#### **SCDC Scientific Officer (Contaminated Land)**

16. The proposed residential use is sensitive to contamination and the site has a potentially contaminative historical usage. The conclusions of the submitted report note the potential risk from landfill gas and potential for historic contamination from agri-chemicals and made ground. As such, we welcome the recommendation that an intrusive investigation be carried out to assess potential risks from contamination associated with the proposed redevelopment. This investigation should include a rigorous scheme for gas monitoring. This information can be submitted by pre-commencement conditions

#### **SCDC Conservation Officer**

17. The existing building is a negative element in the conservation area. Its replacement by a low-profile dwelling on a very similar footprint, clad in black weatherboarding is likely to enhance rather than detract from, the character of the conservation area.

This site is outside the historic core, on a site which the VDG classifies as 'farm', and whether or not it is to be used for agricultural purposes the simple unified black cladding proposed is appropriate to the site and the conservation area. I agree that black timber cladding should be avoided 'as a rule'; in much of the conservation area, its use would bring an alien and artificial element into the streetscape. That is not the case on this site, however, and this application is one to which the rule does not apply.

As the site lies within a scheduled monument, close attention to the advice of the archaeology team should be given before a decision on the application is made. Aside from this issue, the application proposal is in accordance with policy NH/14

#### **SCDC Ecology Officer**

19. Recommends conditions requiring submission of a Construction Ecological Management Plan, lighting design strategy for biodiversity, a reptile survey, and a scheme of biodiversity enhancement.

#### **SCDC Trees Officer**

20. A Tree Survey and Constraints Plan (dated 28/07/2020) has been submitted. This is sufficient for this stage of the application but a further detailed Tree Protection Plan will be required if the application is approved.

### **Representations from members of the public**

21. The below is a summary of third-party representations received, the full comments are available to view on the Council's Public Access website.

Objections have been received from 24 and 26 Taylor's Lane, Swavesey on the below grounds:

- Overlooking window on the easterly elevation
- Site is outside the framework and approval would set precedent for development in the countryside
- Does not reflect linear form of development on Taylor's Lane
- Black timber cladding dilutes the character of the village, buff brick and clay pantile should be used
- Loss of historic rural and agricultural character on edge of village
- Potential harm to protected trees on site
- Impacts on biodiversity and wildlife at the site
- Potential adverse impact upon archaeological remains and Scheduled Ancient Monument
- Site is close to Flood Zone 2 and is likely to increase flood risk
- Potential adverse impact on highway safety.

### **The site and its surroundings**

22. The application site is approximately 0.18 hectares in size. The application site is located outside the Swavesey Development Framework and within the Swavesey Conservation Area. The site includes part of a Scheduled Ancient Monument ('Castle Hill' earthworks). The site is accessed via an existing gateway from Taylor's Lane, and comprises of two single storey buildings, a workshop built from steel and blockwork and a timber barn, which face each other over an area of hard standing.
23. The site is bordered to the south and west by mature trees and hedges, and to the east by no 26 Taylor's Lane, a detached residential dwelling. Further to the west across Taylor's Lane are a cemetery and allotments, and the Castle Earthworks continue to the north and south of the site.

### **Planning Assessment**

#### **Key Issues**

24. The key issues to consider in the determination of this application are:

- Principle of Development
- Visual amenity
- Character and heritage assets
- Biodiversity
- Highway safety
- Other Matters

## **Principle of Development**

25. The application site falls outside of the Swavesey Village Development Framework. Swavesey is defined as a Minor Rural Centre within Policy S/9 (Rural Centre) of the South Cambridgeshire Local Plan. Policy S/7 states that outside development frameworks, only development proposals on allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
26. One such policy is E/14 (Loss of Employment Land to Non Employment Uses). Policy E/14 states that:
1. The conversion, change of use or redevelopment of existing employment sites to non-employment uses within or on the edge of development frameworks will be resisted unless one of the following criteria is met:
    - a. It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises.
    - b. The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises.
    - c. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.
  2. Redevelopment proposals which propose the loss of all employment uses will need to be accompanied by clear viability or other evidence as to why it is not possible to deliver an element of employment development as part of the scheme



27. The proposed development would result in the loss of employment use at the site, being replaced with a residential use.
28. The first paragraph of E/14 requires a site to be either within or on the edge of a development framework. The Policy offers no definition for the “edge of a development framework”. The pattern of development in the area sees Taylor’s Lane and Black Horse Lane forming a rough ‘L’ shape, with the application site positioned on the outside corner of these two lanes. While the application site is outside of the Swavesey development framework, it is approximately 10 metres from the edge of the framework at its closest point, near the vehicle access onto Taylor’s Lane. The neighbouring dwelling, 26 Taylors Lane, falls partly within the framework, and is approximately 22 metres from the building that is proposed for demolition. When progressing down Taylor’s Lane from the village, the application site appears to relate to the dwelling, and the nearby houses being open and visible through its access entrance which is alongside that of no.26. However as one turns the corner and progresses further down the lane away from the site, the character becomes more rural.
29. As such it is reasonable to conclude that while the site is outside the development framework boundary, it relates to and is adjacent to the built form of the village and is considered to be on the edge of the development framework for the purposes of Policy E/14.
30. The development must meet one of criteria a, b, or c. Criteria a of E/14 requires twelve months of marketing to demonstrate the site is not suitable for employment use. No marketing has been undertaken.
31. Criteria b requires the proposal to provide a benefit to the community that would outweigh adverse effects on employment opportunities and the range of available employment land. The proposed development would result in the removal from the site of the larger steel workshop and store building and, its replacement with a single storey dwelling of the same footprint and height in a similar location approximately 2 metres to the north east, causing the loss of the employment use at the site.
32. The application site is within the Swavesey Conservation Area. As will be expanded upon later in this report Historic England, Cambridgeshire County Council Historic Environment Team and the Council’s Conservation Officer have no objections subject to conditions.
33. The existing building to be demolished is made from steel and blockwork, a modern and utilitarian building of no architectural merit, with areas of hardstanding and gravel to its front. It is visible from Taylors Lane, within the Conservation Area and the setting of the Castle Earthworks.

34. The submitted planning statement argues that the larger building is of no architectural merit and its replacement with the proposed dwelling would represent an enhancement to the Conservation Area.
35. Furthermore the 2006 Swavesey Conservation Area Appraisal identifies the two buildings within the site as having a negative impact upon the character of the Conservation Area. This assessment is supported by the Conservation Officer who has stated that the current workshop detracts from the Conservation Area, and that the proposed dwelling would enhance the character of the Conservation Area. Historic England in their consultation response also do not refute the assertion that the proposals would enhance the Conservation Area, and have no objections subject to conditions regarding archaeological investigation and landscaping details.
36. The detailed reasons for this will be set out within the relevant sections of this report, however it is considered that the proposed development constitutes an enhancement to the Conservation Area, by virtue of removal of the existing workshop which detracts from the character of the area and replacement with the proposed dwelling which enhances the character of the Conservation Area.
37. Paragraph 201 of the NPPF states that proposals that preserve elements of a setting that make a positive contribution to a heritage asset, or which better reveal its significance, should be treated favourably. The advice for the Historic Environment within the National Planning Practice Guidance 2019 states that public benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, and that sustaining or enhancing the significance of a heritage asset and the contribution of its setting is an example of a heritage public benefit.
38. The enhancement to the Conservation Area would therefore constitute a public benefit for the purposes of E/14, however this must be weighed against any adverse effect on employment opportunities and the range of available employment land and premises.
39. While the permitted use of the building as a store for building materials, plant and a workshop is an employment use, the application site is not currently frequently used by employees, being used primarily for storage of building materials and plant for use at other sites rather than active employment. It was noted by the Inspector in their report for S/1847/97/F that the role of the site, as was then proposed, was more “supportive of employment on other sites rather than providing more than minimal employment in itself.” As such it is not considered that the loss of this site in its present use would result in a significant adverse impact on employment opportunities, as no one is employed on a regular basis to work at the site itself.

40. With regard to the range of available employment land, the applicant has provided a survey of available units within a 10-mile radius of Swavesey. There are 16 available premises, totalling 166,000sqft across a range of unit sizes.
41. Of these, 7 premises are of a comparable size to the application site, being smaller units of under 5000sqft, the application site having 2,700sqft of floorspace.
42. The majority of these units are located on existing industrial estates, and Officers consider these are likely to be more desirable for storage or light industrial uses than the application site, given its location near to a residential area and potential for conflict, its relative distance from trunk roads and access on a narrow road within the village. The proposal would result in the loss of employment land in this location however given the range of similarly sized available units within the district it is not considered that the proposed development would result in a significant loss in terms of the range of available employment land and premises.
43. Taking the above into account, and when balanced against the loss of employment land it is considered that the benefits to the community identified above would outweigh any adverse effect on the range of available employment land and premises.
44. Part 2 of Policy E/14 states that total loss of an employment use will need to be justified by evidence as to why it is not possible to deliver an element of employment development as part of the scheme.
45. The submitted Planning Statement Addendum explores the possibility of retaining employment use at the site. As noted above the site itself does not directly host employees itself on a regular basis. Furthermore, officers consider that retention of employment within the current use is unlikely to be viable due to the aforementioned range of small-scale commercial premises already available within the district, and the overall preference among commercial occupiers for units closer to main commercial centres and with good access to trunk roads, neither of which are features of the application site.
46. It is also asserted within the Planning Statement that the location of the site near a residential area is unlikely to attract commercial users within the existing permitted use due to the potential for conflict between commercial operations and local residents. Furthermore the vehicular access on a relatively narrow road within the village, which does not lend itself well to larger vehicles that may be associated with those uses.
47. The application also investigates the potential for a combination of new build office, industrial and storage uses at the site. The costs of such redevelopment is stated to be in the region of £1million once demolition costs and costs of remediation, access, utilities connections and professional fees are included.

48. It is stated that such costs would be prohibitive given the aforementioned issues with location and availability of purpose built and accessible space elsewhere, that this risk would not make redevelopment of the site for these uses commercially viable.
49. It is considered that the overall conclusions of the Planning Statement and evidence within are reasonable taking into account the location and constraints of the application site.
50. Attention has been drawn by no. 26 Taylor's Lane to an informative attached to the decision notice for S/1559/11, an application that approved the dwelling to the east of the site. This informative stated:
51. "The applicant should be aware that the approval of the planning application does not suggest that a further application for a second dwelling on the land to the west would be considered acceptable. Unlike the approved site, the remaining land lies entirely outside the defined village framework where there is a presumption against residential development. Any such application is likely to be refused. In the event that an application is submitted, the local planning authority would need to consider the need for affordable housing that would ordinarily be required had an application been submitted for two dwellings across the whole site."
52. This was also referred to by the Parish Council in their objection to S/1565/18/OL, which proposed a pair of 2 storey dwellings at the present site, and was withdrawn.
53. Officers note the content of the informative. However that assessment was made long prior to the adoption of the present local plan, and as set out in this report, it is considered that there are material circumstances and policies within the present local plan that provide support for the proposed development.
54. Swavesey Parish Council have made reference to a recently dismissed appeal for a residential dwelling at a site further along Hale Rd, Swavesey. No reference has been provided but Officers take this to be application ref. S/2513/19/FL, which proposed the replacement of an agricultural building with a dwelling, within the countryside. While Prior Approval had been granted at that site for conversion of part of the building to a dwelling, the proposed dwelling was much larger than what could be achieved through the permitted Prior Approval. The proposed dwelling was therefore refused due to an increased adverse impact on the openness of the countryside. These circumstances are different to those of the current application, as set out above, and so S/2513/19/FL is not considered to be strictly relevant in this case.

55. As set out above, Policy S/7 restricts residential development outside of village development frameworks, unless supported by other policies in the local plan, of which E/14 is one.
56. The supporting text for Policy S/7 states that this is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.
57. As set out later in this report, it is considered that the proposed development would not encroach significantly upon the edge of the village. As the application site is positioned approximately 10 metres from the edge of the development framework of a Minor Rural Centre, and 150m from the High Street, 78m of which can be walked along a lit footpath, it is not considered that the site is in an unsustainable location.
58. It is considered that the application would therefore comply with Policies S/7 and E/14 and that the principle of development would be acceptable in this instance, subject to all other material considerations.

## **Impact upon the Conservation Area and Countryside**

### **Policy Context**

59. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
60. Chapter 16 of the National Planning Policy Framework (NPPF) 2019 focuses on conserving and enhancing the historic environment.
61. Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
62. Paragraph 192 of the NPPF states that in determining applications, local planning authorities should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage
  - b) assets and putting them to viable uses consistent with their conservation;
  - c) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- d) the desirability of new development making a positive contribution to local character and distinctiveness.
63. Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
  64. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
  65. Paragraph 200 of the NPPF states that Local Planning Authorities should look for opportunities for new development within Conservation Areas, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
  66. At a local level, chapter 6 of the South Cambridgeshire Local Plan deals with protecting and enhancing the natural and historic environment.
  67. Policy NH/14(1a) of the Local Plan states that development proposals will be supported when they sustain and enhance the special character and distinctiveness of the district's historic environment including its villages and countryside and its building traditions and details.
  68. 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, conserve or enhance important natural and historic assets and their setting (criterion 1d).

### **Assessment of the Proposal**

69. The 2006 Swavesey Conservation Area Appraisal identifies the buildings within the site as having a negative impact upon the character of the Conservation Area. This is particularly true of the larger building to be demolished, due to its steel framed structure with concrete blockwork and metal sheet roof.
70. The smaller building would be retained as a carport. This building is clad in black painted timber and is rather more discreet due to this material and its smaller scale and siting.
71. The proposed dwelling would be of the same footprint and similar height to the existing store building. In terms of scale it is therefore considered that the proposed dwelling would not be significantly more visible or prominent within the Conservation Area or the countryside than the existing building.

72. Furthermore the site visually relates to the built form of the village, by virtue of sharing an vehicle entrance with the adjacent dwelling at no.26, and by being well contained within the boundary of mature trees that ring the edge of the site to the west, and separate it visually from Taylor's lane to the west, where a more decidedly rural character quickly emerges.
73. It is acknowledged that the proposed residential use of the site would likely introduce residential paraphernalia within the site, outside of the village framework. However the application proposes removal of some of the hardstanding and yard area at the front of the site, and proposes enhanced landscaping along the boundaries. Furthermore officers note that the current consent S/1847/97/F allows for the external storage of a lorry and builders plant within the site. Although this use is permitted, Officers consider that the visual impact of a lorry and plant would be no more appropriate to the rural, edge of village setting than the proposed residential use.
74. As such it is considered that the proposed development would not result in a significant spatial or visual encroachment into the countryside, beyond that of the existing buildings. The addition of enhanced landscaping and grass to the front of the site as indicated on the proposed landscaping plan would allow for softening of the site.
75. With regards to detailed design and proposed materials, the Swavesey Village Design Guide (VDG) states that "references to the agricultural buildings of the village should be carefully considered in relation to the surrounding streetscape, especially where the intended use is not agricultural. The use of black cladding is to be avoided as a rule." The VDG also states that there is concern that use of black timber on new homes to simulate farm buildings dilutes village character and that this approach should be restricted.
76. It is proposed to clad the dwelling in vertical dark timber cladding. The VDG also requires that agricultural references be carefully considered, and paragraph 7.2 of the VDG states that buildings should have a simple and unified material character in keeping with the rural setting.
77. In much of the Swavesey Conservation Area, use of black timber cladding would indeed introduce an obtrusive element into the streetscape, particularly where there has been no history of agricultural use. However, as stated by the Conservation Officer, that is not the case on this application site, which is outside the historic village core in a transitional area between the village and the countryside, and in an area that the VDG itself classifies as a 'farm' on page 6.
78. The uniform black cladding would present a unified and simple appearance to the proposed dwelling, that befits the rural setting as required by the VDG and would complement the existing black weatherboard building. Taking the above context

into account, Officers are of the view that the use of black boarding has been given careful consideration as required by the VDG and is appropriate in this particular instance. The proposed development would therefore represent an enhancement to the character of the conservation area.

79. Conditions would be attached to any consent granted, requiring samples of materials and a hard and soft landscaping scheme, to ensure appropriate materials and so that the development is assimilated into its surroundings.
80. A condition would also be added to any consent granted to restrict permitted development rights in respect of extensions and outbuildings, due to the sensitive location of the site within the countryside.
81. Subject to these conditions, the proposed development would comply with Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018.

### **Archaeology**

82. The application site lies in an area of very strong archaeological potential, within the boundary of the Scheduled Monument known as 'Castle Hill' earthworks.
83. Historic England have stated in their consultation response that the siting of the proposed dwelling mostly within the existing footprint will reduce harm to any upstanding earthworks, but that there is still potential to impact buried remains where they may survive within, under and between later disturbances. Historic England advise that any work should be undertaken under the guidance of the Cambridgeshire County Council Historic Environment Team as well as Historic England.
84. The County Council's Historic Environment Team were consulted and have stated that they have no objection to the proposed development proceeding, subject to a condition that requires a programme of archaeological investigation to be undertaken prior to the commencement of development, to safeguard archaeological assets from construction impacts.
85. Historic England have also requested that a condition or informative is added to advise the applicant that Scheduled Monument Consent would be a legal requirement for the proposed development. This would be appropriate to attach as an informative.
86. Subject to this condition and informative the proposed development would comply with Policy NH/14 with regard to archaeology.

### **Residential Amenity**



87. The proposed detached dwelling is single storey in height and is of a very similar height and position to the existing workshop. As such it is considered that the proposed dwelling would not result in an additional loss of light or overshadowing impacts. Given that the proposed windows would either be at ground floor level or high-level roof lights, and would not result in significant overlooking impacts upon neighbouring dwellings.
88. As requested by the Environmental Health Officer, it is considered reasonable to limit delivery times and working hours to preserve the residential amenity of the nearby dwellings during construction.
89. As the proposed residential use is sensitive to contamination and the site has a potentially contaminative historical usage, conditions requiring investigation of the site's ground conditions will be imposed on any consent granted, as recommended by the Scientific Officer.
90. Subject to these conditions the proposed development would comply with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

#### **Amenity of Future Occupants.**

91. The proposed dwelling would provide 8 bed spaces, within 4 bedrooms. The residential space standards set out in policy H/12 require a floorspace of 117m<sup>2</sup> for dwellings of this size. The proposed dwelling has a floor area of 254m<sup>2</sup> and so exceeds these standards.
92. The proposed 3 bed detached dwelling would have a rear garden of good proportions which would be sufficient for outdoor recreation, dining and play. The proposed dwelling would therefore comply with the residential space standards set out in Policy H/12 of the Local plan 2018.

#### **Highway Safety and Parking Arrangements**

93. The site location plan and proposed site plan have been amended to include access up to the carriageway of the adopted public highway, and the Local Highway Authority have been served notice by the applicant. The Local Highway Authority has no objections to the proposed development but has requested a number of conditions relating to the width of the access, visibility splays, the fall and construction specification of the access, and the provision of a Traffic Management Plan. Subject to these conditions the application is acceptable in highway safety terms and in accordance with Policy HQ/1.
94. The existing timber shed which opens into the site would be retained as a carport, and measures approximately 12m x 7.5m, large enough to provide 2 car parking spaces; this would be sufficient to satisfy the requirements of Policy TI/3.

## **Impact on Trees**

95. There are no trees within the site that have a level of statutory protection due to the Conservation Area. It is stated within the application that the proposed dwelling would be re-located 2m north east of the existing building, to reduce the pressure on these trees to be cut/trimmed as a result of their proximity to the proposed dwelling.
96. The Council's Trees Officer has no objection to the proposed development subject to a condition requiring submission of a Tree Protection Strategy prior to commencement of development. Such a condition would be attached to any consent to ensure adequate protection for nearby trees in the interests of biodiversity and visual amenity. The proposal is therefore in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018.

## **Biodiversity**

97. A Preliminary Ecological Appraisal was submitted with the application, which identified a number of species and habitats as constraints within the site.
98. All constraints (with the exception of reptiles) were deemed low risk and that any residual risk could be removed through non-licensable methods; however, further reptile surveys are recommended within the report as there is moderate quality habitat on site, and a known population in the area. As such the Ecology Officer has no objections subject to conditions requiring submission of a reptile survey, Construction Ecological Management Plan, lighting design strategy for biodiversity, and a scheme of biodiversity enhancement.
99. Subject to these conditions the proposed development would be in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018

## **Drainage**

100. The application site is not located within Flood Zone 2 or 3, and the proposed development would not result in additional built footprint or hard standing, due to the use of the existing footprint. As such the proposed development is not considered to result in a significant additional surface water drainage issues or additional floor risk. Given the scale of the proposed development officers consider that surface water and foul water drainage measures can be dealt with through the Building Control regime.

## **Renewable Energy and Broadband**

101. Conditions would be attached to any consent granted in relation to renewable energy measures and water conservation to ensure the proposal would comply with Policies CC/3 and CC/4 of the South Cambridgeshire Local Plan 2018.
102. A condition would be attached to any consent granted in relation to the provision of infrastructure for broadband to comply with Policy T/10 of the South Cambridgeshire Local Plan 2018.

## **CONCLUSION**

103. The proposed scheme offers benefits to the community in terms of an enhancement of the setting of Swavesey Conservation Area. The National Planning Policy Framework 2021 states that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and advises that proposals that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
104. For the reasons set out in this report, officers consider the planning application to be acceptable in accordance with relevant national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

## **Recommendation**

105. Officers recommend that the Planning Committee approve the application, subject to the following 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) No development, other than demolition, 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 conservation area. (South Cambridgeshire Local Plan 2018 policy NH/14)

- 4) No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 5) The dwelling hereby permitted, shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The development shall be undertaken in accordance with the approved details. Any trees or plants which are planted in connection with the approved soft landscape details which within a period of five years from planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species as those originally approved, unless the Local Planning Authority gives written approval 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.

- 6) Before any works on site commence a detailed Arboricultural Method Statement and Tree Protection Strategy shall be submitted to and approved in writing by the Local Authority, including details of timing of events, protective fencing and ground protection measures. This should comply with BS5837. The tree protection measures shall be installed in accordance with the approved tree protection strategy before any works commence on site. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.

Reason: To safeguard protected trees on site and preserve their contribution to visual amenity and biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 7) The access shall be a maximum width of 3.75m, to serve a single dwelling.

Reason: In the interests of highway safety.

- 8) Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety.

- 9) The proposed drive way 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. Please note that 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.

Reason: for the safe and effective operation of the highway.

- 10) The proposed drive shall be constructed using a bound material, for the first five metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety

- 11) Prior to the first occupation of the development any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway boundary. Any access gate or gates shall be hung to open inwards.

Reason: In the interests of highway safety.

- 12) Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

- 13) No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
  - (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.

(iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.

(iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Reason: in the interests of highway safety

- 14) No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
- a) the statement of significance and research objectives;
  - b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
  - c) The timetable for the field investigation as part of the development programme;
  - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework 2021.

- 15) Prior to the commencement of the development (including all vegetation clearance), a reptile survey shall be carried out within the site by a licensed ecologist. A report of the findings including a suitable mitigation strategy if required, should reptile be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard biodiversity at the site in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

- 16) 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 adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard biodiversity at the site during construction in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

- 17) 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 enhance biodiversity at the site in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

- 18) 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.

Reason: To safeguard biodiversity at the site in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

19) No development shall take place until:

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

b. Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

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

20) Prior to the first occupation of the dwellings hereby permitted, the works specified in any remediation method statement detailed in Condition 21 must be completed and a Verification report submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that risks from land contamination to the future users of the land neighbouring land are minimised, together with those to controlled waters,



property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018.

- 22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: In the interests of protecting the character of the area and amenities of neighbouring residents in accordance with Policies HQ/1 and NH/8 of the South Cambridgeshire Local Plan 2018.

- 23) The dwelling, hereby approved, shall not be occupied until the 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.

- 24) The development hereby approved shall not be occupied until the minimum water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

Reason: To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/7 of the South Cambridgeshire Local Plan 2018.

**Background papers:**

None

**Report author:**

Luke Waddington – Senior Planning Officer  
Telephone: 07714 639830





13 October 2021

**Report to:** South Cambridgeshire Planning  
Committee

**Lead Officer:** Joint Director of Planning and Economic Development

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## **21/01023/OUT – Land north west of 15 Orchard Close, Cottenham – Cottenham Parish**

**Proposal:** Outline planning permission for a single storey 'Self Build' dwelling with all matters reserved

**Applicant:** Mrs Geraldine Roper

**Key material considerations:**

**Date of Member site visit:**

**Is it a Departure Application?:** No

**Decision due by:** 30/04/2021

**Application brought to Committee because:** Applicant works for the Local Authority

**Presenting officer:** Phoebe Carter

### **Executive Summary**

1. The application is for outline planning permission for a single storey detached dwelling with all matters reserved. Therefore, the details of

access, appearance, landscaping, layout and scale of the proposed development are matters reserved for later approval.

2. The indicative proposal is considered to accord with the character and appearance of the local area and does not result in significant amenity issues for the neighbouring properties.

## Relevant planning history

1. No relevant planning history.

## Planning policies

2. National Planning Policy Framework 2021 (NPPF)  
National Design Planning Guidance (PPG)  
National Design Guide 2019
3. 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
  - S/8 Rural Centre
  - CC/1 Mitigation and Adaptation to Climate Change
  - CC/3 Renewable and Low Carbon Energy in New Developments
  - CC/4 Sustainable Design and Construction
  - CC/6 Construction Methods
  - CC/7 Water Quality
  - CC/8 Sustainable Drainage Systems
  - CC/9 Managing Flood Risk
  - HQ/1 Design Principles
  - NH/4 Biodiversity
  - NH/14 Heritage Assets
  - SC/10 Noise Pollution
  - SC/11 Contaminated Land
  - H/9 Housing Mix
  - H/12 Residential Space Standards
  - H/16 Development of Residential Gardens
  - TI/2 Planning for Sustainable Travel
  - TI/3 Parking Provision
  - TI/8 Infrastructure and New Developments
  - TI/10 Broadband
4. Cottenham Neighbourhood Plan 2021 following referendum on 6 May 2021.
  - COH/1-5 Village Character – new build
  - COH/2-1 Development Framework

5. South Cambridgeshire Supplementary Planning Documents (SPDs):

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

5. **Cottenham Parish Council** – CPC recommends approval but subject to the access being acceptable to Highways - appears too narrow.

6. **Local Highways Authority** - No objections subject to the following conditions:

- Pedestrian visibility splays
- Falls and levels of proposed driveway
- Bound material to be used for proposed driveway
- Car parking spaces sizes
- Informative regarding works on a highway

7. **Trees Officer** - Summary (21/04/2021): I have no arboricultural or hedgerow objections to this application.

Trees on or adjacent site have no statutory protection.

A Tree Protection Plan with Method Statement is recommended with any Reserved Matters Application to avoid a pre-commencement condition.

8. **Environmental Health Officer** - I wish to confirm that I have received a copy of the above application and have considered the implications of the proposals.

I would advise that the following conditions/informatives should be attached to any planning consent granted:

- Construction Hours
- Construction environmental management plan

9. **Sustainable Drainage Engineer** - The development proposed is acceptable subject to the imposition of the condition(s) outlined below:

- Surface and foul water drainage

### Representations from members of the public

10. Two Third Party representations have been received, raising concerns about:

- Access to proposed property
- Congestion from construction traffic

- Overlooking
- Loss of Privacy
- Noise/disturbance from construction
- Condition of Highway
- Drainage
- Overdevelopment
- Parking

### **Planning Assessment**

11. The key issues to consider in the determination of this application relate to the principle of development and the impacts upon the character and appearance of the area, residential amenity, highway safety, parking provision and tree matters.

### **The Principle of Development**

12. The proposal site would be located within the established development framework where the principle of residential development is considered acceptable, in accordance with policies S/7 and S/8 of the Local Plan 2018 and COH/2-1 of the Neighbourhood Plan.

### **Character and Appearance of the Area**

13. The area has a mixture of two-storey and single storey dwellings. The context includes the planning permission granted for a bungalow at No. 17 (now built S/4022/17/OL and S/1953/18/RM). There appears to be sufficient space for a bungalow with amenity land.

14. The application is for outline planning permission with all matters reserved. Therefore, the details of access, appearance, landscaping, layout and scale of the proposed development are matters reserved for later approval. Indicative plans have been submitted to show how a single dwelling could appear on the site, however these are for illustrative purposes only.

15. The dwelling shown in the indicative plans would likely be appropriate due to its appearance and overall scale. As these plans are indicative only, the character and appearance would need to be addressed at reserved matters stage. Notwithstanding this, Officers acknowledge that there are properties in the immediate setting and any dwelling that would come forward at reserved matters stage should not overwhelm or dominate this context.

16. The representations received raised a concern regarding the overdevelopment of the property. Other properties in the Close have developed land adjacent to the properties and it is considered that the proposal would not decrease the amenity levels of No. 15 Orchard Close to a harmful level and would create enough amenity space for the proposed property. A dwelling could be set back in the plot, with appropriate soft landscaping. It is considered that development could be achieved on this site without significant harm to this character. Landscaping is a matter that has been reserved and therefore this would also need to be addressed at reserved matters stage.

17. The proposal is considered to be in accordance with Policy HQ/1 of the Local Plan 2018 and could satisfy Neighbourhood Plan policy COH / 1-5

### **Residential Amenity**

18. The impact upon adjoining occupiers would need to be assessed in detail at reserved matters stage when details of the access, appearance, landscaping, layout and scale have been submitted. In order to establish whether acceptable in principle, however, it is still necessary to consider whether a dwelling could be accommodated on the site without resulting in adverse neighbour amenity issues.

19. A number of concerns have been raised regarding the indicative plans. The proposal submitted at reserved matters stage would need to take great care so as not to result in a loss of light, overbearing impact or loss of privacy to the windows of the adjacent property. Due to the single storey nature of the proposed dwelling windows in the side elevation are not considered to lead to a significant level of overlooking or loss of privacy. Details of the proposal would need to be addressed within any reserved matters application.

20. The design of the dwelling is not to be determined as part of the application, however policy H/12 requires that new dwellings meet the minimum space standards and provide private amenity space to accord with the policy. A condition is proposed to ensure that the design of the new dwelling would meet the minimum standards. It is considered that the site is capable of accommodating a dwelling that would accord with Policy H/12.

21. The Environmental Health Officer recommends a condition to restrict construction hours to protect the amenity of neighbours during the development phase. The condition is considered appropriate and necessary for neighbour amenity. In addition, the Officer requests a condition requiring a Construction Environmental Management Plan to be submitted. This is also considered reasonable given the constraints of the site.

22. It is considered that the information available at this stage indicates that a proposed dwelling may be constructed without harming the amenity of neighbours. The details of siting and design that will be required at reserved matters stage will enable matters of amenity to be considered in greater detail in accordance with Policy HQ/1 of the Local Plan 2018.

### **Highway Matters and Parking**

23. Access is a reserved matter and therefore this would need to be fully assessed at this stage, however the indicative plans indicate that an access to the proposed property could be achieved in this location. The proposed access is shown as 4 metres in width, however due to the corner location the proposed access would need to ensure that visibility splays could be provided to ensure that the proposal could be achieved without an adverse impact upon highway safety. The Local Highways Authority have not raised any objection to the

proposed development subject to several conditions regarding visibility splays, drive materials, driveway specification and construction vehicles.

24. The proposal site has shown the ability to provide the parking required in Policy TI/3, figure 11 of the Local Plan 2018 within the site. The parking spaces should be detailed in any future application submitted along with access details.
25. Several representations also raised concerns regarding congestion from construction traffic. The site is not in a controlled parking zone and is on a residential street. Given the location of the site and size of the application, officers consider it is not reasonable in this instance to apply a condition regarding construction traffic. Due to the size of the development it is not considered to lead to significant damage to the Public Highway and it would be unreasonable to add this as a condition to the application.
26. Concerns have been raised regarding the construction impacts of the proposal. The scheme is, however, relatively small in scale and such impacts are likely to be limited to a temporary period. Whilst there may be impacts arising from construction related activities that would give rise to some harm to the amenity of nearby occupiers, the level of harm would not be significant. The proposal is compliant with Local Plan policy HQ/1 (subject to condition(s) as appropriate).
27. The proposal is considered to accord with Policy HQ/1 and TI/3 of the Local Plan 2018.

### **Ecology**

28. The site consists of undeveloped garden land with trees and shrubs. A condition is recommended regarding biodiversity enhancement. The proposal would not be considered to result in significant adverse impacts to the biodiversity on site and therefore would be in accordance with Policy NH/4.

### **Tree Matters**

29. The Tree Officer was consulted as part of the application. Trees on or adjacent to the site have no statutory protection. A Tree Protection Plan with Method Statement is recommended with any Reserved Matters Application to avoid a pre-commencement condition. A condition will be added to any permission granted to request these details be submitted. The proposal would not be considered to result in significant adverse impacts to the trees on site and therefore would be in accordance with Policy NH/4.

### **Other Matters**

#### **Drainage**

30. The application site is not located in a flood zone and there are no surface water issues on the site. The Drainage Officer has raised no objection to the proposal subject to conditions regarding surface and foul water provision. The conditions proposed are reasonable given that new dwelling would offer a significant new built form.



### **Energy Efficiency**

31. Policy CC/3 of the South Cambridgeshire Local Plan 2018 requires that proposals for new dwellings shall reduce carbon emissions by a minimum of 10% (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) through the use of on-site renewable energy and low carbon technologies. In order to ensure that this is achieved, a condition is recommended to be appended to the planning permission requiring a scheme demonstrating this to be agreed by the LPA.

### **Water Efficiency**

32. 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 is recommended to be appended to the planning permission requiring this to be complied with.

### **Broadband**

33. 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.

### **Recommendation**

34. That planning permission be granted subject to appropriate planning conditions / informatives

### **Conditions**

- 1 No development shall commence until details of the appearance, means of access, landscaping, layout and scale, (hereinafter called the 'reserved matters') have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: This is an Outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

- 2 Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 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.

- 4 No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the period of development:

- a) full details of any piling technique to be employed, if relevant
- b) contact details for site manager, including how these details will be displayed on site.

Reason: To protect the amenity of the adjoining properties in accordance with Policy HQ/1 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 Prior to the occupation of the dwelling, hereby permitted, two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

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

- 7 The proposed drive way 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. Please note that 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.

Reason: for the safe and effective operation of the highway, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 8 The proposed drive be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 9 No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 10 Prior to commencement of development a scheme for the disposals of surface water and foul water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.

If discharging into an awarded watercourse a licence must be obtained from the South Cambs Drainage Engineer.

Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding and 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.

- 11 No development above ground level shall proceed until an Energy Statement has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate that a minimum of 10% carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building

Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Statement to take account of this shall be submitted to and approved in writing by the local planning authority. The revised Energy Statement shall be implemented and thereafter maintained in accordance with the approved details.

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

- 12 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. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction in accordance with Policy CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 13 Prior to the first occupation of the dwelling, infrastructure to enable the delivery of broadband services, to industry standards, shall be provided for that dwelling.

Reason: To contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband across the district, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

**Report Author:**

Phoebe Carter – Planning Officer

# Agenda Item 10



South  
Cambridgeshire  
District Council

13<sup>th</sup> October 2021

**Report to:** South Cambridgeshire District  
Council Planning Committee

**Lead Officer:** Joint Director of Planning and Economic Development  
Jane Rodens

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## **21/03629/LBC – Fen Ditton and Fulbourn / Little Wilbraham (Primrose Farm, Primrose Farm Road, Little Wilbraham, Cambridgeshire, CB21 5JZ)**

Proposal: Installation of 1 No. sun pipe to a kitchen extension (Retrospective)

Applicant: Prof M Daunton

Key material considerations:

- Principle of Development
- Green Belt
- Character and Heritage
- Residential Amenity

Date of Member site visit: None

Is it a Departure Application: No

Decision due by: 1<sup>st</sup> October 2021

Application brought to Committee because: The applicant is Referred to Planning Committee as the applicant is related to Cllr Claire Daunton South Cambridgeshire District Council

Presenting officer: Jane Rodens, Senior Planning Officer

## **Executive Summary**

1. This application seeks Listed Building Consent for the Installation of 1 No. sun pipe to a kitchen extension (Retrospective).
2. This application is being referred to Planning Committee as the applicant is related to Cllr Claire Daunton South Cambridgeshire District Council.
3. The application is being recommended for approval by Planning Officers.

## **Relevant planning history**

4. 20/01463/HFUL - Demolition of existing shed, erection of a single storey extension and air Source Heat Pump condenser. – Permitted

20/01464/LBC - Demolition of existing shed, erection of a single storey extension and air Source Heat Pump condenser. – Permitted

S/3735/18/LB - New windows and a door to stables rear elevation. – Permitted

S/2354/17/LB - New windows and a door to stables rear elevation. – Permitted

S/2353/17/FL - New window to the existing extension to the side elevation facing garden. – Permitted

S/1819/17/DC - Discharge of condition roof light – Discharged

S/3306/16/LB - New rooflight to the rear and enlarged hatch to attic – Permitted

S/2137/06/F - Extension Reconstruction of Garden Shed Alterations to Outbuilding and Railings – Permitted

S/2136/06/LB - Internal and External Alterations Including Blocking of Internal Doorway and Conversion of Sitting Room to Study Installation of W.C in Former Kitchen with Replacement Window and Remove W.C to Enlarge Hall with Reinstated Doorway to New Glazed Dining Room with Slate Roof in Old Enclosed Yard with New External Door. Alterations and Conversion of Former Service Stores to New Sitting Room with French Doors and New Kitchen with Three New Windows. Demolition of Attached Lean-to Timber Shed. Changes at First Floor to Bathroom and Dressing Room to Create En-suite Bathroom and Adjacent Shower Room. Installation of Two Rooflights New First Floor Window and Glazed Full Height Window in Stables and Coachhouse and Conversion to Study and Library Reinstatement of Railings on Existing Front Boundary Wall – Permitted

S/0523/98/LB - Alterations and Conversion of Attached Outbuildings for Garage and Workshop – Permitted

S/1266/95/LB - ALTERATION TO PROVIDE FLUE LINER – Permitted

S/1081/92/F - CONVERSION OF BARN AND OUTBUILDING INTO A DWELLING – Permitted

S/1082/92/LB - PART DEMOLITION ALTERATION AND CONVERSION OF BARN INTO A DWELING – Permitted

S/1254/89/LB - CONVERSION TO 2 HOUSES – Permitted

S/1255/89/F - CONVERSION TO 2 HOUSES – Permitted

## **Planning policies**

### **National Guidance**

5. National Planning Policy Framework 2021 (NPPF)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG)

### **South Cambridgeshire Local Plan 2018**

6. S/1 Vision  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
S/7 Development Frameworks  
HQ/1 Design Principles  
NH/14 Heritage Assets

### **South Cambridgeshire Supplementary Planning Documents (SPD)**

7. District Design Guide SPD - Adopted March 2010  
Health Impact Assessment SPD – March 2011  
Greater Cambridge Sustainable Design and Construction Supplementary Planning Document- Adopted January 2020

### **Consultation**

8. **Parish Council:** None received
9. **South Cambridgeshire District Council Conservation Officer:** The proposal would not adversely affect the character of the listed building. The proposal would preserve or enhance the character or appearance of the conservation area. The proposals would comply with Local Plan policy NH/14. With reference

to the NPPF and the effect on the significance of the heritage asset, paragraphs 194, 195, 199 and 200 apply.

### **Representations from members of the public**

10. There have been no comments received on this application

### **The site and its surroundings**

11. The proposal site is located outside of the Development Framework of Little Wilbraham, to the south of the site. The proposal is located in the Little Wilbraham Conservation Area and the Cambridgeshire Green Belt.
12. The property is a grade II listed brick farmhouse dating to c.1830 with a modern extension to the rear. To the south of the site is Barn, South West of Primrose Farmhouse (Grade II Listed Building) and No 2, (The Hole in the Wall PH) High Street (Grade II Listed Building).
13. To the east of the site is the main highway of Primrose Farm Road and to the west of the site is open countryside. To the north of the site are outbuildings associated with the proposal site.

### **The proposal**

14. The proposal is for the Installation of 1 No. sun pipe to a kitchen extension (Retrospective). This application is include the sun pipe into the extension permitted under applications 20/01463/HFUL and 20/01464/LBC.
15. The proposal is located on the far south of the site in the western roof slope of the above extension.

### **Planning assessment**

16. The key considerations in this application are:
  - Principle of Development
  - Green Belt
  - Character and Heritage
  - Residential Amenity



## Planning balance and conclusion

### Principle of Development

17. Policy S/2 of the adopted South Cambridgeshire District Council Local Plan 2018 states that vision of the Local Plan is to protect the character of South Cambridgeshire including its built heritage as well as protecting the Green Belt. New development should enhance the area.
18. The application is located in the Countryside as it is located outside of the Development Framework of Little Wilbraham, to the south of the site. Policy S/7 of the adopted South Cambridgeshire District Council Local Plan 2018. States that development will be permitted in the Countryside where it is permitted by other Policies in the Local Plan.

### Green Belt

19. Policy S/4 of the adopted South Cambridgeshire District Council Local Plan 2018 states that development will be permitted in the Green Belt where it meets the Green Belt Policy in the National Planning Policy Framework (NPPF).
20. The NPPF paragraph 149 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. There are exceptions to this which includes:  
  
*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
21. This application is for the instalation of 1.No Sun pipe to a previous kitchen extension, granted under application 20/01463/HFUL and 20/01464/LBC. This sun pipe is retrospective as it has already been installed.
22. It is considered that this alteration to the building would not result in a disproportionate addition to the main dwelling as the sun pipe would sit flush with the slope of the rear slate roof slope and would be visually discreet.
23. On that basis this is considered to be am alteration that would not result in a disproportionate addition over and above the size of the original building. The application is considered to be in accordance with Policy S/4 of the adopted South Cambridgeshire District Council Local Plan 2018 and the NPPF paragraph 149 c).

## Character and Heritage

24. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.
25. The site is located within the Little Wilbraham Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
26. The property is a grade II listed brick farmhouse dating to c.1830 with a modern extension to the rear. It contributes positively to the Little Wilbraham Conservation Area and has group value with neighbouring listed buildings.
27. The proposed sun pipe would be installed in the roof of the modern rear extension where it would not impact on the character or significance of the historic part of building. It would sit flush with the slope of the rear slate roof slope and would be visually discreet, with no impact on public views.
28. Taking the above into account the Conservation Officer has concluded that the proposal would not adversely affect the character of the listed building. Also the proposal would preserve or enhance the character or appearance of the conservation area. Therefore there is no harm identified to the identified heritage assets, Paragraph 199 of the NPPF.
29. The proposals would comply with Local Plan policy NH/14 of the adopted South Cambridgeshire District Council Local Plan 2018.
30. The Conservation Officer has referred to the the following paragraphs in the NPPF and how they would apply to this application.
31. Paragraph 194, there is a need for a heritage statement to be provided with the application. This is considered to be proportionate for the development that is being proposed and therefore acceptable. No concerns have been raised with the information and the assessment by the Conservation Officer.
32. Paragraph 195, it has been identified above that the application is in the Little Wilbraham Conservation Area and the works that are to be carried out are to a extension to the Grade II Listed Building. In the assessment about there would be no harm to these identified heritage assets.
33. In regards of the design of the application it is considered that this would be acceptable and would not dominate the rear of the building nor would it impact on the character of the street scene. The Materials that are used are complimentary to the main building. The application is therefore considered to be in conformity with Policy HQ/1 of the adopted South Cambridgeshire District Council Local Plan 2018.

## **Residential Amenity**

34. In regards of residential amenity both of the future residents of the site and the neighbouring residents of the site each of the plots are to be assessed below. This will be in regards of Policy HQ/1 of the adopted South Cambridgeshire District Council Local Plan 2018 and the District Design Guide.
35. Policy HQ/1 states in part n) that the proposal would not create overlooking to the neighbouring properties, nor would it create a dominating effect. It also requires the development not to have a harmful effect on the amenity of the future residents of the site. Paragraph 130 f) of the NPPF states that there should be a high standard of amenity for future and existing users.
36. Due to the nature and the location of the proposal it is considered that there would be no harm to the amenity of the neighbouring properties or landuses. This is a sun tube that is to allow for more light into the kitchen extension and would not face into any neighbouring properties or amenity spaces.
37. The application is therefore considered to be in conformity with Policy HQ/1 of the adopted South Cambridgeshire District Council Local Plan 2018, the District Design Guide and the NPPF 130 f).

## **Conclusion**

38. This application is considered not to create harm to the identified heritage assets, Little Wilbraham Conservation Area and the Grade II Listed Building. This proposal would not create a disproportionate addition to the Cambridgeshire Green Belt. The design of the application is considered to be acceptable and would not impact on the host building nor the street scene. It would not impact on the amenity of the neighbouring properties or land uses either.
39. The design of the application is considered to be acceptable and considered to be in conformity with the following Policies of the adopted South Cambridgeshire District Council Local Plan 2018, S/2, S/4, HQ/1 and NH/14. The NPPF paragraphs 130 f), 149 c), 194, 195 and 199.

## **Recommendation**

40. Officers recommend that the Committee Approve the application, subject to the below conditions.

## **Background Papers**

41. The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.
  - South Cambridgeshire Local Plan 2018

- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)

### **Report Author:**

Jane Rodens - Senior Planning Officer  
Telephone Number - 07704 018 433

### **Recommended Conditions**

#### **Time limit**

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

#### **Plans**

The development hereby permitted shall be carried out in accordance with the approved plans submitted on the 6<sup>th</sup> August 2021:

2152-A100 – Location Plan  
2152-A101 – Existing and Proposed Block Plan  
2152-A200 – Existing Elevations  
2152-A201 – Proposed Elevations  
2152-A600 – Sun Pipe installation Details

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

#### **Materials**

The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed with the local planning authority.

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

# Agenda Item 11



South  
Cambridgeshire  
District Council

**Report to:** Planning Committee 13 October 2021

**Lead Officer:** Joint Director of Planning and Economic Development

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## **21/00858/FUL – Swavesey Ward (19 Wallmans Lane, Swavesey, CB24 4QY)**

Proposal: Erection of a 4 bed dwelling with garage and office

Applicant: Mr. Mawby

Key material considerations: Design/Visual Impact, access arrangements and amenity

Date of Member site visit: N/A

Is it a Departure Application?: No

Decision due by: 15<sup>th</sup> October 2021

Application brought to Committee because: Land owner is District Councillor and applicant is related to District Councillor

Presenting officer: Dean Scrivener

### **Executive Summary**

1. The application proposes a four-bedroom detached dwelling, with a garage and office. No objections have been received from neighbouring dwellings. Concerns about access are raised by the Highway Authority but this has been resolved as the access has been created for the existing dwellings on the adjoining site, in accordance with previous planning permission S/1048/16/FL.

2. The proposal is considered to accord with the character and appearance of the local area and Conservation Area and does not result in any amenity issues for neighbouring properties.

## Relevant Planning History

3. S/1048/16/FL. Erection of two dwellings and vehicular access. Permitted (adjoining site)
4. 20/01410/FUL. Erection of a 5 bed dwelling with garage and office. Withdrawn.

## Planning policies

5. National Planning Policy Framework (NPPF), National Design Guide 2021, Planning Practice Guidance.
6. South Cambridgeshire Local Plan 2018, District Design Guide 2010, Sustainable Design and Construction SPD (2020), Biodiversity SPD (Adopted 2009)

## Consultations

7. **Swavesey Parish Council** advised that it supports the application.
8. **Environmental Health Officer.** No objection recommends condition relating to time restrictions on noisy plant and machinery.
9. **Tree Officer.** No arboricultural or hedgerow objections to the application.
10. **County Highway Authority.** No visibility splay information has been provided to demonstrate visibility splays with the dimensions of 2.4 metres by 43metres as measured from and along the nearside edge of the carriageway on both sides of the access. The access off of Wallmans Lane will be the only access to the proposed development the carriageway has a proposed width of 4.5m of its entire length from its junction with Wallmans Lane. This width is insufficient to enable two domestic vehicles to pass each other and is considered narrow for the passing of a cycle and or pedestrian with a motor vehicle. The lack of width has the potential to create unnecessary manoeuvring within Wallmans Lane, as motor vehicles entering the proposed development are likely to reverse out of the lane rather than require a vehicle exiting to traverse a narrow and enclosed road. Requested conditions relating to the existing accessway pedestrian splays, surfacing and traffic management plan.
11. **Conservation Officer.** No objection. Recommended additional detail on south elevation.

12. **Environment Agency.** Originally objected to the application and recommend that planning permission is refused. The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. Following the receipt of an addendum to the FRA (Ellingham Consulting) submitted in July, the EA have now removed their objection subject to a condition that the development is carried out in accordance with the submitted Flood Risk Assessment (ref ECL0350/TMV Architects, February 2021) and the subsequent addendum.
13. **Sustainable Drainage Engineer.** The scheme is acceptable subject to a condition requiring the submission of a scheme for the disposal of surface water and foul water that can be maintained for the lifetime of the development.

### **Representations from members of the public**

14. One representation was received from 10 Market Street which did not object but advised that the planning application appears to have no real or excessively adverse effect on 10 Market Street. But asked whether the distance from office/garage and boundary is acceptable, having regard to its height, and whether the two rooflight windows in the office/garage would impact on privacy. In both cases the occupant advised that they are relatively relaxed but requested that the planning department satisfy themselves that these issues are ok.

### **The site and its surroundings**

15. The site lies within the Swavesey village framework where the principle of additional residential development is supported. It is also within the Swavesey Conservation Area. Two new dwellings are located immediately to the west and the access is via an extension to the existing private access drive near the left hand bend in Wallmans Lane which also serves the two existing dwellings. The application site lies within Flood Zone 3.

### **The proposal**

The application proposes a four bed detached dwelling with garage/office accessed via a private access drive.

## Planning Assessment

### Design, Character and appearance and Conservation Area

16. The proposal would be a form of development that is compatible with the surrounding residential uses. The area is a mixture of dwelling types and forms in a relatively high density location. The scale of the dwelling would be in keeping with the height of the dwellings to the west and south. The dwelling would have a private garden that would be of suitable size for a large family home located to the north and east of the dwelling.
17. There would be a double garage to the west side of the dwelling with a hardstanding of sufficient size to enable vehicles to enter the drive and turn to exit in forward gear.
18. The form of development is compatible with the neighbouring dwellings. The buff brick with stone cills and slate roof with grey window surrounds would be in keeping with the recently completed neighbouring dwellings. The garage building would have oak clad walls and slate roof. The design of the dwelling is considered to be compatible with the location within the Conservation Area would preserve its character and appearance.
19. Overall, the proposal is considered to be in keeping with the character and appearance of the local area and Conservation Area, and is therefore compliant with policies HQ/1 and NH/14 of the Local Plan.

### Neighbour Amenity

20. Having regard to neighbour amenity, the location of upper floor windows and the distance to the closest dwellings would not give rise to concerns of loss of privacy through overlooking of private amenity space nor direct views into habitable rooms. The garden depth to the north is 13.3 metres, just under 10 metres to the east, 14.5 metres to the side of the dwelling to the west. Two bedroom windows face north and south towards adjoining properties. However, the distance to the windows is not considered to result in overlooking impact in this instance. The first floor window within the south elevation which was added to provide interest in this elevation of the proposed dwelling (drawing number 110 Rev A), faces towards the rear of No.19 Wallmans Lane and serves a bedroom but does not have a direct view towards the rear amenity space due to the presence of a mature tree within the rear garden of No. 19. However, as it provides a secondary source of light, it is to be obscure glazed and fixed shut, apart for any top hung vent for ventilation purposes. This is to prevent any direct overlooking impact upon No. 19.
21. The height of the proposed garage and office would be 5.6 metres with external access staircase to office on the east of the building. The rooflight windows have the lowest part of the window 1.8 metres above the finished floor level of the room. As



such the distance of the ridge of the building from the boundary with No.10 Market Street would be about 6.2 metres and there would be no potential overlooking of any neighbouring property from the roof light windows due to the height.

22. The proposed garden serving the proposed dwelling is large in space and would provide plentiful amenity space for the future occupants to enjoy.
23. The Environmental Health Officer has been consulted on the application and raises no objections subject to condition restricting working hours and work related deliveries to and from the site. This condition is recommended in order to safeguard the amenities of neighbouring properties from noise disturbance.
24. In conclusion, the proposed development is considered to accord with policies HQ/1 (part n) of the Local Plan.

### **Highways Issues**

25. The comments from the Highway Authority regarding the width of the access road are noted. Following informal consultation with the Highway Authority it is advised that plan 001 of the 2016 planning permission which has been constructed identified suitable inter-visibility splays. The access road is already constructed up to the highway and the requirements for appropriate visibility splays at the end of the access have been addressed through the conditions attached to planning permission S/1048/16/FL. As such the width of the access drive reflects the width that applies to the two new dwellings. The plans have a 4.5 metre drive stopping at the entrance to the drive of the current proposed dwelling with a pedestrian path outside the two dwellings. The current application does not alter that layout. In the event that a car was emerging from the new dwelling there would be scope to allow a vehicle to park at the new dwellings and more space to manoeuvre than is presently the case. There is clear visibility along the private access to the adopted highway. As such, the Highway Authority accepts that the access arrangements are acceptable in this instance.
26. Conditions regarding visibility splays, the construction of the access and a traffic management plan are recommended in order to ensure the safe and effective operation of the highway, in accordance with paragraphs 108 and 109 of the NPPF.

### **Flood Risk**

27. The applicant submitted a flood risk assessment for the proposed dwelling and this was subject to consultation with the Drainage Officer who raises no objection to the proposal. The FRA proposes mitigation of ensuring that the finished floor level of the development is 6.55 metres AOD. Surface water drainage is subject to a condition that will ensure that all drainage is managed within the site such that there would not be additional risk to neighbouring dwellings.

28. The Environment Agency (EA) had originally objected to the application as the FRA did not adequately assess the flood risks posed by the development and was therefore not in accordance with paragraphs 30 and 32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance. The applicant has since submitted an addendum to the FRA which addresses the points raised by the EA regarding different climate change allowances to assess future flood risk and demonstration of the stage discharge plot used to calculate flood level. The EA have now removed their objection subject to a condition to ensure the development is carried out in accordance with the FRA and the subsequent addendum to ensure the development does not result in any significant flood risk, in accordance with policy CC/9 of the Local Plan and the Planning Practice Guidance.

### **Other Matters**

29. Given the proposal is for a new dwelling, to ensure the proposal is a sustainable form of development, conditions regarding sustainable construction, water efficiency and broadband installation prior to occupation and any development above ground level, are also recommended in accordance with policies CC/3, CC/4, CC/7 and TI/10 of the Local Plan.
30. In addition, to promote biodiversity a condition regarding biodiversity enhancement is also recommended.

### **Planning balance and conclusion**

31. Having regard to national and local policies and guidance, the proposal is considered to accord with policies that seek a high quality development that would respect neighbouring occupiers and heritage assets.

### **Recommendation**

32. Officers recommend that the Planning Committee approves the application subject to conditions and informatives as set out below.

### **Conditions**

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

- 2) The development hereby permitted shall be carried out in accordance with the 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 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.)

- 4) The dwelling shall not be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

(Reason - To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (South Cambridgeshire District Council Local Plan 2018 policy CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 5) No development above ground level shall proceed until an Energy Statement has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate that a minimum of 10% carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details. Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Carbon

Reduction Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved 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)

- 6) No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at anytime on Sundays or Bank or Public holidays.

(Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy HQ/1 (part n) of the South Cambridgeshire Local Plan 2018).

- 7) No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the period of development:
- a) full details of any piling technique to be employed, if relevant
  - b) contact details for site manager, including how these details will be displayed on site.

(Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy HQ/1 (part n) of the South Cambridgeshire Local Plan 2018).

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

- (i) Movements and control of muck away lorries
- (ii) Contractor parking
- (iii) Movements and control of all deliveries
- (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

(Reason: in the interests of highway safety)

- 9) Prior to commencement of development a scheme for the disposal of surface water and foul water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.

The details shall include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- c) A site plan identifying indicative locations for sustainable drainage features;
- d) Evidence to support b) which must include infiltration/percolation testing or written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable; and
- e) Details of foul discharge location

(Reason - To reduce the risk of flooding to the proposed development and future occupants, in accordance with policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018).

- 10) Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

(Reason: In the interests of highway safety).

- 11) The proposed drive way 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, as well as being constructed using a bound material to prevent debris spreading onto the adopted highway.

(Reason – in the interests of highway safety).

- 12) No development above slab level shall take place until a scheme setting out a range of ecological / biodiversity enhancement measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall seek to demonstrate a 10% biodiversity net gain unless it is otherwise agreed in

writing by the Local Planning Authority that is not practically or viability achievable to do so and an alternative target is set. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall include the consideration of the installation of swift bricks as part of the detailed design of the gables. The approved scheme shall be carried out in full prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

(Reason - To enhance ecological interests in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 174 and 175 of the NPPF 2019).

- 13) Apart from any top hung vent, the proposed first floor window in the side (south west) elevation of the dwelling hereby approved, shall be fitted with obscured glass (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.

(Reason - To prevent overlooking of the adjoining neighbouring property in accordance with Policy HQ/1 (part n) of the South Cambridgeshire Local Plan 2018).

- 14) The development hereby approved, shall be carried out in accordance with the submitted Flood Risk Assessment (ref ECL0350/TMV Architects, February 2021 and the subsequent FRA addendum, Ellingham Consulting, undated), and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 6.55 metres (AOD)
- A further 0.3m of flood resilient construction shall be provided above finished floor level

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

(Reason – To reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy CC/9 of the South Cambridgeshire Local Plan 2018 and the Planning Practice Guidance).

## **Informatives**

- 1) There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
- 2) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted

and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

- 3) 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.
- 4) 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.
- 5) Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

**Report Author:**

Dean Scrivener – Senior Planning Officer  
Telephone: 07704018416

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# Agenda Item 12



**Report to:** Planning Committee

13 October 2021

**Lead officer:** Joint Director of Planning and Economic Development

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## Enforcement Report

### Executive Summary

1. On 30<sup>th</sup> September 2021 there were 237 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.

Amendments are to be considered to be added to Appendix 1 - Enforcement Cases Received and Closed. The extra fields on the submitted document for October Planning Committee will include cases closed as not expedient and resolved. If Members would like others to be considered 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 2<sup>nd</sup> July and verbal update to be provided to Planning Committee. A further meeting between Stephen

Kelly, Joint Director of Planning and Economic Development and local residents was held on 23<sup>rd</sup> August 2021.

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 9<sup>th</sup> July 2020. Compliance visit to be carried out after 7<sup>th</sup> 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 16<sup>th</sup> 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.

Planning application reference 21/03587/FUL has been submitted for the retention of two pieces of play equipment and the introduction of an acoustic fence along the southern boundary. Further action will be placed on hold pending outcome of the application.

### **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 30<sup>th</sup> 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 reference 21/03532/FUL has been submitted and has since been validated

**Cottage Nursery, Cardinals Green, Horseheath, Cambridge, Cambridgeshire, CB21 4QX**

The reported alleged breaches of planning control are various from use of the property as a House in Multiple Occupation and also the erection of a building to the rear.

Various departments within the Local Authority have an interest in the address and a joint visit is in the process of being arranged. Further updates to be provided when the visit has taken place.

**Smithy Fen, Cottenham, Cambridge, Cambridgeshire, CB24 8PT**

This is a site with an extensive history of formal Notices being served, injunctions and prosecutions being carried out. Due to the complex nature of the site an outside company Ivy Legal have been tasked with reviewing the site history and providing a detailed report on recommended actions that can be considered by the Local Planning Authority.

The report is in the final draft stage and members will be updated as soon as it is complete.

**Pathfinder Way, Northstowe, Cambridgeshire, CB24 1AA**

A Temporary Stop Notice was served on 21/09/21 to cease piling. Evidence from residents is being collated and forwarded to Legal to commence a prosecution. All works have stopped in respect of piling. Enforcement are continually being updated by Planning Officers and will take further action if directed to do so.

**Land At Haden Way, Willingham, Cambridge, Cambridgeshire, CB24 5HB**

A Breach of Condition Notice was served on 23<sup>rd</sup> September 2021 with regards to piling on site. All works have ceased in relation to the piling. A meeting between members and residents is to take place on 7<sup>th</sup> October 2021.

**Land To North And South Of Bartlow Road, Linton, Cambridgeshire**

Development has commenced on site without pre commencement conditions being discharged. Awaiting further information from Planning Officers as to the taking of further action.

## **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

Date: 01/10/21

Enforcement Cases Received and Closed

Month – 2021	Received	Closed			
		No Breach	Resolved	Not Expedient	Application Approved
August 2021	46	2	1	0	3
July 2021	44			45	
1 <sup>st</sup> Qtr. 2021	118			91	
2 <sup>nd</sup> Qtr. 2021	92			214	
3 <sup>rd</sup> Qtr. 2021	100			51	
1 <sup>st</sup> Qtr. 2020	123			84	
2 <sup>nd</sup> Qtr 2020	101			60	
3 <sup>rd</sup> Qtr 2020	135			33	
4 <sup>th</sup> Qtr 2020	114			103	
1 <sup>st</sup> Qtr. 2019	135			134	
2 <sup>nd</sup> Qtr. 2019	146			155	
3 <sup>rd</sup> Qtr. 2019	177			154	
4 <sup>th</sup> Qtr 2019	157			198	
1 <sup>st</sup> Qtr. 2018	161			148	
2 <sup>nd</sup> Qtr. 2018	156			167	
3 <sup>rd</sup> Qtr. 2018	176			160	
4 <sup>th</sup> Qtr. 2018	177			176	
1 <sup>st</sup> Qtr. 2017	122			122	
2 <sup>nd</sup> Qtr. 2017	157			165	

<b>3<sup>rd</sup> Qtr. 2017</b>	<b>148</b>	<b>118</b>
<b>4<sup>th</sup> Qtr. 2017</b>	<b>175</b>	<b>158</b>
<b>2021 - YTD</b>	<b>210</b>	<b>305</b>
<b>2020 - YTD</b>	<b>473</b>	<b>190</b>
<b>2019 - YTD</b>	<b>615</b>	<b>641</b>
<b>2018 - YTD</b>	<b>670</b>	<b>651</b>
<b>2017 - YTD</b>	<b>602</b>	<b>563</b>
<b>2016 - YTD</b>	<b>565</b>	<b>563</b>
<b>2015 - YTD</b>	<b>511</b>	<b>527</b>
<b>2014 - YTD</b>	<b>504</b>	<b>476</b>

Notices Served

1. Notices Served in August 2021

Type of Notice	Period		Calendar Year to date	
	July 2021	2021	2021	2021
Enforcement	0		5	
Stop Notice	0		0	
Temporary Stop Notice	0		2	
Breach of Condition	0		1	
S215 – Amenity Notice	0		0	
Planning Contravention Notice	0		6	
Injunctions	0		0	
High Hedge Remedial Notice	1		1	

2. Details of Notices served in August 2021

Ref. no.	Village	Address	Notice issued
EN/00218/21	Caldecote	59 Highfields Road Highfields Caldecote Caldecote Cambridge Cambridgeshire CB23 7NX	Anti-Social Behaviour Act 2003 – High Hedge

Date: 04/10/21

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# Agenda Item 13



**Report to:** Planning Committee

13 October 2021

**Lead Officer:** Joint Director of Planning and Economic Development

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## 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 29 September 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

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## Appendix 1

### Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
20/01628/FUL	11 Portway Melbourn	Demolition of Existing Garage and erection of 1 no. dwellinghouse	Allowed	16/09/2021	Refused
20/05231/HFUL	95 Station Road Impington	With reference to highways application ccc252103869 which was granted subject to planning permission, a dropped kerb outside of residence for vehicular access	Allowed	21/09/2021	Refused

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Appeals Received

Reference	Address	Details	Date Appeal lodged
20/04704/OUT	Land At St Peters Street Caxton	Outline planning for the erection of up to nine self build dwellings and associated garaging with some matters reserved except for access from Rosemary Greene Close.	03/09/2021
S/4521/19/FL	Martins Farm 53 Boxworth Road Elsworth	Erection of 9 dwellinghouses and associated infrastructure and works including formation of new vehicular access following demolition of existing buildings	07/09/2021
20/03339/FUL	Land West Of 80 West Street Toft	Erection of a convenience food retail store with associated car parking	08/09/2021
21/00781/HFUL	Foxelwood Station Road Oakington And Westwick	Renovation of existing timber barn to home office and summer room. Construction of new open car port and two garages. Thinning of vegetation to front of dwelling to improve access and visibility to Station Road.	13/09/2021
21/02979/PRI16A	Newmarket Road Stow Cum Quy	Prior approval for the installation of a 20.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary	14/09/2021

## Appendix 2

		works	
21/03223/PRI16A	Horningsea Road Horningsea	Proposed 20.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works	17/09/2021
21/01607/FUL	59 Ermine Way Arrington	Erection of 1 No. eco dwellinghouse	23/09/2021
21/02835/FUL	Land At Church Farm Buildings Park Street Dry Drayton	Erection of single storey detached dwelling of three bedroom design with associated amenity space, parking, bin and cycle storage	24/09/2021
20/02066/FUL	180 High Street Harston	Erection of a residential development containing nine units comprising a mixture of houses and apartments along with access, car parking, landscaping and associated infrastructure following demolition of existing buildings	25/08/2021
21/01518/PIP	64 Hay Street Steeple Morden	Erection of a single residential dwelling	28/09/2021

## Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

<b>Reference</b>	<b>Name</b>	<b>Address</b>	<b>Planning decision or Enforcement?</b>	<b>Date confirmed/ proposed</b>
20/02929/OUT	Axis Land Partnerships Ltd	Land Between Haverhill Road And Hinton Way Stapleford	Refused	TBC

- **Informal Hearings**

<b>Reference</b>	<b>Name</b>	<b>Address</b>	<b>Planning decision or Enforcement?</b>	<b>Date confirmed/ proposed</b>
S/3873/17/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	21/10/2021
S/1625/18/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	21/10/2021
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	16/11/2021
EN/01535/20	Mr Joseph Tidd	Land To The South Of Chear Fen Boat Club, Twentypence Road	Enforcement Notice	TBC

### Appendix 3

<b>20/04431/FUL</b>	<b>Mrs Julie Brown</b>	<b>The Arches, Schole Road Willingham</b>	<b>Planning Decision</b>	<b>TBC</b>
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