

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 01954 713000

f: 01954 713149

www.scambs.gov.uk



11 January 2022

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, 19 January 2022** at **10.00 a.m.**. **A weblink to enable members of the press and public to listen to the proceedings will be published on the relevant page of the Council's website, normally, at least 24 hours before the meeting.**

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

Yours faithfully
Liz Watts
Chief Executive

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

Agenda

Pages

Safety notice for members of the public - Covid-19

Members of the public may attend a meeting in person to observe the meeting or to speak. However, in the interests of safety for all attendees, due to the continuing need to minimise risk of transmission of COVID-19, where possible, members of the public are strongly urged to consider participate remotely instead of in person. Please also note, the seating available for members of the public is severely restricted to enable social distancing. If you nevertheless intend to be present in person, please contact Democratic Services to request a place. Finally, members of the public are asked to take note of safety measures currently recommended for public meetings, such as the request that all those attending in person wear a face covering throughout the meeting where possible. The ability to join the meeting remotely is considered the preferred option for these reasons.

1. **Chair's announcements**

2. **Apologies**

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**

The Minutes of the meeting held Wednesday 8 December will be presented at the next meeting

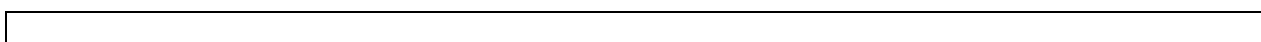
5. **21/02795/S73 - Land East Of Highfields Road, Highfields, Caldecote**

1 - 22

Variation of condition 18 (scheme for a shared use footway/cycleway along the western side of Highfields Road) and 20 (scheme for the design and materials to be used for access and public rights of way) of planning permission S/3777/19/VC (Variation of condition 23 (water drainage scheme) of planning

permission S/2510/15/OL for Outline planning permission for up to 140 residential dwellings (including up to 40% affordable housing) removal of existing temporary agricultural structures and debris introduction of structural planting and landscaping informal public open space and children's play area community orchard and allotments surface water flood mitigation and attenuation vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access

- | | | |
|------------|--|------------------|
| 6. | 20/05199/REM - Ida Darwin Hospital, Fulbourn Old Drift, Fulbourn
Application for all matters reserved for Layout, Scale, Appearance and Landscaping following the granting of outline approval ref: S/0670/17/OL Dated 19th November 2019 for up to 203 dwellings including affordable housing and land for community provision with access and associated works, open space and landscaping, following the demolition of existing buildings on site | 23 - 92 |
| 7. | 20/05251/OUT - Land North West Of 7 Primrose Walk, Little Gransden
Outline planning application for the erection of a single self-build dwelling with all matters reserved | 93 - 112 |
| 8. | 21/02117/FUL - The Jolly Millers, 73 High Street, Cottenham
Change of use of public house (SG) with flat to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings | 113 - 140 |
| 9. | 21/04447/OUT - Land Adjacent 35 Balsham Road, Linton
Outline planning application for the erection of a single self-build dwelling (two storey, 3 Bedroom, 5 Person) with associated parking and amenity space, with all matters reserved - resubmission of 20/05250/OUT | 141 - 152 |
| 10. | 21/04592/HFUL - 19 Foxton Road, Barrington
Loft conversion | 153 - 160 |
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Exclusion of Press and Public

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

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

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

Notes

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

Agenda Item 5



Report to: South Cambridgeshire District Council Planning Committee 19 January 2022

Lead Officer: Joint Director of Planning and Economic Development

21/02795/S73 – Land East Of Highfields Road, Highfields Caldecote, Caldecote

Proposal: Variation of condition 18 (scheme for a shared use footway/cycleway along the western side of Highfields Road) and 20 (scheme for the design and materials to be used for access and public rights of way) of planning permission S/3777/19/VC (Variation of condition 23 (water drainage scheme) of planning permission S/2510/15/OL for Outline planning permission for up to 140 residential dwellings (including up to 40% affordable housing) removal of existing temporary agricultural structures and debris introduction of structural planting and landscaping informal public open space and children's play area community orchard and allotments surface water flood mitigation and attenuation vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access).

Applicant: Linden (Highfields Caldecote) LLP

Key material considerations: Principle of Development (relevant planning history)
Shared Use Footway/Cycleway (condition 18),
Circular Public Bridleway (condition 20)
Other Matters

Date of Member site visit: None

Departure Application: Yes (advertised 07 July 2021)

Decision due by: 26 January 2022 (extension of time agreed)

Application brought to Committee because: Significant departure from the development plan, being a new planning permission for a consented residential development, outside of Caldecote Development Framework Boundary.

Presenting officer: Michael Sexton

Executive Summary

1. Outline planning permission was allowed at appeal on 05 July 2017 for the development of up to 140 residential dwellings and associated works, with all matters reserved apart from access, under planning reference S/2510/15/OL. Two legal agreements dated 23 March 2017 are attached to the outline consent, one specific to Affordable Housing and one to Other Contributions.
2. Reserved matters permission for phase 1 of the scheme (66 dwellings) was issued on 14 November 2019 and the development is currently under construction.
3. The outline consent was subject to a Section 73 application to vary condition 23 (water drainage scheme), granted on 21 July 2020. A Deed of Variation dated 21 July 2020 is attached to that consent to carry forward the original obligations.
4. The applicant, Linden (Highfields Caldecote) LLP, are seeking further variations to the conditions of the original permission, namely condition 18 (scheme for a shared use footway/cycleway along the western side of Highfields Road) and condition 20 (scheme for the design and materials to be used for access and public rights of way).
5. The revisions are sought due to insufficient land being available to deliver the works required by conditions 18 and 20, with alternative wording proposed to ensure the scheme still delivers highway and access improvements.
6. There are no technical objections to the proposed variation of condition 18, which would still result in the delivery of an improved footway and footway/cycleway arrangement along Highfields Road than currently exists and be acceptable in highway safety terms.
7. No policy conflict is identified with the proposed variation of condition 20, which would provide a circular public footpath rather than a circular public bridleway, maintaining the provision of an enhanced network of routes within the countryside and connection to an existing public right of way.
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 2019 reserved matters consent.
9. If approved, a Deed of Variation would again be required to attach the Section 106 requirements from the previous permissions to this Section 73 application and this work will follow.
10. 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

11. 21/02265/FUL – Construction of 74 dwellings together with associated infrastructure, open space and landscaping – pending.
12. 21/01334/S73 – S73 application to vary condition 1 (Approved Plans) of permission S/4619/18/RM (Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/2510/15/OL for phase 1 (66 dwellings) of the residential development with associated infrastructure) to allow alterations to the approved landscaping scheme – pending.
13. S/2510/15/CONDB – Submission of details required by condition 20 (Design and materials to be used for access and public rights of way) of outline planning permission S/2510/15/OL – Withdrawn (30 June 2021).
14. S/2510/15/CONDA – Submission of details required by condition 27 (Travel Plan) of planning permission S/2510/15/OL – Deemed Discharge (26 May 2021).
15. S/3660/19/DC – Discharge of conditions 13 (Fire hydrants), 14 (Artificial lighting scheme), 22 (Foul water drainage) and 23 (Surface water drainage) pursuant to planning appeal APP/W0530/W/16/3149854 (S/2510/15/OL) – Approved (21 July 2020).
16. S/3777/19/VC – Variation of condition 23 (water drainage scheme) of planning permission S/2510/15/OL for Outline planning permission for up to 140 residential dwellings (including up to 40% affordable housing) removal of existing temporary agricultural structures and debris introduction of structural planting and landscaping informal public open space and children's play area community orchard and allotments surface water flood mitigation and attenuation vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – Approved (21 July 2020).
17. S/4074/19/DC – Discharge of conditions 2 (External materials), 4 (Landscape and Ecological Management plan (LEMP)) and 9 (Scheme to retain and improve the hedgerow) pursuant to planning permission S/4619/18/RM – Approved (25 March 2020).
18. S/3338/19/DC – Discharge of conditions 5 (Arboricultural method statement), 6 (Hard and Soft landscaping), 15 (Car Parking and secure bike storage), 19 (Upgrade bus stops) of planning permission S/2510/15/OL – Approved (19 March 2020).
19. S/4836/18/DC – Discharge conditions 17 (electric vehicle charging infrastructure strategy and implementation plan), 21 (renewable energy), 24 (archaeological investigation), 25 (construction method statement) of appeal decision APP/W/0530/W/16/3149854 for Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing), removal of

existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – Approved (18 March 2020).

20. S/4388/19/DC – Discharge of conditions 8 (Ecology enhancement) and 10 (Badger Set) pursuant to planning appeal APP/W0530/W/16/3149854 (S/2510/15/OL) – Approved (12 March 2020).
21. S/4437/19/DC – Discharge of condition 20 (Scheme for the design and materials to be used for access and public rights of way) pursuant to outline planning permission S/2510/15/OL – Refused (13 February 2020).
22. S/0292/19/PO – Modification of planning obligations contained in a unilateral undertaking dated 23 March 2017 – Approved (03 December 2019).
23. S/3347/19/DC – Discharge of conditions 8 (Habitat and Species Mitigation) and 10 (Badger Mitigation Strategy) of planning permission S/2510/15/OL – Refused (27 November 2019).
24. S/4619/18/RM – Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/2510/15/OL for phase 1 (66 dwellings) of the residential development with associated infrastructure – Approved (14 November 2019).
25. S/1216/16/OL – Outline planning permission for up to 140 residential dwellings at land east of Highfields Road, Highfields Caldecote (including up to 40% affordable housing), removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – Refused (04 August 2016).
26. S/2510/15/OL – Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing), removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – Appeal Allowed (05 July 2017).

Planning policies

National Guidance

- 27. National Planning Policy Framework 2021
National Planning Practice Guidance
National Design Guide 2019

South Cambridgeshire Local Plan 2018

- 28. 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/10 – Group 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/8 – Housing Density
- H/9 – Housing Mix
- H/10 – Affordable Housing
- 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):

- 29. Caldecote 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 SPD – Adopted January 2009
- Public Art SPD – Adopted January 2009
- Trees and Development Sites SPD – Adopted January 2009

Other Guidance

- 30. Greater Cambridge Housing Strategy 2019 – 2023

Consultation

- 31. **Caldecote Parish Council** – No comment.
- 32. **British Horse Society** – Object.

The benefit of the planning permission for the number of houses included the obligation to provide for a bridleway. The applicant is happy to grasp the benefit without fulfilling the obligation which is unacceptable.

The disbenefit of this reduction in amenity for equestrians is compounded by the provision of a shared pedestrian cycle route on the opposite side of the road. Such a path results not only in equestrians being left in the traffic flow without the provision of a safe off road path, but with the additional hazard of fast moving vehicular traffic on their outside and fast moving cycle traffic on their inside. This scenario is dangerous for all road users.

The provision of a safe off road path for equestrians was embedded in the planning permission and should be equally as enforceable as the commercial benefit of the permission for the number of houses.

- 33. **Definitive Map Officer** – comment:

The Definitive Map Team notes that the original permission, as granted at Appeal, included the requirement for a public bridleway by way of a condition. Whilst it is understood why the applicant has found it difficult to comply with the condition, the LPA will need to consider whether by varying the condition as proposed, the original permission would still be acceptable in line with the Cambridgeshire's Rights of Way Improvement Plan (ROWIP) and more importantly SCDC's Planning Policy TI/2.

34. **Designing out Crime Officer** – No objection.
35. **Ecology Officer** – No comments to offer.
36. **Environment Agency** – No comments to offer.
37. **Environmental Health** – No comments to offer.
38. **Landscape Officer** – No comments to offer.
39. **Lead Local Flood Authority** – No objection.
40. **Local Highways Authority** – No objection.
41. **Sustainable Drainage Engineer** – No comments to offer.
42. **Trees Officer** – No objection.

Representations from members of the public

43. One representation from no.4 Clare Drive requesting to keep the cycle path and pavement separate.

The site and its surroundings

44. The whole site comprised approximately 7.17 hectares of agricultural land on the east side of Highfields Caldecote, at the northern end of the village, with part of the site now under construction for residential use. The site abuts Highfields Road on its western boundary, with residential properties opposite. The southern boundary of the site abuts existing residential properties on Clare Drive and Damms Pastures.
45. To the north the site adjoins an unadopted roadway leading from Highfields to St Neots Road, which serves several residential properties. It is also the line of Public Footpath No.1 Caldecote. To the east of the site is agricultural land.
46. The northern parcel of the outline site benefits from reserved matters permission for the erection of 66 dwellings (phase 1) and is currently under construction.
47. The southern parcel of the outline site is currently subject to a full planning application that is under consideration for the erection of 74 dwellings, reference 21/02265/FUL.

The proposal

48. The application seeks vary condition 18 (scheme for a shared use footway/cycleway along the western side of Highfields Road) and condition 20 (scheme for the design and materials to be used for access and public rights of

way) of planning permission S/3777/19/VC, a Section 73 consent granted pursuant to the original outline application, reference S/2510/15/OL.

Planning Assessment

Key Issues

49. The key issues to consider in the determination of this application relates to the principle of development (relevant planning history), shared use footway/cycleway (condition 18), circular public bridleway (condition 20) and other matters.
50. 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 (relevant planning history)

51. The principle of residential development on the site has already been established through outline consent S/2510/15/OL, which granted outline planning permission for up to 140 dwellings, later varied by S/3777/19/VC.
52. Reserved matters permission S/4619/18/RM for phase 1 of the scheme (66 dwellings), which relates to the northern parcel of the site, was issued on 14 November 2019 and the development is currently under construction.
53. The time limit for the submission of a reserved matters application for phase 2 of the development on the southern parcel of the site expired in July 2019, as set out by condition 2 of the outline consent and Section 73 consent.
54. As a consequence of the time limit for the submission of a reserved matters application for phase 2 having expired, only 66 of the possible 140 dwellings are to be developed under the original outline planning permission.
55. A full planning application has been submitted for the erection of 74 dwellings on the southern parcel of the outline consent, reference 21/02265/FUL, and is currently under consideration.
56. Despite the absence of a reserved matters permission for phase 2 of the outline consent, relevant permissions for residential development have been implemented and works continue to progress on site. Therefore, the principle of residential development has been established and implemented.

57. 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 Caldecote contrary to the provisions of Policy S/7(2) of the Local Plan. As a result, the application has been advertised as a departure.
58. Notwithstanding the departure from the development plan there are clear material considerations that outweigh the conflict, that being the implementation of the 2019 reserved matters permission.
59. It is important to note that given the specific wording of condition 2 of the previous consents, the granting of a new Section 73 application would not provide an opportunity for any further reserved matters applications to be submitted.
60. Therefore, there is no in principle objection to the proposed Section 73 application.

Shared Use Footway / Cycleway (condition 18)

61. Condition 18 of the Section 73 consent states:

No development shall commence until a scheme for a shared use footway/cycleway along the western side of Highfields Road, from the new development northern access to St Neots Road, has been submitted to and approved in writing by the local planning authority. The scheme shall be completed prior to the occupation of the first dwelling on site.

(Reason - To mitigate the impact of development traffic upon the local highway network and provide a high standard of facilities for walkers, cyclists and public transport users in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.)

62. The application form sets out that it is not possible to provide a shared footway/cycleway starting immediately adjacent to the northern entrance to the site, as required by condition 18, as the width of land under the developer's and/or County Highways' control is insufficient.
63. The application therefore proposes to install a footway from the site entrance along Highfields Road up to and slightly beyond the junction with West Drive to the north and then a shared footway/cycleway commencing slightly to the north of the West Drive junction running to St Neots Road.
64. This proposal is illustrated on drawing numbers C7135/CE1G (S278 Agreement Plan Sheet 1 of 2) and C7135/CE2M (S278 Agreement Plan Sheet 2 of 2) submitted in support of the application.

65. The application proposes to amend condition 18 to read as follows:

Prior to occupation of the first dwelling on the site the following highways works shall be completed in accordance with drawings C7135/CE1G S278 Agreement Plan Sheet 1 of 2 and C7135/CE2M S278 Agreement Plan Sheet 2 of 2:

- i) A footway from the new development southern access along Highfields Road to the Clare Drive roundabout
- ii) A footway from the new development northern access along Highfields Road to the northern side of the West Drive roundabout
- iii) A shared use footway/cycleway along Highfields Road from the northern side of the West Drive roundabout to St Neots Road

66. The proposed revisions to condition 18 would still result in the delivery of an improved footway and footway/cycleway arrangement than currently exists along Highfields Road.

67. The key difference is that the revised arrangements would provide a 1.8 metre wide footway from the northern entrance of the site running north for approximately 240 metres along Highfields Road, as illustrated on drawing number C7135/CE1G (S278 Agreement Plan Sheet 1 of 2), as opposed to a 3 metre wide footway/cycleway, which cannot be accommodated.

68. Beyond this point a 3 metre wide footway/cycleway is to be provided along Highfields Road northwards to St Neots Road, as required by the original condition.

69. The trigger for the completion of the works remains prior to the occupation of the first dwelling, which officers consider appropriate for the development in highway safety terms.

70. The application has been subject to formal consultation with the Local Highways Authority, who raise no objection to the proposed variation.

71. In consultation with the Local Highways Authority, officers consider it appropriate to vary condition 18 to a compliance condition in line with the details submitted and set out above, which would accord with Policy TI/3 of the Local Plan.

Circular Public Bridleway (condition 20)

72. Condition 20 of the Section 73 consent states:

No development shall take place until a scheme for the design and materials to be used for access and public rights of way including their widths, gradients, landscaping and signposting, together with the concurrent extinguishing of part of public footpath No. 9 and the creation of a circular public bridleway, has been submitted to and approved in writing by the local planning authority. The approved

scheme shall be completed before the occupation of the 50th dwelling on site.

(Reason - To provide safe and convenient access and to achieve a permeable development in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.)

73. The application form sets out that Cambridgeshire County Council require public bridleways to be 4 metres wide. The land under the applicant's ownership and also within the outline application boundary is 2 metres wide for a large portion of the proposed route, making it impossible to comply with the 4 metre width requirement. The adjoining landowner has been approached regarding dedicating a strip of their adjacent land to achieve the required width, however agreement has not been forthcoming. It is therefore proposed to provide a new public footpath rather than a bridleway.
74. The developer, Linden (Highfields Caldecote) LLP, has further set out to officers that the developer purchased the site with the existing outline planning permission in place. A strip of land around the perimeter of the adjacent field to the east formed part of the land purchase, with the red line boundary of the land transferred being the same as the outline application boundary. The field inside of the strip of land, and the land beyond the strip, is not and has never been within their ownership.
75. The developer has previously sought to discharge condition 20 through two separate discharge of conditions applications.
76. Discharge of conditions application S/4437/19/DC was refused in February 2020, in consultation with the County Council's Definitive Maps Officer, for reasons including the scheme not meeting the minimum width of four metres and not demonstrating that the bridleway will terminate at a point on the public highway.
77. Discharge of conditions application S/2510/15/CONDB was withdrawn in June 2021 and from the information available would have encountered the same issues as the previous condition submission.
78. The developer is therefore in a position where they are unable to fulfil the requirements of the condition within both the application boundary and their ownership, and seek to provide a 2 metre wide public footpath instead of a bridleway.
79. The application proposes to amend condition 20 to read as follows:

No development shall take place until a scheme for the design and materials to be used for access and public rights of way including their widths, gradients, landscaping and signposting, together with the concurrent extinguishing of part of public footpath No. 9 and the creation of a circular public footpath, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed

before the occupation of the 50th dwelling on site
(*emphasis added*)

80. The alteration proposed to condition 20 is therefore to replace the requirement for a “circular public bridleway” with the wording “circular public footpath”.
81. Given that works have commenced on site, the proposed trigger of ‘no development’ can no longer be applied as part of any revised condition. Officers therefore consider it would be appropriate to word the condition “prior to occupation of the first dwelling on the site...” as the trigger for the submission of a scheme for approval, with the trigger for completion remaining the occupation of the 50th dwelling. Officers consider such a trigger appropriate given the stage of development and requirements of the condition if planning permission is granted.
82. Consideration has been given to the reason for the use of condition 20 as part of the outline consent; however, the information and justification available is limited.
83. The Inspectors Report to outline application S/2510/15/OL makes little reference to the proposed bridleway or its requirement to make the development acceptable in planning terms. Paragraph 25 of the Report states (in part):

The appellant has submitted a signed and dated S106 Unilateral Undertaking (UU1) which seeks to provide contributions towards improvements in healthcare by means of extended accommodation at Little Eversden Surgery, off-site children’s playspace and community space, libraries, early years and primary education, bus shelter maintenance, footpath upgrades and other things.

84. UU1 relating to ‘Other Contributions’ sets out in paragraphs 1.1.20 and 1.1.21 of the Definitions that:

‘Footpath Contribution’ means the sum of £7,500 (seven thousand five hundred pounds) payable towards the fees of the County Council incurred in extinguishing part of Footpath Number 9 and creating by agreement a public bridleway

‘Footpath Plan’ means the Cambridgeshire County Council public rights of way map attached to this deed.

85. UU1 includes a plan on page 8 which annotates ‘extinguishment’ of part of an existing public right of way, ‘upgrade of public footpath 9’ and ‘creation of new bridleway’, showing two highlighted routes for the new bridleway, which extend beyond the red line application boundary, included as a plan on page 9 of UU1. Section 8 of UU1 sets out the footpath contribution and upgrade requirements, preventing occupation of the dwelling until relevant works have been carried out.

86. Notwithstanding the Inspectors Report and UU1, large areas of the red line application boundary to which the provision of a bridleway relates have at no stage in the planning process been large enough / wide enough to accommodate a 4 metre wide bridleway.
87. Officers also note, with reference to the objection from the British Horse Society, that the proposed bridleway does not connect directly to an existing network of bridleways, nor does the development itself result in the need to divert an existing bridleway.
88. There is a bridleway to the south of the site (path number 5) which runs east-west between Highfields Road and East Drive, Caldecote to Port Way in Hardwick. However, the connection between the existing public bridleway and proposed public bridleway would comprise an existing public footpath (no.9) over approximately 430 metres. There have been no plans to connect the original proposed bridleway to the existing bridleway network.
89. The justification for the specific need for a bridleway arising from the proposed residential development at outline stage to make it acceptable in planning terms is lacking, based on the information available. Nonetheless, consideration is given as to whether the proposed variation is acceptable in planning terms against current adopted planning policy.
90. The comments of Cambridgeshire County Council's Definitive Maps Officer are noted. Although no objection is raised, the Definitive Maps Officer highlights that it is necessary to consider whether by varying the condition as proposed, the permission would still be acceptable in line with the Cambridgeshire's Rights of Way Improvement Plan (ROWIP) and Local Plan Policy TI/2.
91. Policy TI/2 of the Local Plan deals with planning for sustainable travel.
92. Policy TI/2(2) sets out (in part) that planning permission will only be granted for development likely to give rise to increased travel demands, where the site has (or will attain) sufficient integration and accessibility by walking, cycling or public and community transport, including:
 - b) provision of new cycle and walking routes that connect to existing networks, including the wider Rights of Way network, to strengthen connections between villages, Northstowe, Cambridge, market towns, and the wider countryside;
 - c) Protection and improvement of existing cycle and walking routes, including the Rights of Way network, to ensure the effectiveness and amenity of these routes is maintained, including through maintenance, crossings, signposting and waymarking, and, where appropriate, widening and lighting
93. The proposed variation would provide a circular public footpath rather than a circular public bridleway where there is currently no formal footpath or bridleway running east-west across the land in question, connecting to the existing north-south running public footpath to the east.

94. The proposed variation would therefore still provide enhanced accessibility to the countryside, connecting to an existing rights of way network, albeit it in the form of a footpath rather than bridleway.
95. The proposed variation would therefore accord with the requirements of Policy TI/2 of the Local Plan, in particular criteria 2b and 2c.
96. Cambridgeshire's first ROWIP was adopted in 2006 as part of the Cambridgeshire Local Transport Plan 2006-2011. The updated ROWIP, published in April 2016 provides an update to the first ROWIP, in line with the requirements of the Countryside and Rights of Way Act 2000.
97. The ROWIP's set out a Statement of Action setting out key issues including making the countryside more accessible, filling in the gaps, and a better countryside environment.
98. As noted above, the proposed variation would provide a circular public footpath rather than circular public bridleway, with connection to an existing footpath network. The proposed variation would therefore provide enhanced accessibility to the countryside, albeit it in the form of a footpath rather than bridleway, in line with a key issue of the ROWIP.
99. Therefore, no significant conflict is identified arising from the proposed variation of condition 20 with the aspirations of the ROWIP.
100. Overall, officers identify no significant policy conflict arising from the proposed variation of condition 20 and therefore no strong policy reason to reject the proposed provision of a circular public footpath rather than a circular public bridleway.
101. Officers consider it appropriate to vary condition 20 to require the provision of a circular public footpath, which would accord with Policy TI/2 of the Local Plan.

Other Matters

Other Conditions

102. 28 conditions were attached to the 2019 Section 73 consent, two of which are subject to variation as part of this Section 73 application. The remaining conditions are to be re-imposed as per the 2019 consent except for the conditions set out below, which require updating following more recent discharge of conditions application.
103. Conditions 13 (fire hydrants), 14 (artificial lighting), 22 (foul water drainage) and 23 (surface water drainage) are to be updated to compliance conditions to ensure the development is carried out in accordance with the details accepted and approved under discharge of conditions application S/3660/19/DC dated 21 July 2020.

104. Condition 27 (travel plan) is to be updated to a compliance condition to ensure the development is carried out in accordance with the details submitted under discharge of conditions application S/2510/15/CONDA, deemed approval dated 26 May 2021.

Planning balance and conclusion

105. This application seeks to vary two conditions attached to planning consent S/2510/15/OL which granted outline planning permission for the erection of up to 140 residential dwellings and associated works.

106. The revisions are sought due to insufficient land being available to deliver the works required by conditions 18 and 20, with alternative wording proposed to ensure the scheme still delivers highway and access improvements.

107. There are no technical objections to the proposed variation of condition 18, which still result in the delivery of an improved footway and footway/cycleway arrangement than currently exists along Highfields Road and be acceptable in highway safety terms.

108. No policy conflict is identified with the proposed variation of condition 20, which would provide a circular public footpath rather than a circular public bridleway, maintaining the provision of an enhanced network of routes within the countryside and connection to an existing public right of way.

109. 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 2019 reserved matters consent that could be built out on site.

110. If approved, a Deed of Variation would again be required to attach the Section 106 requirements from the previous permissions to this Section 73 application.

111. For the reasons set out in this report, officers consider that the proposed variations should be supported, and the Section 73 application approved.

Recommendation

112. 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 requirements from the previous permissions to this Section 73 application).

Conditions

- a) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason: The application is in outline only.

- b) No new application for approval of reserved matters shall be made to the local planning authority unless such application was made prior to 05 July 2019 (being not later than 2 years from the date of appeal decision APP/W0530/W/16/3149854 dated 05 July 2017).

Reason: The original application was in outline only.

- c) The development hereby permitted shall take place not later than 1 year from the date of approval of the last of the reserved matters to be approved.

Reason: The application is in outline only.

- d) Details of the dwelling mix of housing for the entire scheme hereby approved including market and affordable housing shall be submitted with any reserved matters application. The details submitted shall provide the housing mix for all dwellings to be implemented on the site. The details shall be approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason: To ensure an appropriate mix of housing in accordance with Policy H/9 of the South Cambridgeshire Local Plan 2018.

- e) The development shall be carried out in accordance with the Arboricultural Assessment by FPCR Environment and Design Ltd (May 2019) as accepted and approved under discharge of conditions application S/3338/19/DC dated 19 March 2020.

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

- f) The development shall be carried out in accordance with drawing numbers LIN21931-11M sheet 1-8, LIN21931 103, LIN21931 20B, LIN21931dis2, LIN21931manE, LIN133/101 T7, LIN133/102 T7, LIN133/103 T7 for the purposes of a scheme for hard and soft landscape works (including boundary treatments, play areas, attenuation pond and any works to footpaths), as accepted and approved under discharge of conditions application S/3338/19/DC dated 19 March 2020.

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

- g) All hard and soft landscaping works, shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the local planning authority up to the first use or first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, are seriously damaged or seriously diseased, within a period of 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

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.

- h) The development shall be carried out in accordance with the Phase 2 Ecological Impact Assessment by Southern Ecological Solutions (February 2020) and Response to feedback from South Cambridgeshire County Ecologist dated 05 February 2020, for the purposes of a scheme of habitat and species mitigation and enhancement in line with the submitted FPCR Ecological Appraisal dated June 2015 Rev C, as accepted and approved under discharge of conditions application S/4388/19/DC dated 12 March 2020.

Reason: To protect and provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.

- i) If during the course of development, contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for a remediation strategy detailing how the contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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

- j) The development shall be carried out in accordance with the Phase 2 Ecological Impact Assessment by Southern Ecological Solutions (February 2020) and Response to feedback from South Cambridgeshire County Ecologist dated 05 February 2020, in respect of the Badger Mitigation Strategy identified in the submitted FPCR Ecological Appraisal dated June 2015 Rev C and with

the principles set out in the illustrative Badger Corridor Plan 6663-L-08, as accepted and approved under discharge of conditions application S/4388/19/DC dated 12 March 2020.

Reason: To minimise disturbance, harm or potential impact upon protected species in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018 and their protection under the Wildlife and Countryside Act 1981.

- k) The development hereby permitted shall be carried out in accordance with the following plans: 6663-L-03 Rev B, GA0008-001-001A, GA0008-002-001, 6663-A-03 Rev B.

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

- l) No more than 140 dwellings (Class C3) shall be erected as part of the development hereby approved.

Reason: To ensure compliance with the outline consent.

- m) The development shall be carried out in accordance with the details submitted on drawing number SC-2739 Rev D (Proposed Mains & Service Layout) as accepted and approved under discharge of conditions application S/3660/19/DC dated 21 July 2020.

No dwelling shall be occupied until the approved scheme has been implemented in accordance with the approved scheme.

Reason: To ensure an adequate water supply is available for emergency use.

- n) The development shall be carried out in accordance with the details submitted on drawing numbers 1124-DFL-1300-001-B, 1124-DFL-LC-001-A Results Grid 1 - P4, 1124-DFL-LC-001-A Results Grid 2 - P4, 1124-DFL-LC-001-A Results Grid 3 - P5 and 1124-DFL-LC-001-A Results Grid 4 and the Adoptable Street Lighting Design document as accepted and approved under discharge of conditions application S/3660/19/DC dated 21 July 2020.

No dwellings shall be occupied until the artificial lighting scheme has been carried out in accordance with the approved scheme.

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

- o) The development shall be carried out in accordance with drawing numbers LIN133/101 T7, LIN133/102 T7, LIN133/103 T7 and P142 revA, P143 revA, P208 revC as accepted and approved under discharge of conditions application S/3338/19/DC dated 19 March 2020.

The car parking and bicycle storage scheme shall be implemented in

accordance with the approved scheme and retained and not used for any other purposes.

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

- p) The main site access onto Highfields Road shown on drawing GA008-001-001A shall be constructed using a bound material in such a way that no surface water from the site drains across or onto the public highway.

Reason: To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.

- q) The development shall be carried out in accordance with drawing number 18075 - P103A (Charging Point Layout) as accepted and approved under discharge of conditions application S/4836/18/DC dated 18 March 2020.

The approved charging points shall be implemented prior to occupation and retained and maintained in accordance with the approved strategy.

Reason: To ensure the provision of appropriate electric charging points in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

- r) Prior to occupation of the first dwelling on the site the following highways works shall be completed in accordance with drawings C7135/CE1G S278 Agreement Plan Sheet 1 of 2 and C7135/CE2M S278 Agreement Plan Sheet 2 of 2:
- b) A footway from the new development southern access along Highfields Road to the Clare Drive roundabout
 - c) A footway from the new development northern access along Highfields Road to the northern side of the West Drive roundabout
 - d) A shared use footway/cycleway along Highfields Road from the northern side of the West Drive roundabout to St Neots Road

Reason: To mitigate the impact of development traffic upon the local highway network and provide a high standard of facilities for walkers, cyclists and public transport users in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

- s) The development shall be carried out in accordance with the details in the S278 Agreement Plan Sheet 1 of 2 (Drawing no. C7135/CE1F) as accepted and approved under discharge of conditions application S/3338/19/DC dated 19 March 2020.

The approved scheme shall be completed before the occupation of the first dwelling on site.

Reason: To mitigate the impact of development traffic upon the local highway network and provide a high standard of facilities for walkers, cyclists and public

transport users in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

- t) Prior to occupation of the first dwelling on the site a scheme for the design and materials to be used for access and public rights of way including their widths, gradients, landscaping and signposting, together with the concurrent extinguishing of part of public footpath No. 9 and the creation of a circular public footpath, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the occupation of the 50th dwelling on site.

Reason: To provide safe and convenient access and to achieve a permeable development in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- u) The development shall be carried out in accordance with the Energy Statement (August 2018) and supporting SAP calculations as accepted and approved under discharge of conditions application S/4836/18/DC dated 19 March 2020.

Reason: In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2019 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.

- v) The development shall be carried out in accordance with the details submitted on drawing numbers C7135/CE27 (Drainage and External Levels Plan Sheet 1 of 5), C7135/CE28 (Drainage and External Levels Plan Sheet 2 of 5), C7135/CE29 B (Drainage and External Levels Plan Sheet 3 of 5), C7135/CE30 B (Drainage and External Levels Plan Sheet 4 of 5), C7135/CE47 B (Rising Main Long Section) and C7135/CE15 E (Adoptable Manhole Schedules Sheet 1 of 2) and the foul water drainage details referenced in the Drainage Strategy & SUDS Report (March 2020) as accepted and approved under discharge of conditions application S/3660/19/DC dated 21 July 2020.

No dwelling shall be occupied until the foul water drainage works have been carried out in accordance with the approved scheme.

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.

- w) The development shall be carried out in accordance with the details submitted in the Drainage Strategy & SUDS Report (March 2020) and the Timetable for Installation of Surface Water Drainage as accepted and approved under discharge of conditions application S/3660/19/DC dated 21 July 2020.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development. in accordance with Policies HQ/1, CC/7, CC/8 and

CC/9 of the South Cambridgeshire Local Plan 2018.

- x) The development shall be carried out in accordance with the Archaeological Programme as accepted and approved under discharge of conditions application S/4836/18/DC dated 18 March 2020.

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

- y) The development shall be carried out in accordance with the Construction Method Statement (dated 5th December 2019) as accepted and approved under discharge of conditions application S/4836/18/DC dated 18 March 2020.

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

- z) Construction works on the site shall not be carried out other than between the hours of 08.00 to 18.00 on Mondays to Fridays and 08.00 to 13.00 on Saturdays. No construction work shall take place on Sundays and bank/public holidays.

Reason: To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- aa) The development shall be carried out in accordance with the details submitted in the Smarter Travel Travel Plan (January 2020) as submitted under discharge of conditions application S/2510/15/CONDA, deemed approval dated 26 May 2021.

The approved Travel Plan shall be implemented in accordance with the agreed programme.

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

- bb) As part of the reserved matters submitted pursuant to condition 1 a document setting out the design principles (hereafter referred to as a 'Design Code') for the development hereby approved shall be submitted to the local planning authority for approval. The Design Code shall set out how the principles and objectives of the Design and Access Statement Rev A (July 2015) shall be met by the development hereby approved and shall include the following matters:
 - i) The design, form and general arrangement of external architectural features of buildings including the walls, roofs, chimneys, porches and fenestration. The height of dwellings shall not exceed 2 storeys except at limited defined 'nodes' as an aid to direction finding and to contribute to a sense of place.
 - ii) The hierarchy for roads and public spaces;
 - iii) The colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;

- iv) The design of the public realm to include the colour, texture and quality of surfacing of footpaths, streets, parking areas and other shared surfaces;
 - v) The design and layout of street furniture.
 - vi) Waste and refuse bin storage arrangements
- The development shall be carried out in accordance with the approved Design Code.

Reason: To ensure the provision of a high quality development in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

Informatives

- a) This permission is subject to two Unilateral Undertakings under Section 106 of the Town and Country Planning Act 1990 (as amended) each dated 23 March 2017, a supplemental agreement dated 1st October 2019, a Deed of Variation dated 21 July 2020 and Deed of Variation dated **<INSERT DATE>**
- b) 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.
- c) 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.

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: 21/02265/FUL, 21/01334/S73, S/2510/15/CONDB, S/2510/15/CONDA, S/3660/19/DC, S/3777/19/VC, S/4074/19/DC, S/3338/19/DC, S/4836/18/DC, S/4388/19/DC, S/4437/19/DC, S/0292/19/PO, S/3347/19/DC, S/4619/18/RM, S/1216/16/OL and S/2510/15/OL

Report Author:

Michael Sexton – Principal Planner
Telephone: 07704 018467

Agenda Item 6



South
Cambridgeshire
District Council

Report to:

South Cambridgeshire District
Council Planning Committee

19 January 2022

Lead Officer:

Joint Director of Planning and Economic Development

20/05199/REM – Ida Darwin, Fulbourn

Proposal: Application for all matters reserved for Layout, Scale, Appearance and Landscaping following the granting of outline approval ref: S/0670/17/OL Dated 19th November 2019 for up to 203 dwellings including affordable housing and land for community provision with access and associated works, open space and landscaping, following the demolition of existing buildings on site.

Applicant: Morris Homes

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

Date of Member site visit: N/A

Is it a Departure Application?: No

Decision due by: 21st January 2022 (EOT agreed)

Application brought to Committee because: The overall scale and complexity of the application

Officer Recommendation: Approval

Presenting officer: Dean Scrivener

Executive Summary

1. Outline planning permission was granted for 203 dwellings including affordable housing and land for community provision with access and associated works open space and landscaping following the demolition of existing buildings on site in 2019.
2. The submitted reserved matters application proposes the development of 203 dwellings with reference to layout, scale, appearance and landscaping.
3. The applicant has engaged with Officers during pre application discussions before submitting the reserved matters application in December 2020.
4. The proposal is a relatively spacious and low-density development, appropriate to its rural edge of village location, placing a large central green woodland area at the heart of the new development. Being a slightly more 'detached' development from the main village, the site is afforded the opportunity to both respond positively to the design characteristics of the existing village while also creating its own legibility and architectural pattern.
5. The proposed development provides a high quality and spacious development which incorporates a variety of bespoke house types that has a traditional appearance and incorporates similar design characteristics and architectural details from the existing village and local area. The dwellings have well designed elevations which are generally well positioned and responsive to their location within the site, with the use of subtle variations between forms, elevational detailing, and materials to further enhance the aesthetics of the site.
6. The development incorporates large amounts of soft landscaping and additional tree planting, as well as a LEAP and LAPs which are well integrated within the site and provide easy access for use.
7. As required by Condition 9 on the outline permission, all of the dwellings would meet or exceed national space standards to promote a better standard of living for the future occupants on the site.
8. All of the affordable units would be built to accessible and adaptable dwellings M4(2) standard, beyond the 5% requirement of policy H/9(4) of the Local Plan.
9. The elements above, together with the spacious layout of the site and good level of separation between properties, result in the development providing a very high-quality level of amenity to future occupiers.
10. Taken collectively, these factors (and those detailed throughout this report) would accord with policy requirements from both the South Cambridgeshire Local Plan 2018 along with guidance from the Fulbourn Village Design Guide 2020 and the District Council's District Design Guide Supplementary Planning Documents.

11. Furthermore, the development of the site would result in the provision of 203 dwellings towards the Council's 5-year housing land supply and the erection of 81 affordable units to help meet an identified local need.
12. The Fulbourn Neighbourhood Plan is an emerging document and is not formally adopted. Therefore, this document can only be given very little weight in determining this application.
13. Officers consider the reserved matters including the layout, scale, appearance and associated landscaping to be acceptable and that the benefits and positive design responses of the scheme outweigh the limited harm identified and the associated conflict with elements of the Fulbourn Village Design Statement. The proposal would provide a high-quality scheme which would make a positive contribution to the local and wider context of the site and the character of the area, responsive to its edge of village location, providing a good level of amenity to the future occupiers of the site.
14. The scheme has therefore been recommended for approval subject to planning conditions.

Relevant planning history

15. S/1066/13/OL - the redevelopment of the Ida Darwin Hospital site with up to 180 dwellings (C3) including affordable housing a 70 unit Extra Care facility (C2) with access and associated works open space and landscaping following the demolition of existing buildings on site - Refused
16. S/2001/14/FL - Screen Enclosure and Gates – Approved
17. S/0670/17/OL - Outline planning application for up to 203 dwellings including affordable housing and land for community provision with access and associated works open space and landscaping following the demolition of existing buildings on site – Approved
18. S/4469/18/PN - Prior notification for prior approval of proposed demolition of 18 buildings including water tower – Approved
19. PRE/0444/19 - Reserved matters application for phase 1 (150 units) & phase 2 (53 units) – Generally supportive, subject to consultees received during the application process.

National Guidance

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

South Cambridgeshire Local Plan 2018

- 21. S/1 – Vision
- S/2 – Objectives of the Local Plan
- S/3 – Presumption in Favour of Sustainable Development
- S/5 – Provision of New Jobs and Homes
- S/7 – Development Frameworks
- S/8 – Rural Centres
- H/3 – Fulbourn and Ida Darwin Hospitals
- 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
- NH/2 – Protecting and Enhancing Landscape Character
- NH/4 – Biodiversity
- NH/8 – Mitigating the Impact of Development In and Adjoining the Green Belt
- NH/9 – Redevelopment of Previously Developed Sites and Infilling in the Green Belt
- H/9 – Housing Mix
- H/10 – Affordable Housing
- H/12 – Residential Space Standards
- SC/6 – Indoor Community Facilities
- SC/7 – Outdoor Play Space, Informal Open Space and New Developments
- SC/8 – Protection of Existing Recreation Areas, Allotments and Community Orchards
- SC/9 – Lighting Proposals
- SC/10 – Noise Pollution
- SC/11 – Contaminated Land
- SC/12 – Air Quality
- TI/2 – Planning for Sustainable Travel
- TI/3 – Parking Provision
- TI/8 – Infrastructure and New Developments
- TI/10 – Broadband

South Cambridgeshire Supplementary Planning Documents (SPD):

- 22. Sustainable Design and Construction SPD – Adopted January 2020
- Cambridgeshire Flood and Water SPD – Adopted November 2016
- 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
- Fulbourn Village Design Guide SPD – Adopted January 2020

Consultation

23. **Fulbourn Parish Council** – Approves the Design, Layout, Scale, Appearance and Landscaping of the scheme. The following points are for further discussion:

- The proposed plans for the community facility have not taken into account for the modern day requirements of a purpose built Early Years Nursey to operation effectively. In addition, no partly covered, safe outside space is provided, an essential requirement in a new facility.
- It would be nice if the community could be involved in what type of fruit trees are planted in the community orchard
- How many dwellings will have solar panels on and does this include affordable housing?
- Specific details should be provided of the swift nest bricks
- Could Morris Homes consider a cycle greenway that will run adjacent to the site along Fulbourn Old Drift
- Will all street lamps be LED lighting and have backplates where they are in close proximity to residential windows?
- How much influence will the Parish Council have on the equipment to be installed in play areas?
- Will there be any electric vehicle charging points installed?
- Objection is raised to discharge condition 17 due to insufficient information in regards to the lack of trial pits undertaken to represent peak seasonal groundwater levels
- Objection is raised in regards to the discharge of Condition 30 as mitigation measures and ongoing future ecological management remains to be covered and requires a Landscape and Ecological Management Plan

Further comments were received on 22nd November 2021:

- Parish Council supports the amendments

24. **Cllr Daunton** – Objects to the application on the following grounds:

- Concerned by the recent comments of the Highways officer that the applicant 'has failed to make any significant amendments to the street layout to create an environment that will more readily accommodate non-motorised users and thus encourage not only sustainable modes of transport, but active travel as well.
- There still appears to be a general lack of space for bin storage particularly for the affordable homes (types Windermere, Grasmere and Ambleside), with little space for either storage or manoeuvring of bins. I make the same comment for cycle storage. Again referring to the affordable housing, the cycle storage at present does not allow sufficient space for each adult resident in these homes to store a cycle. Given the increased emphasis on active travel provision across the District and County, the location of the Ida Darwin site in relation to major

employment sites and to the Fulbourn Greenway, this is a significant under-provision.

- It appears that applicant has chosen to adopt what has been termed 'a traditional approach' to design of the housing which is contrary to the Fulbourn Village Design Guide is clear (10.12) that design should be of 'coherent scale, massing and elegant simplicity in detailing, avoiding complex patterns'
- In relation to the community building, there is a statement that it is to be of a contemporary design, but we still have little further specification. If no design details for the building are to be provided, then some guidelines concerning contemporary design would be helpful.
- Under 10.17 the Village Design Guide indicates that 'a strong rural-inspired landscape framework and public realm should be designed...'. Bearing this in mind, one of the least successful aspects of the earlier design was the use of metal estate type railings. These sit ill in the landscape, and do not reflect either the immediate surroundings nor the wider landscape of Fulbourn village. It is good to see that these have been removed in some areas, but a pity they remain in others.

25. **Cllr Williams** - Objects to the application on the following grounds:

- Broadly supports the design and layout of the proposal but concerns are raised about the surface water aspect
- Roberts Way and Thomas Road to the east of the site suffer from serious surface water flooding issues principally caused by the limited capacity of the SCDC Awarded water course on the west side of Teversham Road which requires surface water from these roads to be contained before being released into the water course.
- I see from the plans that this watercourse is also to be used by the Ida Darwin development and the fact that a balancing pond is being located behind Roberts Way and Thomas Road to regulate the flow into the water course gives me cause for concern, least the flooding in those roads being aggravated by this development.
- Flooding is caused by the high water table and limited capacity of the water courses is a toxic subject with regard to developments in this area, i.e. Teversham Road

26. **Affordable Housing Officer** – Originally objected to the application due to the following:

- The proposed housing mix was different to the housing mix which was offered to the developer

- No verification if the affordable units would comply with Part M4(2) of Building Regulations
- Less than 50% of the affordable units are policy compliant
- The scheme does not maximise the bed spaces for the affordable units
- Discrepancies between the legend on the affordable housing tenure plan and the housing schedule in the affordable housing statement
- Not all of the affordable housing types have floor plans on the planning portal for viewing

Additional comments received 24th November:

- The development will provide a number of 1 and 2 bed homes which will address some of the housing need for SCDC and therefore the housing mix is policy compliant
- All affordable units will be built to M4(2) standards which exceeds the minimum 5% requested by policy. Unsure of how many market dwellings are to be built in accordance with M4(2) which will need to be at least 5%.
- 57 homes will be provided for affordable rent and 24 shall be offered for shared ownership. Therefore, this will provide a tenure mix of 70/30 which is in accordance with Affordable Housing SPD.
- All affordable housing will be compliant with National Space Standards
- The number of bed spaces lost is 12 and therefore the scheme does not maximise the bed spaces for the affordable units
- The affordable units are in clusters of less than 25 homes spread across the site, which is policy compliant
- The design and appearance of the affordable units is considered to adhere to the SCDC Affordable Housing SPD in that it is not distinguishable from the market housing by its external appearance
- Overall, the Council's Housing Team support this application

27. **Anglian Water** – No objections

28. **Conservation Officer** – No objections

29. **Contaminated Land Officer** – No objection. Contaminated land conditions were added to the outline consent (conditions 21 & 22). No further comments are made on this reserved matters application or amendments thereof.
30. **Designing Out Crime Officer** – No objection. This to be an area of low vulnerability to the risk of crime at present. An external lighting plan (adoptable and private) including calculations and lux levels should be made available for assessment.
31. **Ecology Officer** – Originally objected on the following grounds:
- There is a requirement for further clarity and detail to be submitted in terms of landscaping and the ecological enhancement of landscape to provide biodiversity net gain.
 - Low resolution plans which are not readable
 - The Ecological Appraisal (FPCR, November 2020) is welcomed. It should remove residual risk of harm to most protected species found on site
 - Changes to the Landscape Strategy and submission of clear Landscape plans is welcome. The updated Ecological Appraisal (FPCR, May 2021) is also welcome

Additional comments received 18th November:

- No objections following the receipt of the Ecology Enhancement Strategy, Reptile Management Plan and Method Statement and Public Open Space Landscape and Ecological Management Plan Years 1-5

32. **Environment Agency (EA)** – Originally objected on the following grounds:

- The Drainage Strategy is incomplete
- The infiltration drainage would only be acceptable if there is a minimum 1.2m clearance between the base of any infiltration SUDs and peak seasonal groundwater levels. Groundwater monitoring has only been carried out over August, September and October and do not represent peak seasonal groundwater levels
- No information has been submitted in respect of demonstrating that the infiltration is not being proposed within contaminated ground (refers to Condition 21 of the outline permission)

Additional comments have been received on 25th August:

- Ultimately the 1.2m clearance is not a statutory requirement and therefore the EA are willing to be flexible on this matter

- The main issue is the pollution risk to controlled waters that should determine acceptability
- Following the submission of site specific groundwater level data for the intervals between August 2018 and May 2021, the groundwater monitoring levels for the western part of the site indicate minimum clearances of 1.2m or above which is acceptable
- The groundwater monitoring levels for the eastern part of the site provide less confidence in terms of minimum clearances
- Although the minimum clearances are not totally reliable, it is clear that the risk of direct discharges into contaminated areas is not high and therefore the risk to controlled waters is not significant
- On balance, the EA remove their objection, subject to Condition 21 being discharged in due course

Additional comments received 18th November:

- No objections

33. **Environmental Health Officer** – No objections

- To address environmental related issues a Construction Environmental Management Plan (CEMP) was required by Condition 26 of the Outline Permission S/0670/17/OL. This Condition required a detailed CEMP prior to commencement.
- Controls on construction noise, dust, building site activities including working and delivery times and the provision of phasing plan are contained in Condition 26 of the outline permission, which required the provision and adherence to the CEMP submitted and should carry through.
- Condition 13 of S/0670/17/OL required the submission of a Construction Traffic Management Plan and should carry through for this application.
- Condition 29 of the Outline Permission S/0670/17/OL required the provision of a scheme for protecting the dwellings within that phase or sub phase from noise from the railway to the north of the site.
- I confirm I have reviewed the Ida Darwin Hospital, Fulbourn, Reserved Matters: Noise Impact Assessment (ref. MM1284/19004/Rev.0 and dated 25th November 2020) prepared by Spectrum Acoustic Consultants and am in general agreement with the methodology and recommendations made. A compliance condition with this document is recommended.
- Condition 27 of Outline Permission S/0670/17/OL required details of external lighting to be provided and will need to be carried through.

34. **Historic Environment Team (Archaeology)** – No comments received (out of time).

35. **Landscape Officer** – Raises concerns regarding the following:

Green Spaces

- Area north and south of the community building and apartments plots 40-45 is dominated by car parking to both sides of the roadways north and south of the community buildings and apartments
- The western boundary requires more planting to mitigate impact of footpaths punching through the development
- More details need to be provided for proposed SUDs – cross sections, boundary treatments, gradients etc.
- The narrow footpath link in the eastern part of the site would not be used as it doesn't lead to anywhere and should be removed
- Cambridge Stiner School parking areas look unattractive with long rear walls and parking courts backing onto the open areas of parking that front the school. Some landscape including tree planting is required to soften this space, and to form an entrance to the southern end of the eastern open space.

Parking Courts

- The potential quality and character of parking courts is compromised with long areas of close board fencing facing the public realm

Car Parking

- Visitor car parking spaces should be more obvious and not appear to be attached to any particular properties. Suggest that visitor spaces in parking courts could be used for space for tree planting

Boundary Treatments

- Use of estate rails should be limited however, an estate rail may be appropriate to separate the development from the main western park area if the frontage is reconfigured with a connecting path
- Screening boundaries should be of brick where they are in or are noticeably visible from the public realm
- Some boundary treatments will have to be specified for the LAPs, LEAP and play areas where they are adjacent to roads or water bodies

- Some boundary treatments may be required around flood attenuation areas depending on their design and depth of water.

Tree Planting

- Proposed tree planting appears to be in generally appropriate locations and proposals for augmenting existing treed areas – Western Woodland, Railway Corridor and Specimen Groups are also acceptable in principle. However, there should be more integration of tree planting and opportunities for large tree species providing scale, breaking roof-lines and visually linking across the site.

Planting generally

- There are no detailed planting proposals supplied, but planting of shrubs, herbaceous plants and grasses should generally follow the recommendations for Chalkland landscapes in the wider areas, with a wider selection of ornamental plants, hedgerows etc at selected locations and within the built environment.
- Planting should be relatively simple and robust, providing definition of space, landscape character and biodiversity enhancement using repeated complementary blocks of colour and form rather than the ‘scattergun’ approach seen in many developments.

Hard Landscape

- Surfaces Plans – essentially Bitmac for main carriageways and all footways, and block paving for minor roads and shared access. More detail will be required
- Consistency between landscape, materials, open spaces and drainage plans is required
- Paving details will be required for paving on domestic plots – driveways, paths and terraces
- Details will be required for all proposed landscape structures – bike storage, bin storage, pergolas etc and street furniture – seats, bollards, tree grilles, inspection chambers in paving etc and for proposed landscape lighting

Additional comments received 28th July:

- Similar concerns raised as above, in particular to the proposed SUDs
- Discussions with the Landscape Officer have been ongoing and conditions are considered to be acceptable secure further details

36. **Local Lead Flood Authority (LLFA)** – Objects on the following grounds:

- Discrepancies between the invert levels of the basins between the drainage layout plans and the supporting hydraulic calculations
- Infiltration rates used for the hydraulic calculations are not the lowest recorded rates across the site and may vary which will need to be modelled
- Permeable paving will need to be modelled for houses and driveways to ensure they have enough subbase to accommodate surface water runoff
- Management and maintenance is not clear and is required to establish who will be liable for the management of the attenuation ponds

Additional comments have been received on 17th August:

- Following the submission of updated documents, it can be demonstrated surface water from the proposed development can be managed through the use of unlined permeable paving and infiltration basins. Private shared access areas and drives will be constructed using permeable paving, allowing infiltration into the ground below. The highway areas will drain through conventional gullies, into infiltration basins integrated within the site. The submitted groundwater monitoring demonstrates that there will be a minimum of 1.0m clearance between the base of any infiltration features and peak groundwater levels
- The LLFA have now removed their objection

37. Local Highway Authority – Objected due to the following:

- Information regarding the management of the proposed attenuation ponds will need to be managed by either by the Sewerage Authority, District Council, the Parish Council or another body with a successor. The Highway Authority will not accept the use of a Management Company to maintain apparatus that directly relates to the drainage of surface water from the adopted public highway
- The applicant has failed to provide a standalone drawing showing the proposed dimensions in respect to the footway/cycleways, shared surface widths and carriageway widths to enable the Local Highway Authority to comment in full
- Shared use footway/cycleways are required to be a minimum of 3m in width Kerb radii are to suit the tracking of the refuse vehicle used in this area
- The Local Highway Authority will not seek to adopt any road that does not include an appropriate turning head, to utilise private parking courts or private roads for turning is not acceptable. It appears that the refuse

vehicle over runs the kerb in a number of locations within the proposed development this needs to be designed out. The applicant should also confirm with the Refuse Authority that the vehicle used for the tracking exercise is appropriate for the Fulbourn area.

- The Highway Authority will not seek to adopt and verge or trees within the proposed development, the proposed layout presents potential management problems in this regard
- The Local Highway Authority will only seek to adopt the proposed footways or shared use footway/cycleways if they serve a highway function
- For the proposed adopted public highway all surface finish details must comply with the Cambridgeshire County Councils Housing Estate Road Construction Specification
- The Local Highway Authority will only seek to adopt residential estate roads that serve a highway function to five or more dwellings units
- In accordance with the precepts of Manual for Streets the design speed for the development should be 20mph. The layout as shown is unlikely to achieve this. Suitable inter vehicle visibility splays for all accesses serving more than one dwelling must be shown. As the design speed for the development should be 20mph the splays should be 2.4m x 25m, (not 2.4m x 33 which equates to a 25mph design speed)
- The Local Highway Authority would request that the Local Planning Authority not approve drawing number: E3922/370 and E3922/371 or any other drawings associated with the construction layout and design of the proposed adopted public highway as submitted as the areas that the Local Highway Authority seek to adopt may differ following Section 38 Agreement discussions.
- The proposed car parking layout appears to show that the length of some of the plot driveways are not equally divisible by units of 5m therefore the proposed layout has the potential to encourage irregular parking which could lead to the overhang of the vehicles into the proposed access route obstructing the footway forcing pedestrians which includes the most venerable road users into live carriageway
- The Highway Authority can confirm that they have severe reservations with regards to connectivity within the site as shown on the Planning Layout as the Highway Authority has a hierarchy which places pedestrian/cycles at the top of that hierarchy and this has not been addressed at all within the submitted drawings. The Highway Authority therefore strongly recommends progressing a more suitable internal arrangement that the footways of 2m within the green space be increased in width to 3m to enable these to be shared use footway/cycles ways

Additional comments have been received 7th January 2022:

- Not all of the access points have visibility splays although it is recognised that 2.4x25m visibility splays can be achieved
 - Tracking plans showing fire and refuse vehicles are acceptable but dimensions between vehicle and kerb line should be shown
 - The LHA would prefer it if turning heads would be constructed using traditional construction as opposed to block paving
 - The LHA recommend that a suitably worded condition will suffice to mitigate the safety of all users in respect of the emergency/temporary accesses
 - Other concerns have now been addressed and the development is acceptable in principle subject to conditions
38. **Natural England** – No comments to make, refers to standard advice
39. **Public Health England** – No comments to make.
40. **Sport England** – Objects.
- Unfortunately, we were not consulted on the outline application, despite evidence that the site contained a sports pitch, and therefore Sport England should have been a statutory consultee.
 - The proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595)
 - There is nothing in the reserved matters application that demonstrates that the proposal meets any of the exceptions within Sport England's policy, therefore we must object to this application, as it fails to meet our adopted policy.
41. **Sustainability Officer** – No objection.
- The information contained within the application does not fulfil the amount of information required to discharge conditions 35, 36 and 38 of the Outline Permission and the developer would need to address this prior to development.
 - A condition regarding water efficiency is recommended

42. **Sustainable Drainage Engineer** – Originally objected subject on the following points, which should be addressed under the discharge of condition 17 of the outline permission:

- An overall impermeable area plan to demonstrate the different drainage catchments shall be submitted. This plan shall be presented in such a way that it can be read in conjunction with hydraulic calculations of the individual catchments. This shall demonstrate that contributing areas of each catchment has been accounted for in the hydraulic models.
- Industry best practice requires that infiltration systems be designed with no infiltration allowed through the base to account for long term ineffective performance through the base due to fine particles clogging. Hydraulic calculations submitted does not reflect this. During detailed design, we would expect that this requirement is considered, or applicant submits evidence to support why this requirement cannot be considered.
- Full hydraulic models shall be submitted to demonstrate for all the required return (1:30 and 100 year event including climate change). We note that there is flooding of the network for the 1:100 year return period. For the 1:100 year rainfall event including an allowance for climate change some short term above ground flooding may be permitted. Flood water should be managed to be safe and not enter any buildings or disrupt emergency access routes.
- Exceedance plan shall be submitted to demonstrate how any flooding can be managed on the site without causing flood risk to proposed dwellings.
- Base of infiltration systems are required to be minimum of 1m from ground water levels. We note that trial pits have been undertaken to confirm suitable infiltration rates. The depths of trial pits are not adequate to confirm ground water is not present within 1m of bases of proposed infiltration basins. If not already undertaken, the applicant shall undertake borehole investigation to suitable depths to confirm that this requirement is achieved. Borehole logs shall be submitted during discharge of condition.
- We note that the site is located in source protection zones. Consultation shall be undertaken with the Environment Agency with regard to discharge into SPZ. Outcome of consultation shall be submitted with subsequent applications to confirm the suitability of infiltration suds.

Additional comments received on 18th November:

- The issues related to the discrepancies in information between drawings and calculation, infiltration rates, permeable calculations have been satisfactory addressed by the applicant

- The proposals are acceptable in principle, however before commencement of works of the infiltration features it must be demonstrated (in line with requirements condition 21) that the infiltration basins will not be constructed in contaminated ground
 - All objections are now removed
43. **Sustainable Communities and Wellbeing Team** – Generally supports the application but requires clarification on the following:
- The application is not compliant with in that it does not include a play strategy as required under Condition 32 of the outline planning permission as part of the Design Statement under item viii) Children’s Play Space Strategy including LEAPs and LAPs. Whilst the application does include information in relation to play, it does not set out in sufficient detail how play requirements set out in SDCD Open Space in New Developments (2009) will be met in terms of quantity, accessibility and detailed specification of provision
 - The S106 includes a requirement to submit a LEAP Scheme which should include additional detail to what has already been provided in terms of consultation, equipment, design and layout and planting
 - We would like to see play routes set out across the sites and details as to how safe crossings will be provided. We advocate for 20 mile per hour zones
 - More details should be required in respect of the proposed SUDs
 - We are very concerned that although the development is dominated by family homes and the expectation is that children will attend primary school outside the development site, the access and movement plan does not include information on how children can travel to school on foot or by bicycle. For instance, it is around 20-minute walk and a 5-minute cycle to Fulbourn Primary School
44. **Trees Officer** – No objections subject to the following being provided:
- Part of the site does not have a Tree Protection Plan associated with it, this is the extreme east, around the attenuation pond and boundary trees. If the other TPP are being approved, the extreme eastern plan should be submitted too for approval. I suspect it was missed off in error to fit all the information on sheets, so this should be simple to provide.
 - This has now been provided and will be listed as an approved plan

45. **Urban Design Officer** – Supportive of the application but raises concerns as outlined below:

Height/Scale

- Parts of the apartment blocks Units 87-91 and units 93-97 would exceed the parameter plan of 9.5 m above finished floor level considering it is 3 storeys high.

Boundary treatment

- Overuse of railings/fencing which should only be provided where they are absolutely necessary for example around play areas or where they need to define residential frontage

Parking & Bins/Bikes

- It is unclear why there are visitor parking spaces within these courts as they are most likely to be used by residents. The visitor's spaces within the courts should be replaced with soft landscaping to soften the impact of parked cars, with visitors parking located on street
- Bins/bike storages should be integrated into the design in the least prominent position. There is a potential for tree planting within the amenity provision which should also help mitigate the impact of car parking overall

Appearance/Design of Buildings:

- Gas/electric meters boxes are unattractive elements and they may compromise the quality of the front elevations. These meters should be hidden preferably on the side elevations, on a less prominent/visible wall or incorporated in the porch design
- Georgian/Sash Windows: Sash windows which reflect a Georgian window should have similar proportions, i.e. having vertical emphasis with ground floor windows generally taller than those on first floor windows
- Porches should be simplified, should be reduced in width and scale
- The proposals have provided some good examples that inspire from the local vernacular of Fulbourn Village
- Clarification on the use of different materials adopted throughout the site requires more clarity on plans

Additional comments received 17th December 2021:

- Some of the boundary treatments still adopt estate railings and flint walls in unnecessary locations
- Some of the first floor windows are not aligned with the ground floor openings on some of the dwellings
- Overall, the amendments made are acceptable and necessary conditions could be imposed to secure further details

46. **Waste Team** – Objected on the following grounds:

- Lack of bin storage for apartments
- Distances between bin collection points and bin storage should be included on plans
- What vehicle has been used in this strategy? we now use a 32-tonne vehicle, so please make sure this has been used and not 26 tonnes.
- Please see our guidance "info for developers" on our website, and not that it's a kerbside collection so all bins need to be presented on the kerb, with exception to apartments where crews go to the bin store

Additional comments have been received on 23rd November:

- The pulling distances and capacities are fine for the apartments
- Apartments and community centre - As the pull distance is 15m, a managing agent will pull the bins out for collection. We would need a condition to say managing agent will be putting the bins out for collection
- Knee rails will need to be provided in between parked cars so that no damage is caused upon parked cars

Representations from members of the public

47. Four representations have been received raising objections 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:

- Additional volume of vehicles along Hinton Road and Fulbourn Road and the surrounding road network
- Roberts Way is still not adopted by the Council – would the same happen on this site?
- The condition of the surrounding roads would worsen due to increased load of constant heavy use

- 4 Bedroom bungalows which could be rented could provide living accommodation for local residents who used to live at Ida Darwin and moved to houses in 1983
- Properties with ground floor accessibility/bungalows could be provided to help local elderly people remain living within the area
- How will the structural, waterproofing and drainage integrity and continuity of existing services for the school be protected for the Steiner School
- Boundary treatment between the school boundary and the development
- How will the schools existing emergency fire escapes and routes be maintained?
- What easements/firebreaks have been allowed for between the school and any new buildings or landscaping on the new development
- Is there a biodiversity net gain?
- The development needs to take into account the impact of any surface water drainage system combined with the Steiner School
- There is not enough bike parking places
- It would be great to have more community space
- More units for low income families would help promote diversity across the site
- Can a condition be imposed upon any future application to ensure that access is retained for the school for maintenance works
- It is not clear how the boundary fencing will impact on the school
- It is not clear the existing emergency fire escapes and routes are to be maintained
- It is not clear that the new development has taken into account the impact of both surface water and water table drainage systems which are currently combined with the school's
- The school would prefer that the existing building (within the application site) to the north-east of their site be retained (rather than demolished for a 'potential new car park') and become, once again, part of the school. The school shall approach Morris Homes and the CCC to pursue this option.
- The Section 106 agreement required that there be an early years nursery facility to form part of the development, within the community facilities building. However, the plans as submitted are not clear on this issue
- We would request that any future planning permission includes conditions to protect the interests of the school and the pool.

The Fulbourn Forum Group have raised the following concerns:

- The South Cambs Sustainable Drainage Officer has accepted the drainage strategy for the above development subject to conditions. Drainage issues should be addressed as part of the Reserved Matters application
- The hydraulic calculations submitted with the application are either inadequate or non-existent, and that an overall impermeable area plan to

demonstrate the different drainage catchments has also not been submitted

- With the rapid acceleration of the climate emergency and the increase in extreme weather events, many schemes now consider the impact on developments of the 1 in 1000 year plus climate change event. Given the history of flooding in the vicinity of the site (Thomas Road through to Teversham Road) this longer term scenario should also be considered
- As the trial pits were most probably undertaken several years ago, the applicant should urgently undertake (as required by the Drainage Officer) new borehole investigations to suitable depths
- Both the design and the management of the proposed Community Facility appear to be unresolved and the current proposal is for the main space to be designed around a badminton hall. There are already two badminton courts in Fulbourn at the Fulbourn Centre and no case has been made for a third in the application
- Although there has been some attempt to spread the 'affordable homes' (rented and shared ownership) throughout the development, there is no true 'pepper-potting', while the sizes are largely 1 and 2-bedroom units, with no 4-bedroom dwellings
- The affordable homes and flats (as well as the 'market' Apartment Block) are not entirely 'tenure blind' as claimed by the applicant. Facilities are, in part, less well appointed. For example, none of the flats have a balcony most have no other private outside space
- It is further noted that no enclosed bin store and covered cycle parking has been provided for the Apartment Blocks. This is also the case for the adjacent community facility building. There appears to be no detailed drawing of the bin and cycle stores and the areas marked on the plan appears inadequate to accommodate the necessary 12 bins (6no. 2-bedroom flats x 2 bins) and at least 12 cycles
- There is a clear under-provision of both bin and cycle stores for the affordable homes
- There are three storey buildings located to the north end of the central gas pipeline easement corridor which is contrary to the VDG

Additional comments received, 10th August:

- Inadequate clearance depths provided in basin levels of the proposed attenuation ponds
- Additional data provided is still misleading and invalid, and does not contain reliable data for the drainage strategy to be approved

- Of further concern is the lack of explanation for, or consideration of, the groundwater pump located behind the Steiner School being seen to be operating – what is going to happen with this?

Additional comments have been received on 19th and 23rd November:

- Still concerns regarding the 1m clearance across all infiltration basins and whether the groundwater levels used can be used to claim that clearance
- The latest basin levels for the proposed attenuation basins are not up for scrutiny. The data presented in Appendix H is not valid and there are concerns regarding the clearance levels between the basin levels and groundwater levels
- Concerns also remain around sustainability issues such as solar panels, electric car charging points, high standards of energy efficiency, and alternatives to gas for heating

The Fulbourn Swifts Group have made the following comments:

- There is no clear ecology strategy document with details of how compensation for habitat loss will be made and biodiversity net gain be achieved on the site
- Clarification is required on development phasing and an ecology strategy should be provided for the whole site, or will there be another REM application to cover for the smaller Phase 2 area?
- Higher resolution landscaping plans need to be provided to allow understanding of what is being proposed
- Specific details should be provided of the nest bricks to be included in the development in line with the SCDC Biodiversity SPD (2009)
- Conditions 30 and 31 of this approved outline application, which requires a LEMP and Reptile Management Plan, remains outstanding
- It is suggested that the ecology plan should include proposals for hedgehog highways between gardens

Further comments received 26th March:

- Although there is a detailed list of tree and shrub species on the Plans there is no assessment of habitat loss and habitat provided to achieve an ecology strategy for biodiversity gain on the site

Trees

- Looking at the species list on the Plans, the main concern is that there appear to be very many non-native trees and shrubs listed despite generous references in the Landscaping Strategy Document to the Fulbourn Village Design Guide SPD in which native species are favoured

Hedges

- There is no evidence that new mixed native hedge planting proposed as wildlife corridors across the site on the Landscape Structure Plans. There are only three hedge species listed - beech (the only native), Portuguese laurel and New Zealand Broad Leaf

Estate Railings

- On the landscaping plans there is copious use of estate railings with small ornamental hedging even around open green spaces - this is not typical of Fulbourn character

Community Orchard

- There is no mention of any local varieties proposed within the orchard

Wildflower Grassland Areas

- The extent of these areas is not clear - also there is no detail of how these will be set up and maintained as flower rich areas close to a housing development

Further comments received, 2nd August:

- A new document has been submitted by the Applicant: 'Ecology Enhancement Strategy' dated July 2021. This addresses the specific points outlined in our letter of 2 July where the Ecological Appraisal document had mainly outlined recommendations. The new strategy document states what will be done for habitat enhancements, habitat creation and species-specific enhancements. Further details are provided, particularly on habitat creation and ongoing maintenance in the new document 'Public Open Space Landscape and Ecological Management Plan, Years 1-5'. Both of these documents are welcome
- It is suggested that the number of proposed bird boxes/bat boxes is reviewed as the current number proposed is below that recommended in the SPD

Hedgehog Highways

- The Species Enhancement Plan now shows five ‘hedgehog highways’ as shown, which link green infrastructure on the northern and southern boundaries of the site through a number of private gardens to areas of public open space using standard hedgehog accesses in new residential boundary fences. This change is welcomed.

Hedge Maintenance

- In Section 2.5 there are several pages dedicated to the ongoing management of hedges and there are a number of points to be made, particularly with regard to the timing of maintenance to minimise impact on wildlife and to maximise the benefit to wildlife of any fruiting of hedge species.
- Under the heading ‘Structural Hedges’ on page 12 there is reference to trimming three times annually in April, June and October. There is an obvious danger of cutting hedges in the bird nesting season, which includes April and June – light trimming at those times should be limited to any overhang of public pathways.

Management of Plan Implementation

- It is not clear whether the completion of these complex tasks will be managed on an ongoing basis by people having the appropriate skills, could the applicant clarify how frequently progress will be assessed by a suitably qualified landscape architect and/or an ecologist, as 1 visit in years 1, 3 and 5 does not seem adequate?

Native Tree Planting

- Approximately half of the trees planted on site appear to consist of ornamental cultivars of native trees together with specimen non-native trees and many oriental ornamental trees, such as Japanese flowering cherry.
- While ornamental cultivars of native trees and some specimen European species are found in Fulbourn, North American specimen species and ornamental oriental flowering trees are not typical of Fulbourn open spaces and hopefully the planting of the latter will be confined to areas close to houses.
- In the original proposal, the trees proposed for planting adjacent to the western ‘Windmill viewing platform’ (close to the southern native hedge and tree belt) were Himalayan Birch – non-native. It is welcomed that in the revised Landscape Plans that these have been replaced by native Silver Birch.

Community Orchard

- It is welcomed that the community orchard of 34 trees will now include several local varieties together with some well-known varieties.

Hedges

- The text on page 8 of the Strategy now states that '*Native hedgerows will provide aesthetic advantages and low-level screening and containment. The hedgerows have been used to define space, provide screening, soften boundary treatments and will act as wildlife corridors increasing connectivity throughout the development*'. This is welcomed.
- The planting of Beech hedging to plot frontages and new mixed species hedging to define POS boundaries is welcomed. However, on the Proposed Habitat Creation Plan a single-coloured line is used to denote both single species and mixed species native hedging.
- It is not possible to assess the extent of mixed species native hedging, which is more likely to function as some sort of wildlife corridor across the site compared to the single species. Could this be clarified by using a different coloured key to denote the extent of new mixed native species hedging on M3091-PA-02-V01 Proposed Habitat Creation Plan?

Reptile Management Plan

- The submitted document addresses the management of the existing population of reptiles (common lizard) during the construction phase of the development, but does not address the creation/enhancement of suitable habitat, such as scrub, tussock grassland, brash and log piles in the 10m ecology buffer adjacent to the railway line
- The creation/enhancement of habitat for common lizard needs to be addressed either in this Plan or the LEMP, as noted above

The Site and its Surroundings

48. The site is located outside of the development framework boundary of Fulbourn and in the countryside and designated Green Belt. The site occupies the former IDA Darwin Hospital, part of which has been demolished to facilitate the new development. To the east of the site lies residential development which marks the boundary of the edge of the village of Fulbourn. Open agricultural fields lie to the south of the site within which the Fulbourn Windmill stands, which is an important landmark within the local landscape. Immediately to the northern boundary lies the Cambridge to Newmarket railway line which is screened by a mature hedgerow. Open fields and existing woodland lies to the west of the site. The site is accessed from Fulbourn Old Drift which was the original road leading to both the IDA Darwin and Fulbourn hospitals before their use came to a close. An Award Drain bisects the site from north to south broadly on the line of the existing access into the site.

49. Fulbourn lies in the East Anglian Chalk Landscape Character Area. The surrounding landscape comprises agricultural land and further to the south lies rolling chalk hills which form part of the Gog Magog Hills.

The proposal

50. This application seeks approval of matters reserved for appearance, landscaping, layout and scale following outline planning permission S/0670/17/OL for residential development comprising 203 dwellings including including affordable housing and land for community provision with access and associated works, open space and landscaping, with all other matters reserved.
51. A discharge of conditions application was submitted alongside the reserved matters application in respect of discharging conditions 14, 17, 28 and 32 of the outline permission (reference S/0670/17/CONDA). These conditions referred to cycle and bin storage details, surface water mitigation, waste management and a design statement, and were required to be discharged prior to the determination of the reserved matters application. The information provided for these conditions have been consulted with the relevant consultees and the paper work has been processed in readiness for their imminent discharge. The Officer shall provide an update on the discharge of these conditions prior to the Planning Committee meeting.

Planning Assessment

Reserved Matters

52. 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 reserved comprise the following criteria:
- Details of the layout of the site.
 - Details of the scale of buildings.
 - Details of the appearance of buildings.
 - Details of landscaping.
53. The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) 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

54. 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.
55. 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.
56. 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 and therefore the Plan can only be given very little weight at this stage.

Principle of Development

57. The principle of residential development comprising 203 dwellings was established on the site under outline planning consent S/0670/17/OL. This site is identified in the Local Plan for redevelopment under Policy H/3, which identifies the site as providing up to 275 dwellings. The Greater Cambridge Housing Trajectory and Five-Year Housing Land Supply update (April 2021) identifies this site as starting to deliver houses in 2022/2023 and relies on all of the 203 dwellings proposed by this reserved matters application being delivered within the five years.
58. Condition 6 of the outline consent, the approved plans condition, listed the following drawing numbers approved under the outline consent:
 - MPA-00-ZZ-DR-AR-09049 Rev P7
 - MPA-00-ZZ-DR-AR-09052 Rev P7
 - MPA-00-ZZ-DR-AR-09053 Rev P8
 - MPA-00-ZZ-DR-AR-09054 Rev P8
 - SLR 51 Rev 3

- SLR IDH 001
- SLR IDH 002
- SLR IDH 003
- SLR IDH 004
- SLR IDH 005
- SLR IDH 006

59. 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 and other matters.

Compliance with the Outline Planning Permission

60. Several conditions were imposed on the outline consent that require compliance at the reserved matters stage.

61. Condition 2 of the outline consent required the submission of an application for the approval of the reserved matters for Phase 1 of the development to be submitted within three years of the date of approval (i.e., by 7th November 2022). Condition 3 of the outline consent required the submission of an application for the approval of the reserved matters for Phase 2 of the development within four years of the of the date of approval (i.e., by 7th November 2023). The current reserved matters application is for both Phase 1 and Phase 2 of the development.

62. The site boundary for the reserved matters application is consistent with the approved Development Area Parameter Plan (MPA-00-ZZ-DR-AR-09052 Rev P7).

63. The Density and Height Parameter Plan (MPA-00-ZZ-DR-AR-09053 Rev P8) sets out maximum density and heights across the site. The developer has clarified that the development is compliant with these parameters as shown on drawing number E1175-SD01. The Parameter Plan also shows the areas designated for open spaces and the green wedge for which the reserved matters also complies with. Therefore, 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 Plans.

64. Condition 17 of the outline permission requested that a strategic surface water drainage strategy is submitted to and approved in writing by the Local Planning Authority prior to the submission of the first reserved matters application. As noted above, a discharge of condition application was submitted in parallel with the submission of the reserved matters application which included a surface water drainage strategy for the site. These details were consulted on with the Local Lead Flood Authority and the Environment Agency to ensure the information submitted was satisfactory to discharge condition 17. Drainage matters will be dealt with in a separate section of this report in more detail.

65. Condition 32 of the outline permission requested that a design statement and accompanying plans is submitted to and approved in writing by the Local Planning Authority prior to the submission of the first reserved matters application. The statement should include various criteria in relation overall layout, design, appearance, parking, LEAPs and LAPs, street hierarchy and the general design ethos for the development. The design statement and accompanying plans were submitted under the discharge of condition application and have been reviewed by Officers and specialist consultees to ensure the details submitted are in accordance with the details approved at outline and that the general design approach is acceptable. Layout, scale and appearance will be dealt with in a separate section of this report.
66. Condition 38 of the outline permission requested that within any reserved matters application, a strategy for the delivery of show homes shall be submitted to and approved in writing by the LPA. These details are contained within section 7.5 of the Design Statement and accompanying plans which will be approved as part of the current reserved matters application.
67. The application boundary for the reserved matters application falls entirely within the boundary of the outline consent; therefore, the development remains in compliance with the outline permission.
68. Condition 8 of the outline consent requires as part of any reserved matters application, a schedule of the mix of market dwellings within the phase to which the application relates, demonstrating how the proposed mix provides a range of accommodation, including one and two bedroom dwellings and demonstrate how they meet the requirements of M4(2) 'Accessible and Adaptable Standards'. The application contains a schedule for the proposed mix of market dwellings and includes a statement as to how these homes will accord the regulations under M4(2). Housing mix and affordable housing will be further addressed under a separate section of this report.
69. Condition 9 of the outline permission requests that for any reserved matters application relating to dwellings, a schedule demonstrating how the dwellings comply with residential space standards as set out in the Nationally Described Space Standard (2015) or successor document. The developer has provided a schedule demonstrating that all dwellings meet these standards and shall be approved as part of the reserved matters application.
70. In conclusion, the reserved matters application is considered to be in accordance with the parameters set out under the outline permission and associated conditions.

Housing Provision

Housing Density

71. 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.
72. The part of the site which comprises development measures approximately 9.8 hectares in area. The provision of 203 dwellings across this area would equate to a density of approximately 21 dwellings per hectare. This excludes the green wedge to the west of the site which is not to contain any form of development, in accordance with the outline permission. The density of development on the site would fall below the requirement of an average net density of 30 dwellings per hectare. However, the density has already been accepted through the outline planning permission which sets maximum densities across the site, with a higher density to the east and a lower density to the west. The relevant densities of each of the indicative parcels as shown on the Parameter Plan (MPA-00-ZZ-DR-AR-09053 Rev P8), are in compliance with this plan as shown on E1175-SD01. Furthermore, given the locality of the site being within the countryside, the lower density is considered to be acceptable in this instance.
73. The proposal would therefore comply with Policy H/8 of the Local Plan.

Affordable Housing Mix

74. The reserved matters application proposes the erection of 203 residential dwellings. The Section 106 agreement secured at outline stage requires that 40% of the dwellings shall be provided as affordable housing. The application therefore provides 81 affordable units, of which 57 will be affordable rented units and 24 will be shared ownership units.
75. Policy H/9(2) of the Local Plan states that the housing mix of affordable homes shall be determined by local housing needs. Of the 81 affordable units proposed, 34% will be 1 bed dwellings (28), 42% will be 2 bed dwellings (34) and 23% 3 bed dwellings (19). The developer has been in ongoing discussions with the Council's Affordable Housing Team who have confirmed this mix meets local housing needs in Fulbourn, with more 1 bed affordable dwellings being proposed. As such, the proposed housing mix is considered to be in accordance with policy H/9 of the Local Plan and is acceptable.
76. Officers also consider the provision of affordable housing to be in accordance with the outline permission and S106 agreement and is therefore acceptable.

Market Housing Mix

77. Policy H/9(1) of the Local Plan states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people, those seeking starter homes, people wishing to build their own homes, people seeking private rented sector housing, and people with disabilities. The policy sets out that market homes in

developments of 10 or more homes will consist of (a) at least 30% 1 or 2 bedroom homes, (b) at least 30% 3 bedroom homes, (c) at least 30% 4 or more bedroom homes, (d) with a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.

78. The application proposes the development of 122 market dwellings of which 36% will be 2 bed dwellings (44), 30% 3 bed dwellings (36), 31% 4 bed dwellings (38) and 3% 5 bed dwellings (4). This mix is in accordance with the standards as set out above and therefore the proposed market mix is in accordance with policy H/9 of the Local Plan.
79. There are comments raised amongst the representations received suggesting that more bungalows could be provided for the elderly population. The proposed housing mix has been consulted on with the Council's Housing Team whereby an assessment of the need for different types of housing within the local area has been undertaken. The proposed housing mix is considered to account for the local housing need of Fulbourn which the Housing Team has approved.
80. Officers are therefore 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.

M4(2) Accessible and Adaptable Dwellings

81. 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.
82. The Council's Affordable Housing Team had originally objected to the application due to a number of points regarding insufficient affordable housing provision, no verification if the affordable units would comply with Part M4(2) of Building Regulations and discrepancies between plans and Affordable Housing Statement. Not all of the floor plans for the affordable units had been submitted either and therefore it was difficult to confirm whether these complied with Nationally Described Space Standards (NDSS).
83. It is now confirmed that all affordable housing on site will comply with the regulations under Part M4(2). The scheme will therefore be above policy requirements regarding Part M4(2). A document has been submitted separately by the developer to demonstrate this is the case.
84. Officers acknowledge that all of the affordable and market dwellings will be built to accessible and adaptable dwellings in accordance with the M4(2) standard, beyond the requirements of policy H/9(4) of the Local Plan. A condition is recommended to ensure this.

Affordable Housing Tenure

85. 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 throughout the site. 40% affordable housing provision was secured under the outline permission and the associated S106 agreement.
86. The application proposes the development of 81 affordable properties. 57 of these will be offered for affordable rent in the form of 23x1-bedroom properties, 23x2-bedroom properties and 11x3-bedroom properties. 24 of these properties will be offered as shared ownership in the form of 5x1-bedroom properties, 11x2- bedroom properties and 8x3-bedroom properties across a tenure split of 70/30 in favour of affordable rent. This tenure and mix has been consulted with the Council's Housing Team who are satisfied with the proposed tenure which is considered to meet local need.

Affordable Housing Distribution

87. In terms of the layout of the 81 affordable units, both Policy H/10 of the Local Plan and the Affordable Housing SPD require affordable homes to be in small groups or clusters distributed through the site; small groups or clusters will typically be of 6 to 8 units.
88. The layout of the site creates several separate groups of affordable units which are evenly distributed throughout the site, as illustrated on drawing number E1175/P/PL03 Rev J. Despite a comment raised amongst the representations received concerning the distribution is not satisfactory, Officers in consultation with the Affordable Housing Team are satisfied with this distribution.
89. The layout presents clusters of affordable housing which vary from 4 to 10 properties per cluster which are well distributed among the market housing. There are clusters of 10 affordable units located amongst the mews court arrangements towards the front east and west of the site, which exceeds the guidance of 6 to 8 units of the SPD. However, these figures are a guide only and when taken in the context of a development for 203 dwellings where all of the affordable properties are well integrated amongst the market units, the higher clustering in these areas is considered acceptable in this instance.
90. Overall, Officers consider that the distribution of the affordable units is appropriate, having regard to Policy H/10 of the Local Plan and the Affordable Housing SPD.

Residential Space Standards

91. 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.

92. Condition 9 of the outline planning permission requires all dwellings will meet the residential space standards and that the developer should demonstrate this by providing a schedule for all dwellings as part of any reserved matters application. The developer has submitted a schedule demonstrating this is the case.
93. The proposal would therefore accord with policy H/12 of the Local Plan and Condition 9 of the outline permission.

Reserved Matters

Layout

94. The layout of the site has been designed to provide a transition from reducing density from east to west across the site and placing a large central village green at the heart of the development whilst maintaining the open green wedge to the west. This general arrangement and characteristics have been established at outline stage via the approval of the Parameter Plan.
95. The Parameter Plan sets out guidelines for the reserved matters scheme to follow, including density and height restrictions across the site and the locations for housing, open spaces, LAPs, LEAPs and community infrastructure.
96. The Illustrative Masterplan for Phase 1 and 2 shows how the development of 203 dwellings could be accommodated within the restrictions of the Parameters Plan. It shows 11 distinct development parcels linked by one or two access roads which surround a central green space. It should be noted that this is purely for illustrative purposes.
97. The layout plan has been amended several times throughout the application process. A lot of these changes have been minor in order to reflect changes which have been made on other aspects, such as tree planting. The most up to date layout plan is drawing number E1175/P/PL01 Rev R and the main wholesale changes which have been made since the submission of the application are as follows:
 - The main road which originally dissected the central village heart has been amended so that it runs around the edge of the central village heart
 - The footpath has been widened to 3m to become a shared cycleway/footway which now meanders through and around the site
 - More trees proposed along western edge of development to soften the transition from development into western green wedge
 - Inclusion of visibility splays at every access point serving dwellings to ensure 20mph vehicular speeds
 - Some of the tarmac surfaces have been changed to bound gravel for private driveways

- Some of the car parking spaces have been tucked away to the sides of dwellings and removed from within the street scene
 - Cycle storage allocation has been added to plots and amended to address consultee issues
98. Section 10 of the Fulbourn Village Design Guide (VDG), 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.
99. The VDG 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.
100. The VDG then provides points of guidance on site layout, building design and landscape design before providing additional guidance specifically for the Ida Darwin site (illustrated in Figure 45). The additional site guidance highlights that the development of the site will need to pay particular attention to preserving long distance views out to the surrounding countryside, with particular reference to the windmill located to the south. The guidance also states that its design should reflect its location within the Green Belt, and that the green wedge to the west of the site should be retained in order to establish an area which has trees and high biodiversity value with no night lighting.
101. The layout of the scheme generally accords with the guidance, in that it comprises a central green village heart with LAPs and retained woodland. The scheme has been amended to ensure that the edges of the development promotes green edges with hedgerow planting around the perimeters of the site to 'soften' the transition of the development within the local landscape. The built form would not encroach into the western green wedge which is to be retained as parkland with a cycleway/footway to promote better connectivity from the pedestrian access point to the west of the site via Fulbourn Old Drift.
102. The Fulbourn windmill stands to the south of the site on an outlier of the Gog Magog Hills and has historical importance within the local area. There are views from the site across the windmill which are uninterrupted and are classified as important views within the VDG. However, it has proven difficult to fully retain these views whilst also delivering housing on the site which would not be significantly compromised in terms of its layout.
103. The developer has undertaken an analysis across the site of the most prominent viewpoints as to where the windmill can still be viewed. The landscape architects have designed small areas or platforms which are to be

used to view the windmill and celebrate its historical importance. The concept of the layout is to create a footpath link which enters the site adjacent to the Steiner School to the south east of the site. Firstly, users will be able to use a viewing platform at this access point to view the windmill. The footpath will then meander through the front linear park parallel to Fulbourn Old Drift all the way to the viewing platform situated within the open green wedge to the west of the site. These two viewpoints are considered to be the most elevated viewpoints in which to view the windmill. A condition is recommended to secure the details of these viewpoints to ensure the platforms are successfully assimilated into the landscape. Overall, Officers acknowledge the proposal does not strictly accord with the VDG in this regard, however, the developer has found a solution for users to view and appreciate the windmill from the site which Officers consider to be an acceptable compromise.

104. Soft edges and landscape buffers are provided on all boundaries of the site 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 VDG 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.
105. The layout of the site incorporates a main cycleway/footway and road layout 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. The cycleway/footpath has been widened to 3m as requested by the Local Highway Authority in order for this to be adopted which will be dealt with under a Section 38 agreement. The road layout throughout the site is considered to be informal with interconnected streets, lanes and spaces. This has been provided along the front of the site adjacent to Fulbourn Old Drift, as requested by the Parish Council. Overall, the layout is considered to be in accordance with the guidance note 10.8 for providing a network of pedestrian routes and cycleways to the village.
106. The development incorporates thirteen house types spread across the 203 units in a variety of forms across detached, semi-detached, terraced properties and apartment blocks. 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 VDG guidance notes 10.7 and 10.13.
107. 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 VDG. There have been comments raised in respect of the visitor car parking layout, in that their locations are not directly situated within their respective plots. The majority of the visitor car parking spaces are located behind hedgerows or trees in an attempt to reduce any car dominance within the street scene in order to accord with the VDG and therefore Officers are content with the parking layout in this instance.

108. In respect of the site being located within the Green Belt, the site is a designated site under Policy H/3 of the Local Plan. The layout and general siting of residential development was established at outline stage through the approved Parameters Plan and Illustrative Masterplan and the proposed layout adheres to these plans. Given these details were secured at outline stage, the proposal is considered to accord with Policy NH/8 and NH/9 of the Local Plan.
109. Overall, collectively the proposed layout is 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 VDG SPD.
110. The layout has been amended throughout the planning process which has greatly improved the scheme overall. Officers acknowledge that there is some of conflict with Figure 45 and guidance of the VDG in respect of the loss views out towards to the Fulbourn windmill however the developer has mitigated this loss by providing new views. In addition, this conflict must be weighed against the requirement for the layout of the site to follow the provisions of the outline consent secured and therefore Officers consider this conflict is not significant to warrant a refusal of the application on these grounds.

Scale

Existing Development

111. 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. The nearest properties to the site are located in Fulbourn village to the east and Cherry Hinton to the west. In general properties are typically good-sized detached dwellings with some examples of semi-detached and terraced arrangements.

Proposed Development

112. The Parameters Plan approved under the outline permission restricts the heights of the buildings to 9.5m within the eastern section of the site and 9.0m within the western section of the site. This was to reduce any visual prominence within the countryside and to mitigate any visual impact upon the openness of the Green Belt.
113. 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. Parts of the apartment blocks (plots 87-91 and 93-97) and plots 40-45 as originally proposed would have exceeded the height restrictions and this was raised by the Urban Design Officer, especially as they were three storeys high. Officers have therefore requested

for these buildings to be reduced in height in order to comply with the Parameter Plan as well as the guidance note 10.10 of the VDG which discourages the implementation of three storey high buildings. These buildings would appear as 2.5 storey buildings but have now been reduced to 9m in height to accord with the Parameter Plan and VDG. These buildings are now more appropriate in scale and would have less visual impact upon the surrounding countryside and Green Belt.

114. The proposed dwellings comprise a mix of two storey detached, semi-detached and terraced properties which is considered to provide a compatible and coherent scale of development (guidance note 10.13), appropriate to the context of the area.
115. 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 VDG.
116. The VDG 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 set among trees (guidance note 10.12). The ridge height of the majority of buildings would be set no higher than the crown of proposed trees although there is some degree of conflict with this design criteria as some of the buildings would not sit lower than the crown of surrounding mature trees, i.e the apartment buildings. Officers acknowledge this conflict however 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 are considered acceptable in this instance. Therefore, Officers consider this conflict with this guidance note to be minor in this instance and is not a significant reason to warrant a reason for refusal.
117. As previously mentioned within the Layout section above, the site has been allocated for 203 dwellings within this Green Belt location, as supported by Policy H/3 of the Local Plan. The outline permission has effectively allowed for the development of the site within the Green Belt and a degree of openness will very much be lost through this scheme which is an intrinsic and accepted part of the allocation for its development and issue of principle dealt with at outline stage.
118. The scale of development is considered compatible within the Green Belt, with the exception of the apartment buildings, as all of the dwellings will be two storeys in height and therefore proposed scale is considered to be acceptable in the context of Policy NH/8 of the Local Plan.

119. 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 most of the guidance within the VDG.

Appearance

120. Section 4 of the VDG highlights Ida Darwin as its own character area. It states that nature is a dominant feature and that buildings are connected by quiet parkland and mature trees. Buildings are not visible from a distance or from Fulbourn Old Drift and the landscape is simple with traditional trees and hedge species.
121. The developer's Design Statement outlined the assessment of the existing village vernacular by designating different character areas of Fulbourn. By analysing the different areas of Fulbourn, an insight into the different styles, materials and designs has been formulated which has assisted in the design approach for the proposed development.
122. As noted above, guidance note 10.13 of the VDG sets out that for integrating larger developments within the village, buildings 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.
123. The development has been carefully designed to create different character areas which will help integrate the development into its rural location as well as taking into account the existing characteristics of Fulbourn. Three character areas are proposed; Development Edge, Woodland Edge and Intimate Streets.

Development Edge Character Area

124. The Development Edge has been developed primarily for the Fulbourn Old Drift road and then adapted to the Western Parkland frontage and the ecology corridor to Northern railway boundary. First and foremost the Fulbourn Old Drift frontage development has been set back so as to provide a linear park along its entire length which contains some of the mature boundary trees being retained. This has been further enhanced with additional trees, native hedge planting and estate railings and, a footpath / cycleway which links the windmill viewing areas in the south eastern corner of the site and the middle of the parkland to the west. Local flint walls have proposed and around the site entrance and the first gateway buildings, which themselves will be distinguished with sliding sash Georgian bar windows; the use of render; crafted brick eaves and voussoir brick window heads and tiled window cills. The remaining buildings consist mainly of detached two storey dwellings of many varied forms to give the appearance of a village built over time. Local architectural references include 'eye brow' windows; cat slide roofs; modest timber porches and Georgian stone surrounds.

125. In order to promote a variety of building typologies in accordance with guidance note 10.13, the Development Edge is broken up with two distinct mews courts at its eastern and western end. These have been carefully designed with car free frontages which are instead tucked to the sides and out of view. The high quality local distinctive architectural details has been carried through to these mews courts but a change in brick roof and window style has helped distinguish them from the rest of the character areas.
126. The western and northern edges of the character area predominantly follow a similar appearance but do not contain mews courts and appear more formal. The western edge is broken up by the community building and the northern edge is broken up by the 'pump houses' which form part of the Intimate Streets character area. The western edge will be softened by the imposition of hedgerows amongst railings, to help create a transition into the rural green wedge.
127. The northern edge will contain the ecology corridor which runs along the northern boundary which will comprise a band of existing trees and shrubs which again will soften the edge of the development.

Woodland Edge Character Area

128. This character area forms the central part of the development which is built around a central village woodland. This has been designed to create a more open sense of place. The garden frontages to the dwellings have been increased and a verge treatment introduced to the perimeter road which runs around the central woodland so that new trees can be provided.
129. The development continues as predominantly two storey detached but alternative local architecture detailing has been utilised such as stone slip window cills and horizontal bar windows to help distinguish the change in character. The Gateway buildings which are first encountered at the site entrance are also utilised in the Woodland Edge with their distinctive materials, parapet walls and sliding sash windows, but also building typologies from the other character areas, for instance the 'pump houses' from the Intimate Street character area are used to help create more distinctive gateway buildings around the open space and footpath links. Again, the design ethos of a village built over time is achieved by forming irregular building lines, in accordance with design guidance note 10.7.
130. Officers acknowledge design guidance note 10.6 states that gateway buildings should not be used at entrances to the site however this design approach was adopted prior to the VDG being formally adopted. These gateway buildings do create sense of arrival and act as navigation points for the future occupants and visitors to the site. This design concept is supported by the Urban Design Officer and has not been raised as a specific issue amongst the representations received.

Intimate Streets Character Area

131. This character area is the 'glue' connecting the Development Edge and Woodland Edge together within interconnecting streets. This area is slightly more dense with the adoption of two storey mews courts and apartment buildings. The buildings are set up hard against the road frontage and car parking has been relegated to the sides of dwellings in order to reduce visual impact, in accordance with design guide note 10.16.
132. Some of the architectural characteristics from the Development Edge have been carried through into this character area but they have also been provided with their own distinctiveness by subtle changes such as stone window heads, cills and a different window style. By taking local references within the area, such as the local pump houses which are Victorian in appearance, the building typologies are to appear different from the other two character areas to create distinctive place making. The buildings increase their eaves height to accommodate arch topped windows with contrasting red brick detailing set against the main yellow bricks. Large gables and loft room dormers help emphasis them vertically, as do the tall chimneys. All of this combines to help create an 'intimate street' character which successfully joins the other two character areas together.

Materials Distribution

133. Section 11 of the VDG 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.
134. The proposed materials palette has been chosen to replicate the village vernacular of buff brick and grey roof tiles, with contrasting colours introduced to emphasise the difference between the character areas. Red brick will highlight the mews court areas and inner streets whilst the use of render and red roof tiles will spotlight the focal buildings. Traditional flint walls are also adopted which are prevalent in Fulbourn. Officers acknowledge that the proposed materials are generally in accordance with the design guidance, albeit not entirely, however, the materials palette is considered to be acceptable. A condition requesting material details is recommended.
135. The Urban Design Officer has requested that the surface finish for the access serving the mews courts should be resin bound gravel or loose gravel to ensure a distinct village character. These areas are indicated as being tarmac on the Materials Distribution Plan (drawing number E1175/P/PL02 Rev J). Officers are satisfied that a condition to secure details of an alternative material to tarmac to be submitted for approval is acceptable to overcome this concern.

Focal Buildings

136. Focal buildings are proposed within the site, to provide areas of interest. These buildings are located on corner plots mostly and are outlined with a red line on the Materials Distribution Plan. After conducting a character analysis of the local area, one of the key buildings discovered was the Old Pump Lodge in Cherry Hinton which ceased operation in 1921 and was subsequently converted into residential use. The developer has taken some of the architectural characteristics from this building and integrated these within the focal buildings (named Focal Buildings 01). These comprise deep buff brick with a smooth red banding detail and red quoin detail around the windows, of which are double arched in shape. These focal buildings act as way finders throughout the scheme and assist the user when navigating their way through the site, whilst also providing architectural interest and variety.
137. As well as the Pump Lodge focal buildings, other focal buildings are also proposed. These would replicate the larger dwellings seen on the edge of the village settlement, usually adjacent to the large areas of open space. These dwellings would sit in their own right and have a dual aspect position and would contain large garden areas. These form Focal Buildings type 02 and 03. Focal Buildings type 02 will be situated on corner plots of development pods and will adopt a buff brick with red brick detailing and a mixture of red and grey roof tiles. Focal Buildings type 03 will comprise white render and red roof tiles and will have 'eye brow' detail above the first floor windows at eaves level which is seen within Fulbourn.

Elevation Details

138. In response to the comments raised by the Urban Design Officer, the developer has amended the elevations to remove the gas meter boxes from the front elevations onto the side elevations on most of the house types. This is also encouraged under guidance note 10.17 and is therefore supported by Officers.
139. The porches to the front elevations on some of the house types have been reduced in width and scale and would appear more incidental to the dwelling which is more acceptable, in response to the Urban Design Officer recommendations.
140. The downpipes on some of the house types have not been removed as requested by the Urban Design Officer however these are set on the side and rear elevations and are not significantly noticeable from the front. Therefore, it is considered that these features would not be significantly detrimental to the appearance of these dwelling to warrant a refusal in this instance.
141. Some of the blank side elevations on some of the house types now have windows which fronts onto the main spine road which delivers more architectural interest.
142. There are comments raised amongst the representations received, raising concerns that the appearance of the development resembles a more traditional

character as opposed to a more contemporary character, as encouraged within the VDG. The overall appearance and detailing of the proposed units reflect a more traditional character, by incorporating design features found within the local area. This was discussed and agreed during the pre application process which was also supported by the Parish Council at the time, who wanted a more traditional character to be implemented. These discussions took place prior to the formal adoption of the VDG and as such, the developer has submitted a scheme which includes a variety of interest within the development, which draws on the context of the site's rural location while creating its own identity.

143. Overall, 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, in accordance with Policy HQ/1 of the Local Plan. A condition is recommended to ensure appropriate finishes are adopted, as recommended by the Urban Design Officer.

Community Building

144. Illustrative details of the community building have been submitted as part of the application. There are comments raised amongst the representation received concerning the layout and design of the building is not adequate to provide an early years use. There is also reference made to ensure that the size of the building is satisfactory in providing for a sufficient number of children within the area. As required under Schedule 4 of the S106, a separate reserved matters application is required to be submitted for the appearance and design of the community building. The plans submitted under the current application will not include the drawings for the community building. Therefore, comments in relation to the community building are not relevant to this application and will be dealt with under a separate reserved matters application in consultation with the Parish Council and the County Council to ensure an adequate facility is provided. Sufficient space is provided in the layout to ensure a community building of appropriate size to accommodate the community's needs can be provided.

Landscape

145. In respect of landscaping, conditions 7 and 30 of the outline permission requested all soft and hard landscaping to be carried out in accordance with the approved details, and that a Landscape and Ecological Management Plan is submitted, respectively.
146. The application is supplemented by a range of documents and drawing in respect of landscaping details. Over the course of the assessment of the application, some of the documents and drawings have been amended to reflect changes to the layout to address the comments raised by consultees and third party representations. Originally some of these documents were not legible due to poor resolution but have been uploaded at a higher resolution for public viewing.

147. The Parameter Plan and illustrative Masterplan both indicate areas which should be retained for soft landscaping, such as the green wedge to the west and the central green village heart. The proposed layout accords with these plans and the areas of green spaces are illustrated on E1175/P/PL06 Rev I.
148. Section 5 of the VDG, 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 VDG emphasises the landscape setting of the village being set amongst 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).
149. The VDG 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.
150. The VDG sets out in Figure 45, with specific guidance for the Ida Darwin site, the importance of the natural woodland to the west and the emphasis of low level lighting, soft green edges and green space within the centre of the development.

Western Green Wedge and Proposed Parkland

151. In terms of strategic landscaping to address the edge of village location, the green wedge to the west provides a significant amount of open space which will be retained and enhanced as a parkland area, in accordance with the outline permission and the VDG. The woodland area to the western boundary of the site comprises a rich variety of mature trees which will be managed and retained. A selection of arboretum specially selected trees are also proposed which will further enhance the existing woodland and nature of the parkland. Low impact footpaths are proposed within this area which will adopt self binding gravel and bark chippings and additional informal mown grass paths will also provide easy pedestrian access. A number of trees are proposed along the western edge of the development, along with the native hedgerows and railings along the boundaries of the plots along this section of the site. There are comments raised by the Landscape Officer and representations received, suggesting that the railings are not characteristic of Fulbourn and should be removed. Some of these railings have been removed however the addition of the proposed hedgerows will soften this edge in accordance with the VDG and is therefore acceptable. No lighting is proposed within this area which is compliant with the guidance set out for the Ida Darwin site within Figure 45 and guidance note 4.5 of the VDG, in an attempt to limit light pollution within this sensitive rural location.

152. One of the features proposed within the parkland is a community orchard, which will be situated directly adjacent to the LEAP on the western boundary of the development. The orchard will be easily accessible for future users via the cycle/footpath link. The orchard will comprise a variety of native species fruiting trees such as Apple, Pear and Cherry, including local varieties such as Barnack Beauty, Huntingdon Codlin, Swan's Egg Pear and Cambridge Gage. This is in response to a comment raised that there was a lack of local varieties proposed which has now been accounted for. The orchard will be set within wildflowers and species rich meadow planting to establish an attractive and biodiverse landscape feature that will integrate well within the surrounding open parkland.
153. A Local Equipped Area of Play (LEAP) is proposed to the west of the community building. This measures 400m² in area and a condition will be imposed to secure the details of equipment proposed which will be liaised with the Parish Council following any Reserved Matters approval.
154. As discussed previously, a proposed viewing platform is proposed further to the west of the site which will be partially screened by hedgerow and trees. The platform will be of raised earth and will be complemented with seating. Details of this feature will be secured by a condition.

The Railway Corridor

155. In accordance with the outline permission, the application proposes to retain the woodland belt running along the northern boundary of the site, adjacent to the railway line. In order to safeguard this feature, additional planting is also proposed. This area is indicated as a 10m ecological buffer zone which will further enhance biodiversity on the site which will be discussed in the section below.

Central Woodland Area

156. The large area within the centre of the site is one of the key features of the development and is to be retained as open space and additional planting proposed. This is the central village heart and will be a fundamental area for future occupiers to use for walking, cycling, exercising, and child play. There are a small number of trim trails proposed within this area which will comprise simple logs or boulders which will be located in such a way to allow for children to use, meandering through the woodland.
157. Fulbourn is characterised as being a village set among the trees, where tree crowns and foliage dominate most buildings and where rural biodiversity is rich. Section 6 of the VDG emphasises the legacy of majestic trees which highlights the central woodland area of the site as being an important characteristic within the landscape. Currently there are a number of existing mature trees within this area which are of high value and will be retained. New native species are proposed within this area to enhance this woodland area and any existing trees which are of poor quality will be replaced with a similar species, in accordance with the guidance under Section 6. It is noted that estate railings which were

originally proposed around open spaces have also been removed, which is more compliant with the guidance within VDG.

158. There are a series of attenuation ponds located within this area in order mitigate surface water drainage within the site. These ponds are to have gently sloping banks to help them blend into the landscape and form natural landforms as opposed to appearing as engineered features. This was a concern raised by the Landscape Officer and their steep sides have been reduced in response to this. Large areas of native woodland wildflowers combined with native wetland meadow planting within the proposed attenuation ponds will provide a species rich habitat/hunting ground for local bird and bat populations and altogether enhance the amenity value of this area. A condition is recommended to secure details of these ponds in respect of their headwall design, cross sections, planting, gradients and general infrastructure to ensure these features are effectively assimilated within the site. Overall, the proposed attenuation ponds would be effectively assimilated within the site and would appear to be part of the landscape as opposed to being engineered features.
159. There are also two Local Areas of Play (LAPs), situated within this area which will be 100m² each, for which users can come together and play. These areas are in accordance with the outline permission and shall be secured via a condition.

Eastern Open Space Area

160. This area provides a soft buffer between the edge of the development and the existing residential properties to the east. This area will connect the green infrastructure by way of footpath links and will contain a large attenuation pond to mitigate surface water drainage on this part of the site. It will form a wildlife pond and a timber boardwalk and picnic area will enhance the recreational value of the pond within this location and will provide opportunities for people to meet and enjoy. A comment has been raised by the Landscape Officer in regards to the footpath linking this area to the central village heart, in that the footpath and space provided between plots 150-158 north and 159-168 south was narrow and not very legible for future occupiers to use. This area has now been widened with the addition of proposed trees lined along the footpath to provide more softer edges against the railings on either side which is acceptable.
161. Proposed trees are lined along the eastern boundary to screen the development from the neighbouring properties to the east, as well as promoting a village among the trees feel in accordance with the VDG.

Southern Area/Boundary Treatment

162. This area comprises an existing native hedgerow species along the southern boundary, parallel to Fulbourn Old Drift. There will also be a cycle/footpath linking the front of the site to the western edge, which is primarily to allow users to move between the viewing platform proposed to the south east corner of the site and the one proposed within the western area. The proposed viewing

platform within the south east corner is to set within the retained grass verge between the proposed built form and the existing native hedgerow, with a resin bound gravel path and circular platform atop the mound of earth. As for the platform within the western area, these details will be secured via condition. The hedgerow provides a natural screen along the frontage of the site but is overgrown due to the lack of maintenance. This hedgerow is to be retained and pruned to an appropriate height and enhanced with planting of native scrub and tree species. This will not only enhance biodiversity but also provide a good level of visual amenity when entering the site from Fulbourn Old Drift via the main entrance.

Street Landscaping

163. The street planting throughout the site includes trees, hedgerows and verges that are in accordance with the recommendations of Section 7 of the VDG. The street scenes are informal in character comprising gentle bends in the road network with groupings of larger sized native species trees that are in keeping with the local context, along with the hedgerows and grass verges which allow for one sided footpaths, in accordance with guidance notes 7.1 and 7.3.

General Landscaping Details

164. The Council's Tree Officer has commented on the application and has raised no objections. The application is supplemented by an Arboricultural Implications Assessment and plans for east, west and central parts of the site. As requested by the Tree Officer, the developer has submitted the Tree Protection Plan for the eastern part of the site. These documents shall be included on the approved document/plans list.
165. The Landscape Officer has commented on the proposed parking layout for the community building, suggesting that it is dominant on both sides. The developer has introduced new trees amongst the parking to soften the parking on each side in an attempt reduce any visual impact of the car parking which Officers consider to be acceptable.
166. A high screened wall is proposed around the existing car parking areas for the Steiner School, south of plots 159-169. Some trees have been added around the perimeter of this area to help soften the car parking area, especially to the southern end of the eastern open space. Trees have also been proposed around the car parking area serving plots 170-174 however there is insufficient space to plant trees along the boundary immediately to the north of plots 177-180 and therefore no trees are proposed. These changes are overall considered to overcome the concern raised by the Landscape Officer and Officers now satisfied this area would not be detrimental to the scheme.
167. Some of the bin collection points are located within the street scene, i.e between plots 08-15, and 181-188. Although these would be evident on bin collection days, Officers consider it to be unreasonable to impose a condition to

ensure these areas are well screened as for the majority of the time, bins will be kept within the boundaries of plots.

168. A comment is raised by the Landscape Officer regarding the distribution of the visitor car parking spaces in that it is unclear as to which visitor car parking spaces are allocated to which plot. The visitor car parking spaces have been located in discrete locations to prevent any dominant car parking along the streets and to reduce street clutter in accordance with Section 12 of the VDG. Therefore, Officers are of the view that the layout of the visitor car parking is not unacceptable in this instance and is considered to prevent any visual impact of cars in this instance.
169. It is noted that some of the boundary treatments may need to be secured via a condition for the LAPs, LEAPs and attenuation areas in order to ensure these features are satisfactorily assimilated within the site. As such, a necessary condition is recommended to secure these details.
170. Half of the tree species proposed are native, as suggested within Section 6 of the VDG. As illustrated on the Proposed Habitat Creation Plan (M3091-PA-02-V01), these trees are distributed throughout the site. There are non-native species also proposed, which are included within the western parkland area. A concern is raised in respect of this distribution as this is not particularly characteristic of Fulbourn however there are both native and non-native proposed within this area as opposed to purely non-native and therefore Officers are content with this distribution. The mix of species provides across the site as a whole and Officers do not consider this to be a significant issue in this instance. It is noted that around the western viewing platform, native Silver Birch trees are now proposed to replace the Himalayan Birch which is welcomed.
171. The Landscape Structure Plan has been updated to reflect concerns raised in respect of the lack of non-native species of hedges proposed. There are now seven native mixed hedges proposed as indicated on M3091-PA-01-V08 which is acceptable.
172. The Native Wildflower Meadows are clearly identified on the Proposed Habitat Creation Plan in response to a comment raised that these areas are not shown. These areas are shown within the community orchard and along the southern boundary of the site. It is proposed that these areas will be maintained by a Management Company.
173. In conclusion, Officers consider that the proposed landscaping would accord with policies HQ/1 and NH/2 of the Local Plan and is in general accordance with the guidance set out within the VDG, as well as complying with the parameters set out at the outline stage. Overall, the development seeks to secure high quality landscaping and public spaces that would integrate the development in with the surroundings. Conditions regarding the implementation of these details are recommended.

Reserved Matters Summary

174. The main considerations of the Reserved Matters application in respect of layout, scale, appearance and landscaping are considered acceptable subject to conditions for reasons outlined above. Therefore, Officers consider these aspects of the application to be acceptable.
175. The application will now discuss other planning material considerations relevant to the application.

Ecology

176. Conditions 30 and 31 of the outline permission requested a Landscape and Ecological Management Plan (LEMP) and a Reptile Management Plan to be submitted prior to occupation and commencement of development, respectively. These conditions are yet to be discharged.
177. The ecology information has been assessed in consultation with the Ecology Officer and the Fulbourn Swifts Group, who are a community group which have been involved in various planning projects within the Fulbourn area since its establishment in 2012.
178. The Ecology Officer had originally objected to the application on the grounds that further clarity and detail is required in terms of landscaping and the ecological enhancement of landscape in providing a biodiversity net gain. In addition, the original documents submitted were of low resolution and were not easily legible. These comments were also repeated by the Fulbourn Swifts Group. The documents/drawings have been resubmitted at a higher resolution, so these are now legible for public viewing.
179. The original Ecology Appraisal (FPCR, November 2020) submitted with the application outlined methodologies and recommendations for safeguarding species within and around the site. The Ecology Officer was satisfied with this document however noted that a separate Reptile Management Plan was required to satisfy Condition 31 of the outline permission and this was to be submitted separately. Since these comments were received, this document has been substituted by an Ecological Enhancement Strategy (November 2021), which contains the same information as the previous Ecology Appraisal but provides ecological enhancements, habitat enhancements and habitat creation information. The Ecology Officer has been consulted on this document and is satisfied with these measures.
180. Moreover, a Reptile Management Plan and Method Statement (FPCR, July 2021), has been submitted which outlines details of appropriate working methods to be completed during the clearance and construction phases. This outlines method and management techniques for safeguarding the common lizard species which has been found under previous surveys. Again, the

Ecology Officer has been consulted on this document and is satisfied with these measures.

181. Section 10 of the VDG highlights the importance of biodiversity within its landscape design sub-section. 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.
182. In accordance with the outline permission, the 10m ecological buffer zone will be implemented along the northern boundary of the site which will provide a corridor for a range of wildlife. This area will comprise native woodland wildflowers and grasses and additional planting in areas where the existing hedgerow has become scarce will also take place in order to enhance biodiversity within the site. This will also be buffered up with additional tree planting and native understorey woodland planting which will provide further ecological enhancements.
183. Paragraph 3.76 of the Biodiversity SPD states that for all major developments, 50% of dwellings should have features such as bird and bat boxes. The usual recommendation for these is to be integral to the buildings, i.e bricks rather than boxes. Fulbourn is known for its swifts and therefore any proposed nest bricks should be swift bricks, although swifts are not listed as a priority species under Appendix 5 of the SPD, whereas sparrows are listed. As stated within the Ecology Enhancement Strategy (November 2021), 20 swift bricks, 36 bat bricks, 10 sparrow terraces and 16 bird boxes are proposed, totalling 82 bird and bat enhancement features. This equates to 40% of dwellings across the site containing these features which is less than the 50% stated within the SPD however, it is noted that the bat survey conducted by MKA Ecology which was submitted as part of the outline permission concluded that a total of 30 bat boxes of which the proposals here exceed. Officers acknowledge the slight shortfall in the percentage of dwellings containing bat/bird bricks however consider that it is not a significant shortfall to result in a refusal on these grounds. Conditions are recommended to secure the details of the swift and bat bricks prior to occupation to ensure these are fitted to a satisfactory standard.
184. There are concerns raised by the Fulbourn Swifts Group that the scheme does not provide a biodiversity net gain on the site. The outline permission set out parameters for which the developer has adhered to in terms of retaining the 10m ecological buffer along the northern boundary and open spaces within the development area and the open parkland to the west. There were no obligations set out under outline nor within the S106 to provide a biodiversity net gain within the site.
185. Officers do acknowledge the importance of providing biodiversity enhancements, especially following the approval of the Environment Bill in November 2021. Notwithstanding this, the document does allow for current applications which have already been submitted to merely demonstrate a measurable biodiversity net gain. Given the outline permission for this allocated site was granted back in 2019, Officers consider it reasonable to seek that only

a measurable net gain is demonstrated. The Ecological Enhancement Strategy outlines habitat enhancements for wildlife such as hedgerows, wildflower grasslands, an orchard, swift/bat bricks and hedgehog highways which are all considered to deliver a measurable net gain on the site. The Ecology Officer has provided support for these measures and therefore Officers are of the view that the developer has provided a net gain on the site, despite no obligations to do so.

186. As mentioned above, Condition 30 of the outline permission requests a Landscape and Ecological Management Plan to be submitted prior to occupation. The developer has submitted a Public Open Space Landscape and Ecological Management Plan, Years 1-5. This supplements the Enhancement Strategy and provides further details as to how the habitat enhancements will be managed throughout the first five years. Again, the Ecology Officer has been consulted on this document and is satisfied with the ecological information submitted.
187. There are concerns raised in respect of the hedge management under Section 2.5 of the document in that some of the proposed schedules for trimming/cutting are during periods which could result in an impact upon birds and other small mammals. However, on page 15, it is clearly stated mature hedgerows will only be managed during the autumn/winter and not during the bird nesting season (March-August). Should this be the case, a qualified ecologist or ornithologist will be hired to undertake such works. The Ecology Officer has been consulted on this document and is satisfied with the information contained in respect of ecological management and would not result in any harmful impact upon wildlife.
188. There is a comment raised in respect of the monitoring and management of the site in regard to landscape and ecology being undertaken by site visits on years 1, 3 and 5 of the plan by a qualified ecologist. This is stated under Section 1.4 of the document and the Ecology Officer has been consulted on this and has accepted this regime.
189. There are comments raised in respect of on site lighting in relation to bats which is not directly stated within the Ecological Enhancement Strategy however it was included within the Ecology Appraisal which outlined where artificial lighting cannot be avoided, a lighting scheme will be designed with reference to the Bat and Conservation Trust and Institute of Lighting Professionals guidance and will be designed to direct light spillage in a downwardly direction. Condition 27 of the outline permission requests a scheme for artificial lighting and therefore Officers will consult on this scheme with the Ecology Officer at the time of submission to ensure artificial lighting is designed to reduce any impact upon bats.
190. The Proposed Species Enhancement Plan indicates provisions for hedgehog highways which link green infrastructure on the northern and southern boundaries of the site through a number of private gardens to areas of public open space using standard hedgehog accesses in new residential boundary fences. This has overcome previous concerns in the lack of hedgehog highways

provided, as well as their distribution throughout the site and is acceptable. A condition is recommended to secure details of the walls/fences to enable the movement of hedgehogs throughout the site as indicated on this plan.

191. The Proposed Habitat Creation Plan clearly shows where the native species hedging is to be located throughout the site, in response to a comment raised by the Fulbourn Swifts Group.
192. Overall, officers consider that the proposal would accord with policy NH/4 of the Local Plan and paragraphs 174 and 180 of the NPPF, as well as the guidance of the VDG which requires development to enhance, restore and add to biodiversity with opportunities should be taken to achieve a net gain in biodiversity through the form and design of development.

Flood Risk and Drainage

Site Characteristics

193. The site is located in flood zone 1 (low risk) and lies to the north of the Gog Magog Hills which acts as a basin for storing surface water run off from these hills which is classified as a Source Protection Zone (SPZ). There are concerns raised in respect of surface water drainage from third party representations.

Proposed Strategy and Outline Conditions

194. Strategic drainage principles are 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.
195. Condition 17 of the outline permission required a strategic surface water drainage strategy for the site to be submitted and approved in writing by the Local Planning Authority prior to the submission of any reserved matters application. The condition requires the strategy to be informed by groundwater level monitoring to establish the feasibility of infiltration drainage. The condition requires the phasing arrangements, details of primary infrastructure for each phase and plans for drainage asset operation, maintenance, and contingency, as well as setting out information, design parameters and design details which are to be set out under any reserved matters application.
196. Given these details needed to be submitted to and approved in writing prior to the submission of the reserved matters application, Condition 17 will be imminently discharged in consultation with both the Environment Agency (EA),

Local Lead Flood Authority (LLFA) and Drainage Officer, under reference S/0670/17/CONDA.

197. Condition 18 of the outline permission requested that a surface water strategy is submitted with each application relating to the reserved matter of layout. Therefore, the approved documents under the discharge of Condition 17 have been transferred to this reserved matters application.
198. Condition 20 of the outline permission requests a scheme for foul water drainage to be discharged prior to the commencement of development which will be submitted under a separate discharge of condition application. It is proposed to discharge foul water via an existing manhole located along Fulbourn Old Drift to the pumping station located within the north east of the site. This will entail conversions between Anglian Water and the developer following planning permission.
199. Officers also note that condition 25 of the outline consent required details of a scheme for the provision of pollution control of the water environment, which shall include foul and surface water drainage, by way of a pre-commencement condition.

Drainage Scheme Design and Groundwater Baselines

200. The Sustainable Drainage Systems (SuDs) hierarchy requires that surface water run off is controlled and preferably reused wherever possible. Where it is not practicable to reuse, methods of disposal can be considered by one of infiltration, using a local watercourse or existing public sewers. Given the site is mainly underlain by chalk, infiltration methods were deemed to be the most appropriate method to adopt.
201. Trial pits were carried out across the site and infiltration test results varied, which are presented in Appendix B of the Drainage Strategy. Groundwater was found in each of the boreholes and a series of borehole monitoring visits were carried out in 2018 and 2021. The average depth at which the groundwater level was found was around 9.3 AOD. It was also found that groundwater levels were higher in the eastern part of the site compared to the western part of the site.
202. It is proposed to install infiltration basins across the site to mitigate surface water run off from roads and dwellings. The large car parking areas will adopt a permeable paving material to mitigate surface water run off. This is illustrated under drawings E3922/500-501 in Appendix D of the Drainage Strategy.
203. Originally, the EA, LLFA and Drainage Officer objected to the proposals due to the lack of information and inaccuracies within the documentation required to give them confidence that appropriate surface water drainage infrastructure was being mitigated for.
204. The EA had previously advised the developer that infiltration drainage would only be acceptable if there is a minimum of 1.2m clearance between the base of

any infiltration SUDs and peak seasonal groundwater levels. The original drainage information only measured groundwater depths between August and October in 2018, which was not representative of peak seasonal groundwater levels. This concern was highlighted by third party representations. In addition, the information did not clarify whether infiltration from the proposed SuDs will not occur into contaminated ground.

205. Following resubmissions of drainage information, the EA still withheld their objections as the proposed infiltration basins in the eastern part of the site would not maintain adequate clearance above peak seasonal groundwater levels. The data included within the projected 2021 groundwater elevations did not confirm whether this was representative of peak seasonal groundwater levels and therefore confirmation of this was required. The EA were prepared to consider the standard minimum 1.2m clearance subject to the following being demonstrated: (i) infiltration via the basins will not result in direct inputs to groundwater; (ii) SUDs treatment steps adequate for the minimum unsaturated zone thicknesses will be provided; (iii) the basins will not be constructed in contaminated ground.
206. The developer has submitted site-specific groundwater level data for the intervals between August 2018 and May 2021. The submitted monitoring data for the western part of the site, indicated minimum clearances of 1.2m or more, which is acceptable. However, the monitoring data for the eastern part of the site provides less confidence. The 2021 monitoring locations are offset from the locations of the proposed basins and whilst the developer has provided contouring and predicted values in the vicinity of these basins, there is uncertainty regarding these values and further monitoring should be undertaken within the basin locations over the upcoming winter period to reduce this uncertainty. Notwithstanding this, the EA are of the view that this would be unreasonable and that the main assessment here is whether there would be any risk to controlled waters. Based upon the information provided, this risk does not appear to be high and therefore, the EA are minded to accept the current proposals, provided there will be sufficient surface water quality management as follows: (i) at least one SUDs management stage for clean roof water, which should be conveyed to the infiltration basins via sealed downpipes; (ii) a minimum of two SuDS management stages for run-off from car parking areas and access roads; (iii) additional SUDs management stages for run-off from any areas subject to heavy vehicle access or parking. It must also be demonstrated via a suitably designed scheme of investigation (i.e. targeted testing) that the proposed infiltration basins will not be constructed in contaminated ground however this relates to Condition 21 of the outline permission which the developer will need to formally discharge in due course prior to commencement.
207. Moreover, the developer has submitted further information which demonstrated that surface water can be managed on site through the use of unlined permeable paving and infiltration basins. Private shared access areas and drives will be constructed using permeable paving, allowing infiltration into the ground below. The highway areas will drain through conventional gullies, into infiltration basins integrated within the site. The submitted groundwater

monitoring demonstrates that there will be a minimum of 1.0m clearance between the base of any infiltration features and peak groundwater levels, which is in accordance with the standard clearances recommended by the LLFA. The submitted information also demonstrates how the features will be maintained across the site for the lifetimes of the development. Therefore, given these additional measures proposed, the LLFA are of the view that the proposed drainage scheme is acceptable and no longer object to the scheme, despite the offset monitoring locations within the eastern part of the site.

208. The Council's Drainage Officer has also been consulted on the application and has raised no objections to the proposed Drainage Strategy, subject to further information in respect of hydraulic calculations. Some of the issues raised above have also been highlighted by the Drainage Officer but these comments have been accounted for in the submitted documentation which has been approved by the EA and LLFA. The latest set of comments received by the Drainage Officer are now consistent with the EA and LLFA in that discrepancies in the information between drawings and calculations, infiltration rates, permeable calculations have been satisfactorily addressed by the developer and therefore the Drainage Officer no longer objects to the scheme.

Response to Third Party Representations

209. The groundwater monitoring results are presented in Appendix H of the Drainage Strategy. There have been concerns raised in respect of the validity of these results by the Fulbourn Forum Group, in that the measurements were not undertaken over the wettest time of year and does not reflect peak water table levels. As can be seen from the results, the groundwater levels for 2018 are lower than in 2019 and 2021. This is due to 2018 having a slightly lower average rainfall than other years. The values for 2019 and 2021 represent more typical groundwater levels within the area.
210. Although monitoring was not undertaken in identical places between the two data sets, comparisons can still be drawn. The reasons for not undertaking at identical places was due to the ongoing demolition works on the site. Furthermore, it is considered to be difficult to guarantee that the highest groundwater level had been recorded due to unpredictable rainfall events. The groundwater levels are variable however this degree of variability is considered to be expected, which has resulted in slight adjustments to the proposals.
211. The Fulbourn Forum are also questioning the design of the surface water scheme. Their comments are aimed at the clearance levels presented in Appendix H, in that they are not true and would result in flooding. The intention is to raise the ground levels around much of the site by approximately 1m or so, on average. This will allow the basins to be installed with the required separation to groundwater, along with the piped drainage network carrying the surface water. For example, looking at the data for Basin 3, existing ground levels are around 11.9 AOD and the top of the basin level is 12.58 AOD, meaning that levels in this area are to be built up around 700mm. This gives an invert to the basin of 11.28, with high groundwater levels here recorded at

10.08, giving the 1.2m clearance between the invert of the basin and highest recorded groundwater levels which is acceptable.

212. There is a comment raised in regards to the calculations provided in respect of extreme weather events. The developer has provided calculation rates within the minimum standard of 1 in 100 years plus climate change which has been accepted by technical consultees. Therefore, the request for providing calculations for 1 in 1000 years plus climate change is considered unreasonable.
213. Another concern raised by the Fulbourn Forum group is the discharge of water from an existing water pump located to the north east of the Steiner School which is outside of the red line boundary. The applicants have advised that a number of these pumps are installed around the old hospital site with the purpose of draining the network of service tunnels around the site. Most of these tunnels are walkable and up to 2m deep. They receive water ingress from rainfall via the access points and undoubtedly some seepage from groundwater also. We are informed that these pumps operate all year round and are not in any way linked to raised groundwater levels. These would be running almost constantly to keep a small area of trench 'dry' and workable. Once the services for the hospital are redundant and the tunnel removed, the pumps will also be redundant and removed, but until then, they will remain operational. Given this water pump is outside of the ownership of Morris Homes, the operation, maintenance and management of this pump is not relevant to the planning application in this instance.
214. Overall, and notwithstanding the initial objections from the EA, LLFA, Drainage Officer and third parties, the layout of the site and its design are compatible with both the strategic and detailed surface water scheme put forward for discharge under Condition 17. The detailed issues raised have been dealt with directly by the applicants and condition 17 will now be discharged imminently. Officers are satisfied that the proposal would accord with policies CC/7, CC/8 and CC/9 of the Local Plan which requires developments to have an appropriate sustainable foul and surface water drainage systems and minimise flood risk. It remains through this Reserved Matters application, that condition 18 of the outline permission to be endorsed for discharge through the approval of this application.

Highway Safety, Access, Management of Roads and Parking

215. The main access to the site from Fulbourn Old Drift was dealt with at outline stage with appropriate details secured through condition 6 of the outline consent.
216. Access point C indicated on drawing number No. 51 Rev 3 from Fulbourn Old Drift is a temporary access which is to be permanently blocked up prior to the commencement of construction of the main vehicle access, as secured via condition 15 of the outline permission. A condition is recommended by the Highway Authority to ensure this is undertaken. The other access point A is a

pedestrian/cyclist access further to the west. The layout of the reserved matters application is consistent with the points of access as shown at outline stage.

217. Condition 10 of the outline permission requests detailed designs for the footways, junction improvements and shared use footway/cycleway shown on the approved drawings as listed above, prior to commencement.
218. Condition 13 of the outline permission requests a Construction Traffic Management Plan (CTMP) is to be submitted and approved by the LPA prior to commencement of demolition or construction works on site. There is a comment raised by the adjacent Steiner School in respect of disruption upon the operation of the school during demolition and construction. This condition will be secure details of construction material storage, contractor vehicle parking and movements, delivery times and mitigation of mud, debris and dust which will be consulted on with the Local Highway Authority to ensure there is no disruption to the operation of the school.
219. Moreover, in accordance with paragraph 113 of the NPPF, Condition 12 requests a Travel Plan to be submitted prior to occupation of the development. These details will enable the LPA to assess the likely impacts of the amount of vehicular movements generated and what mitigation measures can be put in place to prevent any significant impact upon the surrounding road network. This will be dealt with under a separate discharge of conditions application.
220. Extensive discussions have taken place with the Local Highways Authority (LHA) to ensure that the layout of the proposed development is constructed to an adoptable standard as far as practicable. Originally, primary concerns were raised in respect of the following:
 - The management of the attenuation ponds to manage drainage of surface water in relation to the adopted highway
 - No drawing showing dimensions of footway/cycleways
 - Inappropriate turning heads for refuse vehicles and lack of tracking of vehicles
 - Management problems in respect of grass verges with trees
 - All surface finish details would need to comply with Cambridgeshire County Councils Housing Estate Road Construction Specification
 - The Local Highway Authority will only seek to adopt residential estate roads that serve a highway function to five or more dwelling units
 - The design speed for the development should be 20mph
 - Some of the driveways in certain plots are not divisible by 5m
 - The Highway Authority strongly recommends increasing the width of the 2m wide footway to become shared footway/cycleways measuring 3m wide
 - The carriageway accessing plots 1-18 should be a traditional construction, increasing the green buffer between Fulbourn Old Drift and the proposed development
 - The turning heads should not be made of block paving and should be constructed with a more traditional material

Road Adoption

221. It is noted that the LHA will not accept the use of a Management Company to maintain attenuation ponds that directly relates to the drainage of surface water in respect of the safe and effective operation of the adoptable highway. As shown on the Management Plan (1175-P-PL08 REV D), the attenuation ponds are to be managed by the Drainage Authority which will be agreed after the determination of this application. Subject to the satisfaction of these details, the LHA would seek to adopt most of the development. The fact that the LHA may not adopt the proposed development is not a highway safety issue and this arrangement is not unusual for schemes of this nature and is a separate matter which would need to be agreed between the developer and the LHA after planning permission is granted.
222. The LHA has stated that they would not seek to adopt the proposed development until the information has been submitted and approved by the LHA through a Section 38 Agreement between themselves and the developer.
223. Notwithstanding the above, the Highway Adoption Extents Plan indicates which carriageways and footways are being put forward for adoption. Following discussions with the LHA, the cycleway/footway has already been amended to a width of 3m under the request of the LHA in preparation for its adoption following the determination of this application.
224. Following discussions with the LHA and the Urban Design Officer, the extent of shared surface and block paving have been agreed. The turning heads are to adoptable standards and tracking shows that they are of suitable size for all necessary vehicles. Turning heads will be offered for adoption but this will be agreed separately once planning permission has been granted.

Design Speeds and Access

225. The Layout Plan has been amended to show the inter vehicle visibility splays of 2.4x25m at each of the main access points serving dwellings as requested by the LHA. This is to provide certainty that the proposed layout would encourage a design speed of 20mph in respect of highway safety and is now acceptable.
226. A temporary turning head is proposed to the far east of the site in association with the construction of phase 2 of the development. The LHA have requested that a tracking plan is submitted to demonstrate that a refuse and fire vehicle can sufficiently turn around in this space prior to determination. The developer has provided these details and the LHA are now satisfied with these arrangements however request the drawing shows 500mm being always shown between the vehicle and the kerb line. It is confirmed that there is a 500mm gap between the vehicle and kerb line at all times and therefore showing this measurement is not required and the details are therefore acceptable.
227. Concerns are raised in respect of Access point C as shown on drawing SLR 51 Rev 3, which is to be used for an emergency access, a temporary access, and

a pedestrian/cyclist access. The concerns raised are due to the access dissecting the cycle/footway running along the front of the site as vehicles using the access in association with the construction of phase 2, could cause conflict with pedestrians and cycle users. This access has already been approved for the uses as stated above under the outline permission however in order to ensure the safety for all users, a condition requesting details of how this access arrangement is controlled for during and after construction is recommended, and is acceptable to the LHA.

228. Subject to the recommended conditions, officers are satisfied that the development is acceptable in highway safety terms and would accord with

Response to Third Party Representations

229. There is a concern raised amongst the representations received which raises the increase of traffic volume along Hinton Road and Fulbourn Road, as well as the surrounding streets, and the impact of additional vehicles on the condition of the roads. Given the outline permission for 203 homes on this site, the increase in traffic on the surrounding road network is inevitable within the area and is therefore not a reasonable reason for refusal.
230. A comment is raised amongst the representations received regarding the adoption of Roberts Way. Roberts Way is situated to the east of the site and is outside of the red line of the location plan. The adoption of this road by the LHA is not a material consideration under this application.
231. A concern is raised amongst the representation in respect of the lack of garages for the affordable housing. This is noted however sufficient car parking is still provided for these dwellings and therefore the lack of a garage is not considered to be a reason for refusal in this instance.
232. 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 111 of the NPPF.

Car and Cycle Parking

233. In terms of car and cycle parking provision, each property would benefit from appropriate levels of off-road parking spaces (at least two in most instances), which would accord with policy TI/3 of the Local Plan. The Design Statement details that each dwelling would benefit from cycle storage and the developer has amended and submitted drawings which shows the dimensions of the cycle parking proposed for each of the units. The original concerns raised in respect of the lack of cycle parking for some of the affordable units have now been accounted for and Officers are satisfied that each unit will have an adequate number of cycle parking spaces provided within secure cycle stores. These details are shown on drawing number E1175/P/BCS Rev D and will be secured via the discharge of Condition 14.

Residential Amenity

Neighbouring Properties

234. The neighbouring properties with the greatest potential for impact from the proposed development are the existing properties to the east of the site along Roberts Way and Thomas Road. There are no neighbouring properties located near to any of the other boundaries of the site.
235. Paragraph 6.68 of the Council's District Design Guide SPD 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.
236. Plots 159, 158, 139, 140, 135, 134, 133 and 132 are the closest properties located along the eastern edge of the development, in relation to the neighbouring properties located at Roberts Way and Thomas Road. Plot 132 situated at the far north east corner of the development is situated approximately 24m from the rear elevation of No. 15 Roberts Way, which is more or less located directly opposite this plot to the east. Although this is slightly short of the minimum 25m back to back distances states within the SPD, Officers consider this is a minor shortfall and would not lead to any significant overlooking impact upon this neighbouring property. All of the other plots as noted above are located at distances well in excessive of the minimum distances stated within the SPD from the neighbouring properties to the east and as such, no significant overlooking impact is considered to arise upon these properties. Furthermore, the eastern boundary of the site is to be lined with mature trees which would provide screening all along this boundary which would further alleviate any overlooking impacts.
237. Overall, given the degree of separation from the proposed development and the neighbouring properties to the east, the proposed development is not considered to result in significant harm by way of a significant overbearing impact or significant loss of light.

Future Occupiers

238. The internal layout of the site is such that it is not considered to significantly compromise the quality of amenity afforded to each property, noting the relatively spacious relationship between dwellings where back to back distances range from approximately 20 metres to 34 metres. Where properties have a rear to side relationship, which is a small proportion of the development, a good degree of separation is achieved by virtue of the spacious layout and low-density development.

239. The relationship between the existing properties of Rampton Road and the proposed development, notably Plots 1 to 5, has been detailed above. For these reasons, the existing properties are not considered to significantly compromise the quality of amenity afforded the proposed dwellings near to these existing properties.
240. Paragraph 6.75 of the Council's District Design Guide details that ideally each one or two bedroom house should have private garden space of 40sqm in urban settings and 50sqm in rural settings whilst each house with 3 bedrooms or more should have private garden space of 50sqm in urban settings and 80sqm in rural settings. Ground floor apartments should have a minimum of 10sqm private amenity space immediately outside their living accommodation, or use of a communal garden, where 25sqm is allowed for each apartment. Upper floor apartments should have use of a private balcony, of a minimum of 3sqm, plus use of a communal garden, where 25sqm is allowed for each apartment.
241. Most of the properties would benefit from a private amenity space which would meet or exceed the recommendations of the Council's District Design Guide, with the 1-2 bedroom dwellings measuring approximately 40m². Although this is below the minimum 50m² as stated within the SPD in rural areas, this shortfall is not considered to be significantly below the standard to warrant a refusal in this instance. All of the 3, 4 and 5 bedroom properties would benefit from sizeable rear garden areas which are generous in size and would be in accordance with the minimum standards. Unfortunately upper floor apartments are not provided with private balconies however the shared amenity spaces serving apartment blocks exceed 25m² in space and therefore Officers consider the lack of private balconies is offset in this instance.
242. As previously mentioned, in terms of the residential space standards and the internal quality of each unit, Condition 9 of the outline permission required a schedule to be submitted with each reserved matters application. This schedule has been submitted with the application which demonstrates that all units will accord with the National Described Space Standards, in accordance with Condition 9 and Policy H/12 of the Local Plan.
243. Overall, Officers consider that the size of each unit would provide a high quality of amenity to the future occupiers of the site.
244. The proposal is considered to accord with policy HQ/1 (part n) 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.

S106 Open Space Requirements

245. Part 1 of the Fifth Schedule of the Section 106 for the development requires for the Green Wedge to the west of the site to be laid out and practically completed prior to the occupation of the 40th dwelling on site. Within 28 days of the

practical completion of the Green Wedge, this area of land will be offered to the Parish Council for adoption. Should the Parish Council decide not to take on the management of this open space, no more than 100 dwellings within Phase 1 of the development will not be occupied until a suitable Management Company has been found and approved.

246. Part 2 of the Fifth Schedule of the Section 106 also secures the provision of a Local Equipped Area of Play (LEAP), which should be submitted prior to the submission of any reserved matters application. A LEAP scheme has not been submitted to the Council prior to the submission of the reserved matters application however a condition is recommended requesting details of the LEAP and LAPs prior to occupation of the development. After discussing with the Council's S106 Officer, this is standard practice on schemes of this size and therefore Officers consider this approach to be acceptable. Such details shall be discussed with the Parish Council.
247. Similarly, Part 3 of the Fifth Schedule of the Section 106 also secures the provision of a Public Open Space Scheme, which should be submitted prior to the submission of any reserved matters application. This scheme has not been submitted to the Council. The application is supported by an Open Spaces Areas Plan (latest version E1175/P/PL06 Rev G), illustrating the designated areas of open space within the scheme, as well as the areas catered for LAPs. Again, a condition is recommended to secure these details prior to occupation.
248. The Section 106 agreement ensures that appropriate management, public access and maintenance arrangements for the LEAP and Open Spaces will be secured and ultimately this will be agreed between the developer and the Parish Council, or otherwise a suitable management company.

Other Matters

Sport England

249. Officers acknowledge the objection raised by Sport England in respect of the lack of sport pitches proposed as part of the application. The site was once used as sports pitches within the last five years and therefore as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), the proposal should provide sports pitches in this instance. Sports England were not consulted at the outline stage. Given there are no legal obligations stated within the S106 for the developer to provide sports pitches on the site, Officers consider that the lack of sports pitches cannot be a reason for refusal in this instance.

Waste

250. The Waste Team have been consulted on the application, as well as the discharge of conditions application S/0670/17/CONDA. Details for cycle and bin stores were secured through Condition 14 of the outline permission. These details are shown on drawing number E1175/P/BCS Rev D, which shows the dimensions of the bin stores, the capacities of the bins and the number of bins

provided for each size of dwelling/apartment. The Waste Team originally objected to the application due to the lack of details regarding bin storage but this drawing clearly shows these details which are now acceptable.

251. The Refuse Strategy Plan (E1175/P/PL04 Rev K) provides details of bin collection points and their associated pull distances, which are in accordance with the guidance set out under RECAP. The Waste Team have raised that the pull distances for the community building and apartments 40-45 is 15m and therefore a management company will pull the bins out for collection. There needs to be sufficient room for the bins to be located at a specific bin collection point and not on the road. Should the managing agent put the bins out the night before collection, a paved area will need to be provided for the bins. However, if the bins are put out at 6am in the morning of collection day, this is not required. A condition is recommended to secure the arrangements for the disposal of waste and on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point.
252. Comments are also raised in respect of pulling bins past parked cars, for which is acceptable if knee rails are installed. These details would need to be included within the condition recommended detailing the arrangements for the disposal of waste and on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point.
253. The Waste Team have also requested dropped kerbs to be installed directly in front of the bin collection points, to allow for easier access. A compliance condition is also recommended to ensure these are installed prior to occupation.

Sustainable Construction & Climate Change

254. The Council's Sustainability Officer has been consulted on the application and has raised no objections to the proposal. Conditions 35, 36 and 38 of the outline permission secures a scheme for renewable energy, a water conservation strategy and a strategy for the delivery of show homes respectively. Therefore, such details will be dealt with through a formal discharge of conditions application(s) rather than the reserved matters application.
255. Details of renewable energy will be addressed as part of discharging Condition 35 of the outline permission whereby the developer will need to deliver at least 10% or more of on-site renewable energy. In response to the Parish Council's comments regarding solar panels, none of the dwellings are proposed with solar panels however these could be included to promote on-site renewable energy in respect of discharging condition 35. These details will be secured via a separate discharge of condition application.
256. Condition 38 requires a sustainable show home to be provided to demonstrate sustainable design and construction. Such features include roof insulation, flue gas heat recovery systems, upgraded wall insulation and floor insulation. A condition is recommended by Officers to ensure that a heating system which is

compatible with electric forms of heating is considered reasonable as the development relies on gas heated systems.

257. A condition regarding water efficiency to ensure a design standard of water use of no more than 110 litres/person/day is achieved and is recommended.

Designing Out Crime

258. The Designing Out Crime Officer has been consulted on the application and has raised no objections however has suggested that the submission of an External Lighting Plan would have been useful to see at this stage. Officers acknowledge this request however Condition 27 of the outline permission requests a lighting scheme for all external lighting for the site, such as street lighting, floodlighting, security, residential lighting and the assessment of impact upon any sensitive residential premises on and off site. This will address the Parish Council's comments regarding backplates and lighting being in close proximity to residential windows. These details will be secured prior to the commencement of development and therefore will be submitted under a separate application.

Contaminated Land

259. The Contaminated Land Officer has been consulted on the application and has raised no objections. Conditions 21 and 22 of the outline permission require the developer to submit a remediation report and verification report prior to commencement and occupation of the development, respectively. These will be submitted in a separate discharge of conditions application.

Third Party Comments

260. The comments made in third-party representations are noted, with many points already considered in the report. The remaining matters raised are considered below.
261. Concerns are raised in respect of the continuing operation of the adjacent Steiner School, located to the south east of the site. The proposed layout of the development is in accordance with the outline permission and does not encroach into areas associated with the Steiner School. Should the owners of the school wish to discuss any legal discrepancies in respect of the red line boundary, party wall agreements or maintenance work agreements, these will need to be dealt with separately and will not be a material planning consideration in this instance. Therefore, conditions in this regard are not considered to be reasonable.
262. The developer is legally obliged to retain a vehicular access to the car park at the rear of the school. The development closest to the school on the eastern section of the site which forms Phase 2, will be carried out at a later date and meetings with the school have already been arranged to ensure that their operations remain uninterrupted during the lifetime of the development, as well as during the demolition and construction phases of the development.

263. There is a comment raised requesting whether more community space could be provided within the scheme. The amount of community space was designated and approved at the outline stage and the layout of the proposal accords with these parameters. Therefore, it would be unreasonable to request the developer to provide more community space over and above which was approved at outline and within the S106 agreement.
264. There are comments raised in respect of the boundary treatment around the school and whether these would obstruct fire exits and more generally how the treatment would affect the school. The Materials Distribution Plan illustrates that the northern and western boundaries around the school will comprise 1.8m timber boarded fencing. The obstruction of fire exits would need to be discussed between the developer and the school however the proposed timber fence is considered to be an acceptable boundary treatment in this location and is acceptable.
265. The existing pumping station located to the north east of the school is to be retained in this location. The pump lies outside of the red line boundary of the application site and is therefore not under the ownership or control of the applicant. Therefore, a condition requesting the management of this water pump is not considered reasonable in this instance.
266. There is a request for the building to be located to the north east of the school to be retained as opposed to be demolished and become part of the school. Given the outline permission included the demolition of this building as part of the consent, the developer has a right to demolish this building. Should the school wish to pursue this option, they will need to discuss this with the developer and the County.

Planning balance and conclusion

267. The principle of residential development for 203 dwellings was granted outline permission in November 2019.
268. Whilst there is some objection to the design and appearance of the proposed development, as well as concerns surrounding drainage, 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.
269. 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, as well as the parameters set out under the outline permission.
270. 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 visual interest.

271. The developer is providing a measurable biodiversity net gain by providing a community orchard, native hedgerows, a significant number of trees and bird/bat bricks, all of which will enhance biodiversity within the site. Therefore, there are several elements of the scheme that will see biodiversity conserved or enhanced within the site, in line with adopted policy and guidance note 10.20 of the Village Design Guide. Officers consider acceptable in this instance, especially given the outline permission for the site.
272. 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, has been submitted and consulted on with specialist consultees who have approved the information provided. As noted above, this information was requested to be submitted and determined by the LPA prior to the submission of the reserved matters application by Condition 17 of the outline permission, which will be discharged in full as recommended by the LLFA, EA and Drainage Officer.
273. Taken collectively, these factors (and those detailed throughout this report) would accord with policy requirements from the South Cambridgeshire Local Plan along with guidance from the Fulbourn Village Design Guide and District Council's District Design Guide SPDs.
274. Officers consider the reserved matters including the layout, scale, appearance and associated landscaping to be acceptable and that the benefits and positive design responses of the scheme outweigh the limited harm identified and the associated conflict with elements of the VDG. The proposal would provide a high-quality scheme which would make a positive contribution to the local and wider context of the site and the character of the area, responsive to its edge of village location, providing a good level of amenity to the future occupiers of the site.
275. The development of the site would also result in the provision of 203 dwellings towards the Council's 5-year housing land supply and the erection of 81 affordable units to help meet an identified local need.

Recommendation

276. Officers recommend that the Planning Committee APPROVES the Reserved Matters application subject to the following conditions.
- The planning conditions as set out below, with the final wording of any significant amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission;

- Consultation with and confirmation from the Secretary of State in respect of the Town and Country Planning (Consultation) (England) Direction 2009 that the application is not to be called in for his determination in respect of the objection from Sport England;
- And that the Planning Committee confirm Reserved Matters compliance with Condition 18 of the outline permission in respect of surface water drainage and also discharge Condition which requests a Reptile Management Plan.

Conditions

- 1) The development hereby permitted shall be carried out in accordance with the approved plans as listed on the Decision Notice.

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

- 2) Prior to the first occupation of the development hereby approved, details of the windmill viewing platforms and a timescale for their delivery shall be submitted to and approved in writing by the Local Planning Authority. The platforms shall be provided in accordance with the approved details and timescale and shall be retained for the lifetime of the development.

(Reason – To ensure the development is satisfactorily assimilated within the landscape, in accordance with policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).

- 3) No development above ground level shall commence until material finishes to be used in the external elevations of the dwellings hereby approved, have been 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 development is satisfactorily assimilated within the local area, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

- 4) No development above ground level shall commence until details of the proposed children’s play areas (LAPs and LEAP), including the number and type of pieces of play equipment have been submitted to and approved in writing by the Local Planning Authority. The play areas shall be laid out and equipped as approved before the first occupation of any part of the development, or in accordance with a programme to be submitted to and approved in writing by the Local Planning Authority and retained as such thereafter.

(Reason - To provide adequate outdoor play space in accordance with Policies HQ/1 and SC/7 of the South Cambridgeshire Local Plan 2018).

- 5) No development above ground level shall commence until details of the proposed attenuation ponds have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
- a) Headwall design
 - b) Cross section drawings
 - c) Proposed planting/boundary treatments
 - d) Gradients of the basins
 - e) General infrastructure

The development shall be carried out in accordance with the approved details.

(Reason – To ensure the attenuation ponds are satisfactorily assimilated within the site, in accordance with policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).

- 6) Prior to the occupation of any of the dwellings hereby approved, full details of the location, number and design of the bat bricks and swift bricks, shall be submitted to and approved in writing by the Local Planning Authority. The swift bricks shall be installed on the identified dwellings prior to their occupation and shall meet the following criteria unless otherwise agreed in writing by the Local Planning Authority:
- a) Be located a minimum of 5m above ground level with a clear flight path;
 - b) Be located high on a gable end near the roof apex, or close to the eaves of a two-storey or higher building;
 - c) Be built-in to the walls of the specified dwellings and not externally fixed.

The development shall be carried out in accordance with the approved details.

(Reason - To ensure the development enhances and sustains biodiversity, in accordance with the SCDC Biodiversity SPD (2009) and Policy NH/4 of the South Cambridgeshire Local Plan).

- 7) Prior to the erection of any boundary fencing, details of the boundary treatment, by way of gaps in walls/fences to enable the movement of small mammals and amphibians between the greenways and adjacent private gardens 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 development enhances and sustains biodiversity, in accordance with the SCDC Biodiversity SPD (2009) and Policy NH/4 of the South Cambridgeshire Local Plan).

- 8) No dwelling(s) shall be occupied until a water efficiency specification for each dwelling/house type, based on the Water Efficiency Calculator Methodology or

the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

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

- 9) In order to facilitate the upgrade of heating systems to efficient (i.e., heat pump) electric heating, radiators shall be sized and fitted on the basis of being capable of running at a maximum of 45°C flow temperature to all residential units when switched to a heat pump system. All residential units will have an appropriate space identified for an external air source heat pump unit that is acceptable within permitted development requirements for noise, proximity to boundaries and physical size. Furthermore, for all residential units the primary pipework shall be provided between the external unit and the primary heating installations (heating pump and hot water tank) to enable the use of the heat pump system with minimum disruption upon gas boiler removal. The hot water tank shall be heat pump ready, sized to enable incorporation of any additional requirements to the heat exchanger area and storage volume.

(Reason - In the interests of reducing carbon dioxide emissions and futureproofing the development for net zero carbon and ensuring that new buildings are constructed in a sustainable manner and are easily adaptable (South Cambridgeshire Local Plan 2018, Policy CC/3 and Policy HQ/1 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 10) Prior to the first occupation of the development hereby approved, a dedicated electric vehicle charge point scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that at least one active electric vehicle charge point will be designed and installed with a minimum power rating output of 7kW to serve at least one of the approved allocated on-plot parking spaces for each dwelling.

The approved scheme shall be fully installed before the development is occupied and retained as such.

(Reason - In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 11) Prior to the occupation of any residential units, the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. The

approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

(Reason - To protect the amenities of nearby residents and in the interests of visual amenity, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

12) Dropped kerbs shall be installed in front of each Bin Collection Point marked on the Refuse Strategy Plan (E1175/P/PL04 Rev K).

(Reason – To ensure that each bin collection point is easily accessible, in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018).

13) Notwithstanding the approved details on the Materials Distribution Plan (E1175/P/PL02 Rev J), no development above ground level shall commence until the surface finish of the areas serving the mews courts are 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 development is satisfactorily assimilated within the local area, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

14) The proposed driveways shall be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway.

(Reason – To ensure the safe effective operation of the highway, in accordance with paragraph 111 of the NPPF).

15) No development of the primary road network shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

(Reason – To ensure the satisfactory management of the development is accounted for in respect of the safe and effective operation of the highway, in accordance with paragraph 111 of the NPPF)

16) No development shall commence until details of how the temporary and emergency accesses will be managed during and after the construction phase of 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 safety of all users in respect of highway safety, in accordance with paragraph 111 of the NPPF).

Informatives:

- 1) The granting of planning permission does not constitute a permission or licence to a developer to carry out 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.
- 2) 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.
- 3) There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
- 4) 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.

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 Neighbourhood Plan
- Greater Cambridge Housing Strategy 2019 – 2023
- Fulbourn Village Design Guide SPD – Adopted 2020

Report Author:
Dean Scrivener– Senior Planner
Telephone: 07704018416

Agenda Item 7



Report to:

South Cambridgeshire District
Council Planning Committee

19 January 2022

Lead Officer:

Joint Director of Planning and Economic
Development

20/05251/OUT - Land Northwest of 7 Primrose Walk Little Gransden

Proposal: Outline planning application for the erection of a single self-build dwelling with all matters reserved

Applicant: South Cambridgeshire District Council

Key material considerations: Principle of Development
Visual amenity and local character
Impact on amenities of neighbouring properties

Date of Member site visit: N/A

Is it a Departure Application?: No

Decision due by:

Application brought to Committee because: Parish Council objection

Officer Recommendation: Approval

Presenting officer: Mary Collins

Executive Summary

1. The development accords with the South Cambridgeshire Local Plan (2018) as:
 - It would not result in adverse impacts upon the character and appearance of the local area in accordance with policy HQ/1 and H/16;
 - It would not result in significant harm to the amenities of neighbouring properties in accordance with policy HQ/1;
2. Subject to conditions, the proposed development accords with national and local planning policies.

This item was deferred at the Planning Committee of 8th December 2021. A revised plan showing an amendment to the red line of the application site, had been submitted with additional neighbours consulted and a revised site notice displayed on site and a notice published in the press. A further adjoining neighbour had been consulted, however the expiry of the consultation period was after the December committee date expiring on 20th December 2021. Members resolved to defer consideration of the item.

There has been no response received and therefore no new material issues have been raised.

Site and surroundings

3. The proposed development site lies within the Development Framework on the south western side of Primrose Walk to the north west and immediately adjacent to the existing dwelling at 7 Primrose Walk. There is built development opposite which currently extends marginally further along this side of the road. The site would extend up to the village limits on this south western side and would result in built development on either side of the road up to the edge of the village.

The original Primrose Hill development was constructed in the 1960's by the then Rural District Council. This was followed in 1972 by the erection of the bungalows along Primrose Walk in 1972 – also a Rural District Council Development. In the early 1990's the two storey houses in Primrose walk were constructed by South Cambs DC.

The applicant seeks outline planning permission for the erection of a single self-build dwelling with all matters reserved.

Planning History

4. None

Planning Policies

5. National Planning Policy Framework (NPPF) 2021
National Planning Practice Guidance (NPPG)

South Cambridgeshire Local Plan Policies 2018

6. S/1 Vision
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/11: Infill Villages
H/12 Space Standards
HQ/1 Design Principles
H/8 Housing Density
H/16 Development of Residential Gardens
NH/4 Biodiversity
SC/10 Noise Pollution
SC/7 Outdoor Playspace, Informal Open Space and New Developments
SC/8 Open Space Standards
CC/3 Renewable Energy
CC/4 Sustainable Design and Construction
CC/7 Water Quality
CC/8 Sustainable Design Systems
CC/9 Managing Flood Risk
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/10 Broadband

South Cambridgeshire District Council Supplementary Planning Documents (SPDs):

7. District Design Guide SPD – Adopted March 2010
Design and Construction SPD – Adopted January 2020
Biodiversity SPD – Adopted 2021

CONSULTATION

8. Little Gransden Parish Council - OBJECT to this application.

The Parish Council was concerned that residents at numbers 2, 4, 5, 6 and 8 Primrose Walk did not appear to have been notified - Primrose Walk is a small community abutting a public footpath, consisting of dwellings that were originally built by the District Council. Some of the dwellings are still owned by the District Council.

- The Parish Council was concerned that the proposed development would put more stress on the existing sewerage system.

- The Parish Council's principal concern was that the access to the proposed development is via a track that has the status of a public footpath: it is not of a suitable standard for vehicles and has not been maintained to highway standards for the existing dwellings, which were built by the District Council. If the Planning Office is minded to approve this application, Little Gransden Parish Council very strongly urges that a condition of any approval should be that either the vendor or the purchaser of the land should make up Primrose Walk to public highway standards and that the County Council should adopt Primrose Walk.

Revised location plan

The Parish Council noted Mr Kelly's letter of 19 August 2021 and has no further comment to make.

Environmental Health - Advise that the following conditions/informatives should be attached to any planning consent granted;

Conditions

Construction Hours

Construction Environmental Management Plan

Local Highways Authority –

No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission as Primrose Walk is not Public Highway.

Revised red line of application site - Comments as previous

Sustainable Drainage Engineer –

There are no surface water flood risk issues. However, the proposals are not in accordance with South Cambs adopted Policy CC/7 Water Quality and Policy CC/8 Sustainable Drainage as the proposals have not demonstrated a suitable surface water drainage provision for the proposed development.

The drainage provision would need to include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved; and
- 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.

e) Details of foul discharge location or treatment plant and discharge location. All external areas should utilise permeable surfaces.

Anglian Water

In relation to surface water disposal, a surface water connection to the foul sewer can only be permitted under exceptional circumstances if evidence shows that the previous site was connected to the same sewer and there are no other new feasible discharge options. Anglian Water will seek to separate any surface water from ANY new developments to relieve the existing pressures and treatment requirements.

Trees

The layout of any future application should respect the advice given in the Preliminary Arboricultural Impact Assessment For Outline Planning Application (dated November 2020). A Tree Protection Plan can be submitted with the reserved matters to avoid the need for a precommencement condition.

Ecology

There is no ecological objection in principle to the proposals. The site is not within close proximity to any sites designated for their nature conservation value. Any new residual development at this location must consider potential for significant adverse impacts on SSSIs as a result of additional recreational pressure in accordance with Natural England guidance.

No ecological assessment has been submitted with the application. Ecological surveys are only required when there is 'reasonable likelihood' of important habitats or protected species being present and impacted. There are no records for the site supporting important habitats or protected or notable species. Based on photographs and documents submitted, the site appears to comprise regularly cut grassland with scattered trees and scrub, mostly along the southern site boundary. One ash tree and two small groups of scrub will be removed. The tree does not appear to have any features suitable to support roosting bats based on the Arboricultural Report. Scrub may support nesting birds and avoidance/protection measures will need to be secured by condition if consent is granted. All wild birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). There is not reasonable likelihood of any other protected species being present and impacted, providing grassland continues to be regularly cut. Therefore, an ecological survey is not required to inform this application. If site conditions change, including grassland management, an ecological survey would be required at Reserved Matters stage to demonstrate compliance with UK law.

In accordance with the NPPF, the Adopted South Cambridgeshire District Council Local Plan Policy NH/4 and emerging UK Government Policy, applications should contribute to enhancing and restoring biodiversity. Opportunities should be taken to achieve a measurable net gain in biodiversity through the form and design of development. This should include the incorporation of bat and bird nesting boxes in buildings, use of native planting mixes and wild grasses (including compensatory scrub/hedgerow planting) and

hedgehog connectivity measures would be appropriate and proportional in this instance.

Any external lighting will need to be carefully designed due to habitats in close proximity which may support light sensitive bat species.

Recommended conditions

Nesting Birds

No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a suitably qualified ecologist has undertaken a careful, detailed check of suitable habitat for active birds' nests immediately before the habitat is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Ecological Enhancement

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

External Lighting

No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing before installation by the local planning authority.

Definitive Map Officer

Please note Public Footpaths No. 2 Lt Gransden form part of the site access along a hardcore track already present on the ground. Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware of the presence of the public footpaths, its legal alignment and width which may differ from what is available on the ground.

Recommend informative

Representations from members of the public

9. Objections – Comments summarised below:

2 Primrose Walk
7 Primrose Walk
14 Primrose Walk

Object.

Would spoil outlook, road not suitable for more traffic, why not build pair of bungalows instead and free up some houses

This is the only area of grass in Little Gransden and is used for community gatherings, children's games etc. There's nowhere else for children to play that is close to home.

Primrose Walk is a narrow, single track unmaintained country road, and additional traffic/parking will make it even more difficult for residents to use it safely.

Cutting down the trees and bushes would have a big impact on wildlife. The bramble bushes provide food and a safe haven for birds. Bees also nest in them for easy access to food and protection from predators.

There must be a more suitable area for building in Little Gransden without squeezing a house on this one piece of land which provides a community area, a haven for wildlife and a safe play area for children.

Revised red line of application site

Objections

7 Primrose Walk
14 Primrose Walk

This is one of the few remaining green spaces in Little Gransden and is regularly used by the residents of Primrose Walk for community gatherings. Important area for wildlife. The destruction of trees and bushes would be detrimental to species of birds and insects whose numbers are already in decline. Primrose Walk itself is an undermaintained single track 'road' which would be difficult to sustain more traffic. Particularly a house built directly opposite existing dwellings

PLANNING ASSESSMENT

Principle of Development

10. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area and respond positively to wider opportunities for growth.

11. Policy S/6 of the Local Plan 2018 allows for limited development in rural areas and Policy S/11 classifies Little Gransden as an Infill Village and states:

Residential development and redevelopment within the development frameworks of these villages, as defined on the Policies Map, will be restricted to scheme sizes of not more than 2 dwellings (indicative size) comprising:

a. A gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining; or

- b. The redevelopment or sub-division of an existing residential curtilage; or
- c. The sub-division of an existing dwelling;
- d. The conversion or redevelopment of a non-residential building where this would not result in a loss of local employment.

In very exceptional circumstances a slightly larger development (not more than about 8 dwellings) may be permitted where this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.

- 12. The proposed development site lies within the Development Framework on the south western side of Primrose Walk to the north west and immediately adjacent to the existing dwelling 7 Primrose Walk. There is built development opposite which currently extends marginally further along this side of the road. The site would extend up to the village limits on this south western side and would result in built development on either side of the road up to the edge of the village.
- 13. The proposed site is not considered to comprise a gap in built-up frontage, or the subdivision of an existing residential curtilage or dwelling and therefore does not accord with Policy S/11.
- 14. However, in this instance the boundary of the Development Framework has been drawn to include this land and its inclusion was acceptable at the time of the adoption of the Local Plan 2018 and therefore the principle of some future use of this land within the Development Framework was accepted.
- 15. Given the location of the site with built up frontage immediately adjacent and opposite, and its position within the Development Framework, it is considered that an exception to policy S/11 can be made in this instance for the erection of one dwelling.

Impact on the Character of the Area

- 16. Policy HQ/1 (a) of the South Cambridgeshire Local Plan 2018 states that development will only be permitted where it preserves or enhances the character of the local urban and rural area and responds to its context in the wider landscape. Furthermore, this policy also states that development must be compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area (d).
- 17. Although layout is a reserved matter at this stage, the siting of the proposed dwelling is indicatively shown on drawing 1780-SBA-XX-ZZ-DR-A-502 -B. This indicates that there is sufficient room on the application site for the siting of a dwelling and garage. The height of the proposed dwelling is not known at this outline stage. therefore, a similar height dwelling is considered appropriate. This will be subject to any reserved matters application.

18. There is a mix of styles in the surrounding neighbouring properties and as such, there is no single architectural style. No specific design of the dwelling has been submitted due to the application being outline. This will be subject to any reserved matters application.
19. It is considered the proposal would not result in a significant adverse impact on the character of the landscape. The design and appearance of the units will need to be resolved at the reserved matters stage.
20. Therefore, overall the proposal is considered to be in accordance with to policy HQ/1

Density

21. Policy H/8 of the South Cambridgeshire Local Plan 2018 states that residential developments should achieve average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment. The proposed development would fall below that density, however given the semi-rural location and relatively open character of the surrounding countryside, the proposed development is considered acceptable in this instance.

Residential Amenity

22. 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, protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust; (criterion 1n).
23. 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 15m 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. Where blank walls are proposed opposite the windows to habitable rooms, this distance can be reduced further, with a minimum of 12 metres between the wall and any neighbouring windows that are directly opposite.
24. Paragraph 6.75 of the Council's District Design Guide details that ideally residential units should be provided with access to the following sizes of private amenity space. Each one or two bedroom house should have private garden space of 40m² in urban settings and 50m² in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 50m² in urban settings and 80m² in rural settings.

25. Although the application is in outline only with matters of scale, layout and appearance reserved, the indicative site plan provides an idea of the likely layout. Considerations fall to whether it is possible to accommodate an acceptable form of development in residential amenity terms.

Residential Space Standards

26. Policy H/12 of the Local Plan requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document with their gross internal floor areas. Should the proposal benefit from support and planning consent it would be reasonable and necessary to impose a condition that any future reserved matters application adheres to the requirements of Policy H/12 of the Local Plan.
27. The indicative footprint of the dwelling is approximately 115sqm. This suggests that potentially a 4 bed 6 person dwelling could be constructed.

Amenity of adjoining residential properties

28. The proposed dwelling would be adjacent to 7 Primrose Walk and would be sited to the north west.
29. The indicative position of the proposed dwelling shows it would be inset from the boundary with this property and would be approximately the same depth as the adjacent bungalow and approximately aligned with both front and rear elevations.
30. Given the orientation and the inset from the boundary, Officers are satisfied that the erection of a dwelling in this location would not be detrimental to the amenities of the adjacent occupier by way of overbearing, overshadowing or loss of light,
31. Overall, the proposal is in accordance with policy HQ/1 (n) of the South Cambridgeshire Local Plan 2018 in this respect.

Parking/Highway Safety

32. The Local Highway Authority have raised no issues in relation to the proposal and have not recommended conditions as Primrose Walk is not public adopted highway.
33. Policy TI/3 of the South Cambridgeshire Local Plan 2018 states that two car parking spaces should be provided per dwelling with one space allocated within the curtilage of residential dwelling.

34. It is likely that this could be achieved. This will be a subject to any reserved matters application.

Drainage and flooding

35. According to the South Cambridgeshire District Council Drainage Officer, the proposal is not in accordance with South Cambs adopted Policy CC/7 Water Quality and Policy CC/8 Sustainable Drainage as the application has not demonstrated suitable surface water and foul water drainage provision. However, for an outline application, a condition in this location is acceptable. Little Gransden is situated on greensand formation and Drainage Officers are satisfied that they can make an assumption that the infiltration coefficient will be good enough to permit infiltration subject to BRE365 testing and detailed design which can be by way of condition on this application.
36. The Parish Council has raised concern that the development would exacerbate existing drainage issues in the village.. In the last decade the incidences of flooding in Little Gransden has significantly increased in frequency. With regard to development carried out in the past such as when Primrose Hill and The Drift, Church Street in Little Gransden, when these areas were developed, the requirements for assessing drainage and flood risks differed from current requirements as there was no requirement for sustainable drainage. These streets are at higher ground to where the regular flooding occurs and the parish council is concerned that the run off water from these more recent development areas ends up flowing down to the vilage's oldest areas, in lower grounds.
37. With respect to the assessment of drainage and flood risk the Planning Officer would on the advice of the technical specialist in drainage ensure that firstly the principle of sustainable drainage is acceptable in the location proposed and that surface water run-off can be managed for the lifetime of the development and this would be through the imposition of a condition.
38. The Council's Drainage Officers have recommended that a condition requiring details of a surface water drainage scheme shall be submitted prior to commencement of the development. This is a pre-commencement condition which would need to be satisfied prior to any work on the development commencing. This would ensure that the site is drained without causing flooding or other drainage issues inside or outside the application site and that the issues of water management and flood risk are addressed to the satisfaction of the Councils Drainage Team.

If the scheme is acceptable, the drainage scheme must be implemented in accordance with the approved details and must be maintained for the lifetime of the development.

39. Officers consider the principle of drainage is acceptable on this site and subject to compliance with the proposed drainage conditions, the development is in accordance with South Cambridgeshire Local Plan 2018 Policy CC/7 Water Quality and Policy CC/8 Sustainable Drainage

Ecology and landscape

40. The application is considered to be acceptable in regards of Policy NH/4 of the adopted South Cambridgeshire Local Plan 2018 and conditions will be attached in relation to schemes of biodiversity enhancement and landscaping.

Self-build and custom-build concept in decision-making

41. In March 2015 the government introduced the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). This places a duty on certain public authorities to maintain a register of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects and places a duty on public authorities to have regard to those registers in carrying out planning and other functions including housing, regeneration. The 2015 Act also places a legal duty on authorities to grant sufficient development permission to meet the demand for self-build and custom build in its area.. This places a duty on certain public authorities to maintain a register of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects and places a duty on public authorities to have regard to those registers in carrying out planning and other functions including housing, regeneration. The 2015 Act also places a legal duty on authorities to grant sufficient development permission to meet the demand for self-build and custom build in its area.
42. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications shall be determined in accordance with the development plan unless material considerations indicate otherwise. At present Council does not have a specific adopted or emerging local planning policy for the provision of self-build and custom build sites in the district. However, Policy H/9 (Housing mix) does touch on this.
43. South Cambridgeshire District Council is a Right to Build Vanguard Authority which aims to support people to design and build their own homes at potentially a lower cost than buying an existing property.
44. In accordance with the 2015 Act, the Council maintains a register of people interested in a serviced plot within the district. Given that the Council have progressed to becoming a vanguard authority and given the number of members on the register, both factors are considered to be a material consideration to the determination of any planning application. The provision of serviced plots will also meet the aims of paragraph 62 which seek to deliver a wide choice of homes which in turn could significantly boost the supply of housing.

45. In considering whether a home is a self-build or custom build home, the relevant authority must be satisfied that the initial owner of the home will have primary input into its final design and layout.
46. The proposed development would make a small contribution to the demands of the register as it will take one person off the register and will ensure that this need for custom self-build is met.
47. The application is considered to be acceptable in regards of Policy H/9 of the adopted South Cambridgeshire Local Plan 2018.

Planning balance and conclusion

48. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that outline planning permission should be granted.

Recommendation

49. Officers recommend that the Planning Committee approve subject to conditions

Conditions

- 1 Prior to the commencement of any development, details of the appearance, means of access, landscaping, layout and scale, (hereinafter called the 'reserved matters') shall be 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 for the 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.

(Reason - The application is in outline only.)

- 3 The development hereby permitted shall begin no later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.

(Reason - The application is in outline only).

- 4 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.

- 5 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 CC/6 of the South Cambridgeshire Local Plan 2018.

- 6 No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme must include details as to how a 10% net gain in biodiversity has been accomplished. 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 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.

(Reason - To enhance ecological interests in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).

- 7 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.

This would need to include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- c) A site plan identifying indicative locations for sustainable drainage features;
- d) Evidence to support b) which must include infiltration/percolation testing 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 or treatment plant and discharge location.

All external areas should utilise permeable surfaces.

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

8 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 minimise noise disturbance for adjoining residents in accordance with Policy SC/10 of the South Cambridgeshire Local Plan September 2018.)

9 The landscaping details required in condition 1 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.

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 September 2018.)

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

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

11 No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be

calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the dwelling.

(Reason - In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)

12 The dwelling hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.

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

13 The dwelling hereby approved shall not be occupied until the dwelling has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.

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

14 No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing before installation by the local planning authority.

Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy SC/9 of the South Cambridgeshire Local Plan 2018 and to protect nearby wildlife habitat

15 The dwelling hereby approved shall not exceed one and a half storeys.

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

- 16 The dwelling shall comply with the Residential Space Standards set out under Policy H/12 of the South Cambridgeshire Local Plan or successor and demonstrated through the provision of floorspace details within the submission of any reserved matters application.

(Reason - To ensure an appropriate level of amenity for future occupiers in accordance with policy H/12 of the adopted Local Plan 2018.)

Informatives

- 1 No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a suitably qualified ecologist has undertaken a careful, detailed check of suitable habitat for active birds' nests immediately before the habitat is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- 2 Public Footpath 2 Lt Gransden must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).

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

The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of Public Rights of Way are damaged as a result of increased motorised vehicle usage or during the construction phase, the Highways Authority is only liable to maintain it to a unbound standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.

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

Developers should follow the County Council's guidance on boundary treatment to ensure it does not result in obstruction and maintenance problems, available online at www.cambridgeshire.gov.uk/definitivemap.

- 3 The layout of any future application should respect the advice given in the Preliminary Arboricultural Impact Assessment For Outline Planning Application (dated November 2020). A Tree Protection Plan can be submitted with the reserved matters to avoid the need for a precommencement condition.

4 The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level. To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features.

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

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.

5 In relation to surface water disposal, a surface water connection to the foul sewer can only be permitted under exceptional circumstances if evidence shows that the previous site was connected to the same sewer and there are no other new feasible discharge options. Anglian Water will seek to separate any surface water from ANY new developments to relieve the existing pressures and treatment requirements.

For developments on Greenfield or Brownfield sites, sufficient evidence must be provided to prove that all surface water disposal routes have been explored. The Developer must demonstrate that the site does not increase flood risk both within the development and elsewhere, and that the surface water disposal hierarchy has been considered.

The disposal hierarchy should be in the following order of preference:

- 1) Discharge by infiltration to the ground
- 2) Discharge to an open surface water body
- 3) Discharge to a surface water sewer
- 4) Discharge to a combined sewer
- 5) Discharge to a foul sewer

Appendices

None.

Background Papers

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

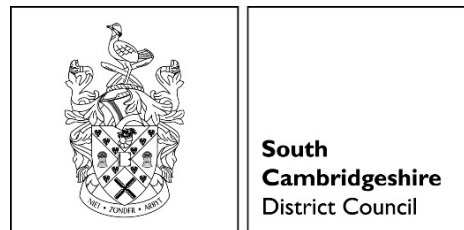
- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: 20/05251/OUT

Report Author:

Mary Collins - Senior Planning Officer
Telephone - 07704 018485

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Agenda Item 8



Report to: South Cambridgeshire District Council 19th January 2022
Planning Committee

Lead Officer: Joint Director of Planning and Economic development

21/02117/FUL Jolly Millers 73 High Street Cottenham Cambridge

Proposal: Change of use of public house (SG) with flat to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings

Applicant(s): Gary Jackson

Key material considerations: Principle of Development
Character / Visual Amenity / Impact on Heritage Assets
Access, Highway Safety and Parking Provision
Trees / landscaping

Date of Member S/V: N/A

Is it a Departure Application: Yes (advertised 16.06.2021)

Decision due by: 20.08.2021

Application brought to Committee because: Referred from Delegation due to Parish Objection

Presenting Officer: Alice Young, Senior Planner

Executive Summary

1. The application seeks planning permission for the change of use of the public house (the Jolly Millers, Cottenham), demolition of the existing outbuildings and the erection of a detached dwelling and associated facilities to the rear of the former pub. The application was referred to Planning Committee by Cottenham Parish Council and at the Chairs Delegation Meeting on 5th October 2021 was deferred to the Planning Committee for consideration if the officer recommendation was one of approval.
2. The principle of the loss of the pub is justified by virtue of extensive marketing, its commercial viability, impact on other pubs if retained and lack of strong opposition locally. Officers consider that the proposal would not result in an unacceptable reduction in the level of community or service provision in Cottenham or the wider locality. Therefore, the application would be compliant with policy SC/3. The conversion would result in public benefit through the provision of additional housing.
3. In terms of the principle of development for the dwelling, whilst the proposed built form of the dwelling would be contained within the development framework, the residential curtilage extends outside the framework boundary. This is not supported by the Neighbourhood Plan or other policies in the Local Plan. This part of the proposal is therefore contrary to policy S/7 of the Local Plan as a matter of principle. However, as this part of the existing land which is to change to residential curtilage is pub amenity land and clearly defined by a formal boundary fence and not open countryside, the change of use of this land to residential curtilage would not represent an encroachment into the open countryside. No harm arises from this aspect of the proposal despite this minor conflict with policy.

Site History

4. 21/0670/TTCA - Fell because of causing blockage of gutters and soakaways, obstruction to driveway, damage to driveway, too close to property and suffering from ash die back as well as having no amenity value. Gardens have enough trees and more will be planted with landscaping further away from buildings when landscaping completed to wasteland behind next season. Felling will allow clear and better views of eucalyptus further back in sight. – No objection
5. 21/0093/TTCA - Eucalyptus Tree 2) Removal of canopy overhang by cutting back to boundary line due to loss of light rendering my garden unusable. Overshadowing is killing my vegetation and grass. Mulberry Tree 1) Fell Mulberry tree due to being badly pruned by previous owners and irreversible

imbalance of branches. It is also in a bad location for enjoyment of garden in obstructive central location as well as being a very poor specimen. There are enough trees around the site perimeter so views of these will be improved as well as giving better views across open fields and landscapes to distant trees. – No objection.

6. 20/2138/TTCA - T1 WILLOW ~ tree in decline (25% dead) with honey fungus ~ top and fell to ground level; T2 MULBERRY ~ previously poorly pruned and wind damaged ~ remove wind damaged limb; formatively prune remaining crown by height reduction of 2ms and laterals by 1m to rebalance; T3 ASH ~ large crown to reduce overall by 2.5 to 3ms; - No objection
7. S/3112/19/FL- Change of Use for the use of 7 rooms to lettable rooms under C1 for the upstairs and annexe accommodation - Some internal alterations and minor changes to the facade on the existing extension and a new door to the rear - Withdrawn

Adjacent Site History

North-west of Application Site (71 High Street)

8. 21/00957/HFUL - Erection of a double carriage style garage. The garage will not be habitable and is for the storage of up to two vehicles. It will be built in a similar style to the existing property (black timber cladding over a timber frame with a slate roof). – Permitted
9. S/1053/19/FL - Single storey side extension to replace existing lean to extension and part conversion of existing garage/workshop to habitable use – Permitted
10. S/2501/14/FL – Dwelling and access (revised) – Permitted
11. S/0399/11 - Erection of 3 bedroom dwelling and vehicular access at land to the rear of 71 High Street following demolition of existing garage building. - Permitted
12. S/0223/09/F – Proposed new dwelling to the rear of no. 71 High Street Cottenham - Permitted

National Guidance

13. National Planning Policy Framework 2021
National Planning Practice Guidance 2021
National Design Guide 2021

Development Plan Policies

14. South Cambridgeshire Local Plan 2018

- S/1 – Vision
- S/2 – Objectives of the Local Plan
- S/3 – Presumption in Favour of Sustainable Development
- S/5 – Provision of New Jobs and Homes
- S/7 – Development Frameworks
- S/8 – Rural Centres
- CC/1 – Mitigation and Adaptation to Climate Change
- CC/3 – Renewable and Low Carbon Energy in New Developments
- CC/4 – Water Efficiency
- CC/6 – Construction Methods
- CC/7 – Water Quality
- CC/8 – Sustainable Drainage Systems
- CC/9 – Managing Flood Risk
- HQ/1 – Design Principles
- NH/4 – Biodiversity
- NH/14 – Heritage Assets
- H/8 – Housing Density
- H/9 – Housing Mix
- H/12 – Residential Space Standards
- SC/3 - Protection of Village Services and Facilities
- SC/10 – Noise Pollution
- SC/12 – Air Quality
- TI/2 – Planning for Sustainable Travel
- TI/3 – Parking Provision
- TI/8 – Infrastructure and New Developments
- TI/10 – Broadband

15. South Cambridgeshire Supplementary Planning Documents (SPD):

- 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

16. Neighbourhood Plan

- Cottenham Neighbourhood Plan
- COH/1-1
- COH/1-2
- COH/1-5
- COH/2-1

Consultation

17. **Cottenham Parish Council – Objects and refers to Planning Committee.**

Cottenham PC strongly recommends refusal of this planning application. The Design & Access statement is rather mendacious and there are a number of errors (2.4 - there are only 2 pubs; 2.9 - 71 High St is attached and not a standalone dwelling; 3.5 - Neighbourhood Plan has been adopted; 4.25 - ash tree is subject to a legal dispute). The Council consider it untrue that the pub isn't needed by the community. The proposed development would change the linear pattern of the High Street. Concerns about the vehicle access arrangements. Noted that the amenity land for the garden goes over the village framework boundary. We echo comments made by the Trees Officer. Proposals are contrary to Cottenham Neighbourhood Plan policies COH/1-5 c, f, g and h (responsive to village characteristics - building lines; relationship between buildings and car parking; maintenance/creation of vistas between properties; and incorporation of native species trees within gardens). CPC strongly recommends refusal.

18. **Environmental Health – No objection, subject to conditions.**

19. Recommended conditions

1. Construction hours
2. Construction Environmental Management Plan

20. Informatives

1. Demolition notice
2. Piling
3. Air source heat pumps

21. **Local Highways Authority – Objection.**

The applicant has failed to provide a drawing showing the required visibility splays. The Highway Authority requests that a plan showing the visibility splays is provided prior to determination of the application. The visibility splay should have the dimensions of 2.4 metres by 43 metres as measured from and along the nearside edge of the carriageway shall be provided on both sides of the access and not as shown on drawing number: 1014.003.001. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times. However, if the applicant can provide empirical data, in the form of speed and traffic flows and subjective observations these will be considered by the Highway Authority and the use of the lower visibility splays as detailed in Manual for Streets may be applicable. The inter vehicles visibility splays must be within the existing adopted public highway or land under the control of the applicant.

22. Recommend conditions relating to pedestrian visibility splays, driveway falls and levels, driveway material, access width, traffic management plan and the proposed arrangements for future management and maintenance of the

proposed road. An informative relating to works to or within the public highway has also been requested.

23. Revised plans (1384/1A): Objection. The Local Highway Authority would seek that it be impractical for more than 2 domestic motor vehicles be parked on site at any one time, re-alignment of the annex north south, a condition that the 2 bed dwelling be used by a family member only and remove the note stating 'new shingle entrance road and parking spaces' In subsequent discussions with the Highway Authority, it was concluded that the objection could be overcome if only two parking spaces were provided and it was made impractical for more than two cars to park on site whilst retaining turning space. ***(Officer Note: The plans have subsequently been amended as per highways advice to make it impractical for more than two cars to park on site. Any further comments from the Highways Authority will be reported on the update sheet)***

24. **Conservation - Partial objection**

25. The proposed change of use would not preserve or enhance the character the conservation area. The proposed dwelling would preserve the character or appearance of the conservation area subject to the amendment suggested below.

Change of use

26. The Jolly Millers is historic public house dating to the late 19th century. The existing brick building replaced an earlier property that was destroyed by fire in 1898 but is known to have traded as a pub since 1840. The public house and its ancillary rear structures make a positive contribution to the Cottenham Conservation Area both for its unassuming Victorian architecture and its historical cultural and social contribution to the character and vitality of the village. This part of Cottenham High Street is characterised by historic properties fronting the street with long narrow garden plots and modest ancillary buildings behind, often with glimpses to the countryside beyond.
27. Public houses are known to be important historical and community facilities and are recognised in local and national policy for their notable contribution to the historic environment and the rural economy. The NPPF (2019) requires planning policies and decisions to enable "the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship." (83a). In Cambridge, public houses have been recognised as an important part of the city's culture and character and worthy of protection (Cambridge Local Plan policy 76).
28. The proposed change of use is considered detrimental to the character of the conservation area for the reason outlined above. The proposed physical alterations would have a minimal impact on the main building fronting the

street, aside from the loss of signage and activity, and would preserve the appearance of the conservation area. The pub signs should be retained where possible so the identity of the building is partly preserved.

Rear dwelling

29. The rear annexe is of relatively low significance although it is appropriately subservient in scale and character and is characteristic of the conservation more widely. The proposed new dwelling would be largely appropriate in scale and character, and would be subservient to the frontage building although it would move development back into the site and obscure existing views to trees and countryside. The design could be improved by the use of timber or metal windows/doors which are considered sympathetic to the character of the area. These would be most noticeable in diagonal views along the south of the site. The proposed 1.8m close boarded fence along the northern boundary of the site on Smith's Path, which is currently part boarded fence and part post and rail fence, is not considered sympathetic to the conservation area. A post and rail fence or hedge would better preserve the area's character along this rural public lane.
30. The proposals would partially comply with Local Plan policy NH/14. With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 190, 193 and 196 would apply.
31. Recommended conditions:
 1. Materials
32. **Trees Officer** – No objection.
33. Trees on or adjacent the site have a level of protection through being located within the conservation area but do not have statutory protection.
34. Extensive tree work in recent months has been undertaken and the site no longer looks like the most recent aerial photography. No or limited tree or hedgerow information has been submitted with the application and none are required.
35. **Sustainable Drainage Officer** – No objection.
36. Recommends surface and foul water conditions to demonstrate compliance with South Cambs adopted Policy CC/7 Water Quality and Policy CC/8 Sustainable Drainage
37. **Ecology Officer** – Further information required.
38. The applicant needs to undertake a further bat survey before determination. This is because the building had 'low' roost suitability (rather than negligible)

and this para from the Bat & Bird Nesting Report (Elton Ecology, December 2021) is relevant:

The PBRA survey assessed the building as having low bat roosting suitability. With reference to best practice survey guidelines (Collins, 2016), one nocturnal emergence/ re entry survey should be carried out on the building, comprising one dusk emergence survey or one dawn re-entry survey, to establish the presence/ likely absence of roosting bats.

39. There were no nesting birds within the building according to the report, so these do not need to be considered further at this stage.

Representations

40. 1 representation from 1 resident has 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:
- Parking already is at capacity and although we understand that the planning application accommodates parking for the properties, all it takes is for one of the houses to have a party or more than two cars and it would be dangerous.
 - No capacity at the local doctors' surgery or local schools
 - Further development will only add to electricity load causing more issues with power cuts
 - Loss of trees and impact on local wildlife
 - It would set a precedence for further development to the rear of the property causing more issues regarding capacity
41. 1 representation from 1 resident have been received raising **neutral** comments to the proposed development.
- Support the change of use of the pub into a residential dwelling. The public house has been vacant for a number of years and was falling into a state of disrepair which reflected poorly on the local community
 - Overlooking from the new dwelling
 - Impediment of existing right of way over the land through the driveway
 - Also concerned that any proposed driveway / pathway does not compromise the damp course and soak away of our property
42. 1 representation from 1 resident have been received raising **supportive** comments to the proposed development.
- Support the conversion of the pub into a dwelling
 - Support the conditioning of materials, detailing, obscure glazing and the recommended condition from the Sustainable Drainage Officer
 - Suggests hedge planting along Smith's Path to tie in well with the surroundings

Planning Assessment

Site and Surroundings

43. The site is located on the south-eastern side of Cottenham High Street, 0.5 miles from the village centre as designated in the Cottenham Neighbourhood Plan. The application site outlined in red refers to the public house (formerly the Jolly Millers), several outbuildings and pub amenity land to the south-east. The pub has been vacant for an extended period of time, even prior to the COVID-19 pandemic. The development framework boundary cuts through the site 38m into the site which currently falls beyond the existing hardstanding and outbuildings. The site falls within the Cottenham conservation area, outside the flood zone and does not contain any TPO trees. To the north-east of the site is Smith's Path which leads to commercial and residential units to the south-east of the site. Aside from these commercial units, predominately the site is surrounded by residential dwellings, with large plots extending beyond the development framework boundary which contain barns, outbuildings and some back-land dwellings.

Proposal

44. This application seeks planning permission for the change of use of the public house with a flat into a residential dwelling, the demolition of the existing annex/outbuildings and the erection of a detached dwelling and associated facilities (parking, bins and amenity space). The existing vehicular access will be retained and two parking spaces will be provided one per dwelling within the site, two other parking spaces will be on the carriageway.

Key Issues

45. The key issues to consider in the determination of this application are the principle of development, character / visual amenity / impact on heritage assets, housing provision, residential amenity, access, highway safety and parking provision, biodiversity, trees / landscaping, flood risk and drainage, renewables / climate change, developer contributions and other matters.

Principle of Development

46. Both the principle of the loss of the public house and the principle of development of the dwelling of which the rear garden (amenity land) extends beyond the development framework boundary need to be considered.

Principle of the loss of the public house

47. The public house (formerly the Jolly Millers) is situated within the development framework. Policy SC/3 of the Local Plan protects village services and facilities and states that planning permission will be refused for proposals which would result in the loss of a village service (including pubs) where such loss would

cause an unacceptable reduction in the level of community or service provision in the locality.

48. Criterion 2 of SC/3 outlines matters which will be considered in determining the significance of the loss. Considerations are as follows: a) the established use of the premises and its existing and potential contribution to the social amenity of the local population; b) the presence of other village services and facilities which provide an alternative, with convenient access by good local public transport services, or by cycling or walking; and how these remaining uses will cope with displaced users; and any unacceptable impact of those alternative services or facilities; and c) the future economic viability of the use including the results of marketing of the premises for a minimum of 12 months at a realistic price and in appropriate cases financial information.
49. A marketing and viability assessment has been submitted in support of the application The Jolly Millers has been vacant and not trading since 2017, aside from a small period of time where it was run as an Indian restaurant in 2019, and was then consequently marketed from March 2019 to July 2020. The pub was marketed on a multi-agency basis which included Everard Cole for pub use alongside other community uses such as a restaurant, café leisure and general retail uses. The marketing included online and on site advertising, mail-shooting existing Cambridgeshire businesses and utilising a wide database of pub, restaurant and other commercial businesses. The pub was marketed for £475,000 in March 2019 and subsequently was decreased in February 2020 to £450,000. A number of enquiries were made during the marketing period, but only two materialised into offers, of which both were for residential development of the site and one fell through. The successful bid was by the applicant for £100,000 below the original asking price. A viability assessment has been submitted, prepared by a third party, which concludes that, even with an optimistic approach towards the potential turnover generated from the Jolly Millers and conservative expenses, due to the market conditions and extensive and prohibitive works required to the building, the premises is not capable of operating as a commercially viable trading entity. It is also emphasised that the re-establishment of the pub may affect the profitability of surrounding competing outlets.
50. Cottenham is designated as a Rural Centre in the Local Plan. Paragraph 2.55 of the Local Plan describes Rural Centres as the largest, most sustainable villages in the district which have a variety of services and facilities. Cottenham has a healthy amount of facilities which serve the local population and create a vibrancy and vitality to the village. This includes three pubs, the Hop Bind, the Chequers and the Waggon and Horses (temporarily closed), the Cottenham Social Club and several restaurants and cafes. All of these pubs and the majority of the other services are located within the village central area (as defined by the Cottenham Neighbourhood Plan, figure 11).
51. The use of the pub ceased operations in 2018 and has been left predominately vacant since then. The viability report submitted demonstrates that a potential contribution to the social amenity of the local population as a pub is unviable

and the marketing report demonstrates that there was no demand for other uses to take on the premises. Therefore, Officers consider criterion a) to be met.

52. As highlighted above, Cottenham has a range of other village facilities which include a variety of comparable alternatives which are situated in more convenient locations, within the village central area. This is the most accessible and connected area of the village, in terms of walkability. The Viability Assessment highlights that even if the Jolly Millers pub was reopened and operational again, the impact on the alternative pubs would impact upon the profitability of these facilities which are sited in more sustainable locations and better sited for footfall. Whilst the Viability Report did not explore the impact of the displaced users on the existing facilities in Cottenham, Officers note that the Waggon and Horses is temporarily closed, sited within the village centre, and thus could have a positive impact upon the existing facilities in Cottenham. Officers are therefore satisfied that criterion b) has been met.
53. The pub has been marketed for over 12 months at a reasonable price, with limited interest for uses other than residential uses. The Viability Report demonstrates that the economic viability of the pub, given the extensive works required for operation, site location and market conditions, the premises is not commercially viable. Thus, criterion c) has been met.
54. The Parish Council have objected to the loss of the pub stating that there is community need for the pub. However, despite adequate consultation, only three representations were received, one objecting but on different grounds. Furthermore, the neutral and supportive comments received both stated support of the change of use of the pub given it has been vacant for a long period of time.
55. Taking the above matters into consideration, Officers therefore conclude that the loss of the pub (and potential other commercial uses) would not lead to an unacceptable reduction in the level of community or service provision in Cottenham.

The principle of development outside the framework

56. The Council's strategy for managing housing growth is set out in Chapter 2 'Spatial Strategy' of the South Cambridgeshire Local Plan 2018.
57. The strategy outlines the settlement hierarchy where lastly development is focused on existing settlements using defined development frameworks. The principal reasons for this are two-fold: to prevent development encroaching upon the open countryside and to prevent unsustainable growth in areas where there is insufficient infrastructure to support such development.
58. Policy S/7 (criterion 2) of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported

by other policies in this plan will be permitted. This is reiterated in policy COH/2-1 of the Cottenham Neighbourhood Plan.

59. The Cottenham development framework boundary transects the site 38m to the south-east of the High Street. The existing site is pub amenity land and therefore not defined as open countryside. The proposed dwelling would be sited within the development framework boundary. The amenity space attributed to the new dwelling would extend beyond the framework boundary. However, as emphasised the land is not defined as open countryside, but rather pub amenity land. This land, when the pub was in operation, therefore was used for outside dining and socialising, with benches and other landscaping to accommodate this. It is also important to note that within the land in the ownership of the applicant (blue line on the site location plan), there is, and has been for almost 20 years, as evidenced by aerial photographic records, a fence to the south-east of the site which shields views of the rear amenity land of no. 73 from Smith's Path to the south-east of the site. Therefore, the character of this land is distinct from that of the character of open countryside. Officers consider that the proposal, by virtue of the land being pub amenity land, would not encroach into the open countryside and would therefore not conflict with the aims of policy S/7.
60. The second aim of the strategy guards against piecemeal unsustainable growth. Policy S/8 designates Cottenham as a Rural Centre and states that residential development and redevelopment within the development framework of Rural Centres will be permitted without any limit on individual scheme size due to the variety of facilities, good transport links and education access.
61. The proposal sites the built form within the development framework boundary with only residential amenity land located outside of the framework boundary. By virtue of this, alongside the existing use of the land (pub amenity land, not open countryside) and facilities provided within Cottenham, Officers consider that the proposal would not result in piecemeal unsustainable development in an area where there is insufficient infrastructure to support such development.
62. Taking the above into account, Officers consider that the proposal would not give rise to any harm arising from encroachment and does not conflict with the overarching aims and objectives of the housing strategy which policy S/7 seeks to embed.

Character / Visual Amenity / Impact on Heritage Assets

63. The site falls within the Cottenham conservation area and the application has been subject to consultation with the Conservation Officer, who raises a partial objection to the application. The Conservation Officer's partial objection refers specifically to the change of use of the pub and detrimental impact this would have on the character of the conservation area. The Conservation Officer continues to state that the external changes to the former pub building (e.g. renovation) would have a minimal impact on the main building and would preserve the appearance of the conservation area. Officers do not contest that, due to the change in the way the building is used, the building's character

would alter marginally given less social interaction taking place on site. However, if the pub signs were retained to signify the historic use of the building, officers consider that this would not result in significant harm to the character of the conservation area or the street scene. It is therefore recommended that a condition is used to secure this.

64. Cottenham is considered to have a 'fen-edge' character as stated in the Cottenham Neighbourhood Plan which the site contributes to. This area of Cottenham is characterised by front facing properties orientated to the High Street with long rear plots extending beyond the development framework boundary. Within these plots, built form is not uncommon with outbuildings, warehouses and comparatively smaller scaled dwellings featuring. Smith's Path, directly north-east of the site, is a vehicular road and leads to commercial and residential units to the east of the site. These fall completely outside the development framework, and at most are located approximately 170m east of the High Street. It is important to note that no. 71, north of the application site, has been subdivided to provide a larger dwelling which extends beyond the framework boundary. Whilst this consent was granted in 2014, on the previous Development Plan, it remains a material consideration which weight is attached. Therefore, considering the surrounding context, officers consider that the character of the area includes structures ancillary in appearance in this back-land position. This is reflected in the Cottenham Heritage and Character Assessment, part of the evidence base for the Cottenham Neighbourhood Plan 2021, which states that "*backland development is common along the length of the High Street where long plots have been subdivided, original buildings have been extended or agricultural buildings converted to residential or commercial use. Buildings are generally two or three storeys in height and constructed in a range of materials*".
65. The proposed dwelling, by virtue of its scale, massing and barn-like design, would appear subservient to the converted pub building in both form and character, appearing as an ancillary building. It is similar in appearance to that of no. 71a to the north of the site yet smaller in scale and differs in detailing. To ensure high quality external appearance, Officers find it reasonable and necessary to secure material samples via condition.
66. The Parish Council have concerns regarding the proposal restricting vistas between buildings to the open countryside from the High Street. There would be views of the dwelling from the High Street from both the north and south of the former pub building, due to the vehicular accesses of Smith's Path and no. 71a and the access between the former pub and no. 75.
67. From the viewpoint north of the former pub, the development would be seen within the context of the frontage buildings and formal boundary treatments and other built form in these rear plots such as the existing annex structure within the application site, no. 71a and the commercial units behind. The open countryside, due to this built context, is signified by mature trees providing a backdrop to the built form and therefore is perceived as being beyond the application site. The proposed dwelling would take the place of the existing annex structure which would therefore be visible within from this vista.

However, the proposed dwelling has a comparatively smaller footprint than the existing annex and whilst half a storey taller, is sited further away from the High Street, minimising the mass when viewed from this viewpoint. Moreover, the dwelling would be seen within the context of other built form which features no. 71a, a comparatively larger dwelling, and the commercial and residential units behind and would not significantly compromise views of the open countryside given the existing annex structures and the proposed scale and massing of the dwelling. It is important to note that one of these trees which forms the backdrop for the existing built form here already has consent to be removed and no other trees will be removed by the development. Despite the existing close-boarded boundary treatment, Officers do agree with the Conservation Officer that the boundary treatment along the northern boundary adjacent to Smith's Path, should be softened. Officers consider it reasonable and necessary to secure this via condition.

68. From the viewpoint south of the former pub, the view comprises no. 73 and 75 fronting the High Street, glimpse views of the existing annex building contained within a formalised amenity area and views of the residential and large-scale commercial units accessed via Smith's Path. Trees which are mainly contained within the rear garden of no. 71a do soften these large-scale buildings to a degree. The proposed dwelling would, due to its siting further into the plot, be more visible than the existing ancillary structures, however, it would be seen within the context of the commercial units behind and within an already formalised rear amenity space. The layout of the proposal has been altered during the application process to re-landscape the site providing more of a rural setting. However, officers consider that a more detailed landscaping scheme is required to ensure high-quality integration into the surrounding context. Officers consider that subject to appropriate landscaping, the proposed dwelling would not, due to its scale, massing and ancillary appearance, compromise views of the open countryside as the only markers of the open countryside to the east is the tree backdrop behind the existing large scale commercial units.
69. Taking the above into account, Officers consider that the views from the High Street of the open countryside would not be compromised by the development and the proposal would not appear out of character or adversely impact upon the street scene. Therefore, officers are satisfied that the proposal complies with policies HQ/1 and NH/14 of the Local Plan and COH/1-5 of the Cottenham Neighbourhood Plan.

Housing Provision

70. The application seeks planning permission for the conversion of the existing pub into a dwelling and erection of one dwelling in the rear.

Housing Density

71. Policy H/8 of the Local Plan details that housing developments will achieve an average net density of 30 dwellings per hectare in Rural Centre villages but that the net density on a site may vary from the above where justified by the character of the locality, the scale of the development, or other local circumstances.
72. The overall site measures approximately 0.06 hectares in area. The development of 2 dwellings on the site would equate to a density of approximately 33 dwellings per hectare.
73. Therefore, the density of development on the site would be slightly above the requirement of 30 dwellings per hectare as stipulated by policy H/8. Yet given the surrounding pattern of development, the site constraints and extensive land to the east which is in the ownership of the applicant, the proposed density is considered not to be out of character in this context or when weighed against other considerations, to result in harm.
74. The proposed density is therefore justified and there is no conflict with Policy H/8 of the Local Plan.

Residential Space Standards

75. 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. The converted dwelling would be 183m² exceeding the minimum for a two storey 4 bedroom 7 person dwelling (115m²). The proposed detached dwelling would have a total internal area of 83m² which exceeds the standard for a 2 storey 2 bedroom 4 person dwelling. Therefore, the proposal would comply with policy H/12.

Access, Highway Safety and Parking Provision

76. The existing site has a vehicular access directly onto the High Street. This access is retained as part of the proposal and utilised for access to the proposed dwelling and car parking for both dwellings. The application has been subject to formal consultation with the Local Highways Authority who originally raised an objection to the proposed development due to the highway safety impact arising from intensification of the use of this access given poor pedestrian and vehicular visibility from this access. However, the Highway Authority stated the objection could be overcome by removing two car parking spaces and the area of hardstanding along the southern boundary south of the

new dwelling and decreasing the width of the access to ensure only one vehicle could access the site at a time.

77. The proposed layout has been amended in response to the Highway Authority comments to provide two car parking spaces, one for each dwelling, whilst providing sufficient space for turning without excess space for further vehicles to be parked within the site. This has decreased the number of vehicular movements to and from the site compared with the original proposal and prevents more than two cars parking to the rear of the converted pub. Officers consider that the amendment adequately responds to the Highway Authority's comments and overcomes their original objection. On this basis the proposed development has therefore demonstrated that it will achieve safe and suitable vehicular access to the site which will not result in significant harm to highway safety. Subject to the recommended conditions, the proposal is not considered to result in significant harm to highway safety and to accord with TI/2 of the Local Plan and paragraphs 108 and 110 of the NPPF.
78. Policy TI/3 of the Local Plan requires car parking provision to be provided through a design-led approach in accordance with the indicative standards of 2 spaces per dwelling (1 space to be allocated within the curtilage), noting that additional provision may be needed for visitors, service vehicles and salesmen. The proposal illustrates that two car parking spaces, one for each dwelling will be accommodated off the carriageway and the remaining two can be accommodates on the roadside. There is sufficient space on the roadside to accommodate the vehicles whilst not preventing the traffic flow or giving rise to highway safety issues given the road width. This would not pose additional parking pressure on the High Street as from aerial photographic records and evidenced from a site visit, this section of the High Street does not suffer from high parking pressure. The proposal would therefore accord with TI/3 of the Local Plan. The proposal would retain the on-site parking as required by the Cottenham Neighbourhood Plan.

Residential Amenity

Neighbouring occupiers

79. Given the siting of the proposed dwelling, the neighbours that may be impacted by the development are no. 71a and no. 69 High Street.
80. The proposed dwelling would be sited approximately 13.7m south-west of no. 71a and the side elevation (south-western) contains windows which serve habitable rooms. By virtue of this separation distance, alongside the scale (3.7m to the eaves), massing and pitched roof design, the proposal would not significantly adversely impact upon the amenity of no. 71a in terms of overbearing or overshadowing. There are no windows which would give rise to overlooking to no. 71a.
81. The proposed dwelling would be located 5m from the south-western neighbour no. 75. Given the siting (5m from the common boundary adjacent to no.75 rear

garden), scale, massing and design of the proposed dwelling, the proposal would not result in a significant impediment to no. 75's residential amenity in terms of overbearing or overshadowing. The proposed dwelling includes a first floor bedroom window on the southern elevation which would allow views to the mid section of no. 75's rear garden. Given this relationship, occupiers may have oblique views of no. 75's rear patio, as such officers consider it reasonable and necessary to obscure glaze this window. The proposal results in an intensification of the use of the existing access adjacent to no. 75. However, given the existing use of the access, alongside the proposed residential nature of the site, officers consider that noise disturbance arising from the proposed vehicular movements would not be significant. In any event, two residential units are likely to be far more neighbourly uses than a public house with a substantial outside garden area associated with it.

Future occupiers

82. The proposal would result in the existing pub being converted into a family dwelling/house and the erection of a further dwelling to the east of this new planning unit. The proposed modestly scaled dwelling, given the proposed layout, would be of sufficient distance away from the main house (no. 73) so as not to significantly overbear or overshadow no.73's rear garden or rear facing habitable rooms. The proposed dwelling includes a window facing north-west which could give rise to views into the converted pub's rear garden. Therefore, Officers consider it reasonable and necessary to impose a condition to obscure glaze this window. The converted dwelling would have a generous internal footprint, exceeding the requirements of H/12 and the National Space Standards, and all habitable rooms would have a pleasant outlook, good light levels and adequate circulation space. The rear garden attributed to the converted dwelling would be an adequate size at 75m², conforming to the District Design Guide. Taking this into account, the proposal would create a good quality living environment for the future occupiers of no. 73.
83. The proposed dwelling to the east of the main house (former pub) would also benefit from an adequate garden which would be in proportion to the number of intended occupiers (210m²). The dwelling would be 83m² internally, exceeding the minimum standard stipulated in policy H/12 and the National Space Standards whilst providing a good quality outlook, light levels and circulation space for habitable rooms. The recommended obscure glazed conditions are not considered to compromise the quality of the living environment for future occupiers. By virtue of these factors, officers consider that the proposal would result in a good quality living environment for the future occupiers of proposed dwelling.
84. The proposal is considered to accord with policies HQ/1(n) of the Local Plan.

Biodiversity

85. The proposal includes the demolition of the existing annex and store. A preliminary bat investigation has been submitted and the annex has been found to have a 'low' roost suitability. Officers consider that as a preliminary

investigation has been undertaken and the risk is low, a pre-commencement condition can be attached to any permission preventing development (including demolition) until a further bat investigation report has been submitted. Officers consider this a pragmatic approach and that the suggested conditions are reasonable and necessary condition to impose.

86. NH/4 states new developments must aim to maintain, enhance, restore or add to biodiversity and opportunities should be taken to achieve a net gain in biodiversity through the form and design of development. The Environment Act 2021, which gained Royal Assent recently, requires all development to achieve 10% biodiversity net gain. Officers are satisfied that the proposal, by virtue of its layout and likely existing biodiversity value, can achieve a biodiversity net gain on site. Officers recommend this biodiversity net gain is secured via condition.

87. Subject to the recommended conditions, officers consider that the proposal would accord with policies NH/4 of the Local Plan, paragraphs 170, 174, and 175 of the NPPF and the Environment Act 2021.

Trees / Landscaping

88. The site currently comprises hardstanding, outbuildings, grassland and two trees, one mature tree which is located on the southern boundary and one tree which is proposed to be removed sited centrally within the plot. This mature tree which is located on the southern boundary does fall within the red line boundary and will be retained as part of the development. The central tree already has consent to be removed and therefore has been assessed as acceptable to be removed. It is important to note that aerial photographic records are not representative of the land to the east of the site (outlined in blue) given several trees gained consent to be removed which has been carried out. Officers highlight that these are outside of this application site boundary. The Council's Tree Officer raises no objection to the proposal.

89. The site falls within the 'fen edge', a flat featureless landscape as described in the Cottenham Neighbourhood Plan that should be conserved. The proposed dwelling, by virtue of its siting within the development framework, modest scale and massing, would not unduly harm this fen edge landscape character. Within the site, landscaping would be more formalised, so to ensure the rural character is maintained, officers find it reasonable and necessary to impose a hard and soft landscaping details to be submitted via condition.

90. Subject to the recommended conditions, the proposal is considered to accord with policies HQ/1, NH/2 and NH/4 of the Local Plan.

Flood Risk and Drainage

91. As the application site falls outside the designated flood zones and areas which are at risk of surface water flooding, the site is considered as having low probability of flooding.
92. The development is not considered to increase the risk of flooding to the site and surrounding area, subject to an acceptable scheme of surface water and foul drainage that is maintained for the lifetime of the development. Officers therefore consider it reasonable and necessary to impose a condition for details of foul water and surface water drainage that can be maintained for the lifetime of the development to ensure the development is acceptable in terms of flood risk and drainage.
93. Subject to the recommended condition, the proposal would accord with policies CC/7, CC/8 and CC/9 of the Local Plan which requires developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk.

Renewables / Climate Change

94. Policy CC/3 of the Local Plan states that proposals for new dwellings will be required to reduce carbon emissions by a minimum of 10% (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.
95. Policy CC/4 of the Local Plan states that all new residential developments must achieve as a minimum water efficiency equivalent to 110 litres per person per day
96. Officers consider it reasonable and necessary to impose conditions requiring a scheme to demonstrate a minimum reduction of 10% of carbon emissions for the new dwelling and that the new dwelling achieve a minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016).
97. Subject to the recommended conditions the proposal would accord with policies CC/4 and CC/5 of the Local Plan.

Developer Contributions

98. Policy TI/8 of the Local Plan states that planning permission will only be granted for proposals that have made suitable arrangements towards the

provision of infrastructure necessary to make the scheme acceptable in planning terms.

99. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
100. In this case, the need for contributions are not considered necessary to make the development acceptable due to the Written Ministerial Statement dated 28 November 2014 that states contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm.

Other Matters

Broadband

101. Policy TI/10 requires that infrastructure be imposed to create access to broadband internet respectively. Officers consider it reasonable and necessary to impose a condition to require that the requirements of policy TI/10 are satisfied.

Noise

102. Officers consider it reasonable and necessary to impose conditions restricting the hours of works on site and submission of a construction management plan along with informatives for demolition notice, piling and air source heat pumps.
103. Subject to the recommended condition, the proposal would accord with policies HQ/1 and CC/6 of the Local Plan.

Third Party Comments

104. The comments made in third-party representations are noted, with many points already considered in the report. The remaining matters raised are considered below.
105. One representation state that there is no capacity at the local doctors surgery or local schools, inferring that the proposal would impact further on the capacity of local facilities. Given the scale of the development in comparison to the other developments in Cottenham and the provision of existing facilities in Cottenham and surrounding area, officers are satisfied that the proposal would not pose a significant pressure on existing service provision.
106. One representation expressed concern regarding increasing pressure on electricity load which could lead to more power cuts. Given the net increase of one dwelling on site, officers consider the risk of power cuts resulting from the development to be minimal.

Conclusion

107. The principle of the loss of the pub is justified by virtue of extensive marketing, its commercial viability, impact on other pubs if retained and lack of strong opposition locally. Accordingly alongside the variety and quantum of services in Cottenham, officers consider that the proposal would not result in an unacceptable reduction in the level of community or service provision in Cottenham or the wider locality. The proposal is compliant with policy SC/3. The conversion would result in public benefit through the provision of additional housing.
108. Whilst the curtilage of the new dwelling would extend beyond the development framework boundary and thus would be technically contrary to policy S/7 of the adopted Local Plan, there would be no harm caused in terms of encroachment into the countryside or the sustainability of the development. The existing land is pub amenity land and thus would not encroach upon the open countryside and would not, by virtue of the design, significantly harm existing countryside views, the character and appearance of the conservation area or the street scene. Cottenham is classified as the largest most sustainable village in the settlement hierarchy which can accommodate development of any limit and therefore is considered a sustainable siting for residential development.
109. The proposal would reuse a currently vacant pub for housing whilst ensuring efficient use of land by providing an additional dwelling which would not result in significant harm to settlement characteristics, heritage assets or the vitality and vibrancy of Cottenham village.
110. For the reasons set out in this report, officers consider the planning application to be acceptable subject to conditions and the application is recommended for approval.

Recommendation

111. Officers recommend that the Planning Committee **APPROVE** the application subject to the following conditions:

Conditions

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

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

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

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 3 No development shall take place until a scheme for the disposal of surface water and foul water drainage that can be maintained for the lifetime of the development has 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 a satisfactory method of surface water drainage and foul water drainage to prevent the increased risk of flooding and pollution to the water environment in accordance with policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 4 No development, including demolition, shall commence until a bat survey has been carried out within the site by a licensed ecologist. A report of the findings including a suitable mitigation strategy if required, should the above specified species be found, shall be submitted to and approved in writing by the local planning authority. The development thereafter shall be carried out in accordance with the approved report.

Reason: To ensure that before any development commences important specified species are fully protected in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 5 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 0800-180 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public Holidays.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).

- 6 No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. 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 the site manager, including how these details will be displayed.

Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- 7 No development shall take place above ground level, other than demolition, until details of the 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 be carried out in accordance with the approved details.

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

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

- a) car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials;
- 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, including gaps for hedgehogs
- d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

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

- 9 No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the development.

Reason - In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy

Framework 2021 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.

- 10 The dwellings hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.

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

- 11 The dwellings hereby approved shall not be occupied until the dwelling to be occupied has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.

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

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

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

- 13 Notwithstanding the approved plans, the development, hereby permitted, shall retain the hanging pub sign at first floor.

Reason: To avoid harm to the conservation area in accordance with policy NH/14 of the South Cambridgeshire Local Plan 2018.

- 14 The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure parking of cycles and refuse arrangements for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles and adequate facilities for waste management in accordance with Policy TI/3 and HQ/1 of the South Cambridgeshire Local Plan 2018.

- 15 Where that part of the frontage of the site adjoins the adopted highway, two pedestrian visibility splays of 2 metres x 2 metres either side of the vehicular access measured from and along the front of the site where it adjoins the adopted highway shall be provided prior to the occupation of the dwellings and retained as such. The splays shall thereafter be maintained free from any obstruction exceeding 0.6metres and shall be shown on the landscaping plans which form part of the relevant reserved matters application.

Reason - To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.

- 16 The proposed access shall be constructed so that their fall and levels are such that no private water from the site drains across or onto the adopted public highway. The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason - To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.

- 17 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.

Works shall be carried out in accordance with the approved details.

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

- 18 The soft landscaping areas as set out on the plans shall be retained as garden land and only two car parking spaces shall be provided within the rear part of the site at any one time.

Reason: To ensure there is no intensification of use of the access in the interests of highway safety

19. No development above ground level, other than demolition, shall commence until a biodiversity enhancement scheme has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and / or bat boxes on the new buildings and any other measures to demonstrate that there will be a net biodiversity gain on the site of at least 10%. The installation of the boxes and biodiversity enhancements as agreed shall be carried out prior to the occupation of the development and subsequently maintained in accordance with the approved scheme for the lifetime of the development.

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

Informatives

1. Before the existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's Shared Planning Service establishing the way in which they will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.
2. 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.
3. The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level. To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features. In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore

important that the equipment is maintained/serviced satisfactory and any defects remedied to ensure that the noise levels do not increase over time.

- 4 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 Environment Planning Team.

Background Papers

None

Report Author:

Alice Young, Senior Planning Officer
Telephone: 07704 018434

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Agenda Item 9



Report to: South Cambridgeshire District Council Planning Committee 19th January 2022

Lead Officer: Joint Director of Planning and Economic Development

21/04447/OUT – Land Adjacent 35 Balsham Road, Linton, Cambridge

Proposal: Outline planning application for the erection of a single self-build (two storey, 3 bedrooms. 5 person) with associated parking and amenity space, with all matters reserved – resubmission of 20/0525/OUT).

Applicant: South Cambridgeshire District Council (Housing Section).

- Key material considerations:
- Principle of Development
- Housing Density and Housing Mix
- Character and Design
- Residential Amenity
- Highways Safety and Parking Provision
- Other Matters

Date of Member site visit: N/A

Is it a Departure Application: No

Decision due by: 21.01.2022

Application brought to Committee because: Applicant is South Cambridgeshire District Council (Housing Section).

Presenting officer: Nick Yager, Senior Planning Officer

Executive Summary

1. This application seeks outline planning permission for the erection of a single self-build dwelling (two storey, 3 Bedroom, 5 Person) with associated parking and amenity space, with all matters reserved.
2. Objections have been received from Linton Parish Council and they have recommended that the application to be called before Planning Committee if the Planning Officers are recommending approval. The application site is also owned by South Cambridgeshire District Council.
3. This application is a resubmission of application 20/05250/OUT which went before Development Control Planning Committee on the 09.06.2021. The committee recommended the application for an approval. However, the application was then consequently withdrawn following planning committee due incorrect notices were served on the Highway Authority as the proposed access was part of the Highway Authority land. The re-submission has signed certificate B as part of the initial application and therefore has served the relevant notice to the Highway Authority. The re-submission is otherwise identical.
4. The application is being recommended for approval by Planning Officers.

Relevant Planning History

5. SC/0501/66/ - GARAGE AND ACCESS GARAGE .0029 ACRES GROUND .098 ACRES – Permitted
6. 20/05250/OUT – Outline planning application for the erection of a single self-build dwelling with all matters reserved.

Planning Policies

National Guidance

7. National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

South Cambridgeshire Local Plan 2018

7. S/1 Vision
- S/2 Objectives of the Local Plan
- S/3 Presumption in Favour of Sustainable Development
- S/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
HQ/1 Design Principles
H/8 Housing Density
H/9 Housing Mix
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).

8. Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
Public Art SPD- Adopted 2009
Health Impact Assessment SPD – March 2011
Greater Cambridge Sustainable Design and Construction Supplementary Planning Document- Adopted January 2020

Consultation

9. The following consultation were made in response to the application;

10. **Parish Council:** Linton Parish Council (LPC) Comments - 1st November 2021:

LPC previous comments for 20/05250/OUT still stand, concerns raised regarding the shared access which could cause legal disputes in the future. Also, the safety aspects regarding the 11kD substation being in close proximity were raised and the suggestion of installing GRP protection over the sub-station should be implemented for safety of residents and pedestrians.

There are Velux and kitchen windows on the adjacent property, not shown on the plan, which would potentially be overlooked. Due to the proposed position of the building, there would be negative impact on both privacy and light. Construction nuisance such as noise, dust and heavy vehicles visiting the site would need to be addressed with due consideration, as there is a childcare facility in the neighbouring property.

The position of the building, a two-storey house, with windows at the rear will result in overlooking of the neighbouring property. No overlooking to north to be allowed as this is a children's play area. Materials to be in keeping with street scene and neighbouring properties. LPC have concerns regarding issues of ownership of front garden, with insufficient space for turning so vehicles enter and leave in a forward gear. Impact of development on neighbours and running of child day care centre.

Incomplete application map - Area map is not included, which would show position of the site very near a blind bend with safety issues of parking here. Recent speed watch along Balsham road observed around 25% vehicles travelling in excess of the speed limit, at 35-40mph.

LPC also requested that it be officially noted that construction traffic should not be accessing the village via the High Street for any development and this needs to be brought to the attention of SCDC.

Linton Parish Council Decision: Object and do refer this to the District Council Full Planning Committee.

11. Contaminated Land

No objection and no environmental constraints that would require a contaminated land condition.

12. Cambridge County Council Highways

There is no objection to the application subject to the following conditions:

1. Pedestrian visibility splays
2. Proposed driveway
3. Construction of the driveway
4. Access
5. Vehicle access to the site
6. Traffic management plan

13. Drainage Officer

Confirmed the application is acceptable subject to the imposition of a condition for the disposal of surface and foul water.

14. Environmental Health

No objections subject to the following conditions:

1. Construction Hours
2. Construction Environment Management Plan

Representations from Members of the Public

15. There have been a number of letters of objection and support received on this application. All comments can be found on the Councils website in full, a summary of the comments are below:

Objections – two letters were received. The objections are summarised below;

- The additional use of the access and the new dwelling will impact the safety of the children in the adjacent childminding business. This includes the dropping off and the picking up of children during peak times.
- The shared access will not be acceptable for the delivery of lorries and materials, the increase of its use would increase the amount of traffic and make the road unsafe, on the location of the bend.

- The increase in the use of the access would impact on no.35 Balsham Road, this will impact the current residents in the dwelling. Also the proposed location of the building will impact on the light to the neighbouring dwelling.
- The dwelling is close to the boundary with other properties and therefore would impact on light and privacy.
 - Ownership of the front garden area.
 - Construction risks such as noise and dust pollution leading to disturbance to neighbouring amenity.

Site and its Surroundings

16. The proposal site is located in the Development Framework of Linton. The site contains an area of parking and mown grass and parking that is associated with No. 35 Balsham Road. To the north of the site is the dwelling of no.1 Rivey Close which is also a Day Care Centre. To the south of the site is No. 35 Balsham Road (dwelling) and to the west of the site is no.24 Rivey Way. To the east of the site is a Sub Station and the junction of Balsham Road and Rivey Close. This is the access that is to be used and is the current access to No. 35 Balsham Road. The application site is not located within a conservation area or within close distance of any listed buildings. The application site is located within flood zone 1 (low risk).

The Proposal

17. The proposal is for the development of one self-build market dwelling, the application is for outline permission with all matters reserved.
18. As this application is for an outline permission, the drawings that have been submitted for the design and location of the dwelling are indicative.
19. The plans indicate one detached two storey dwelling that is set back and accessed from Balsham Road. The access to no.35 Balsham Road, is also to be used for the proposed dwelling. There is to be an area of parking to the front of the site and an amenity area to the rear.

Planning Assessment

20. The key considerations in this application are:

- Principle of Development
- Housing Density and Housing Mix
- Character and Design
- Residential Amenity
- Highways Safety and Parking Provision
- Other Matters

Principle of Development

21. This application is located in a Development Framework Boundary of Linton as defined by Policies S/7 and S/9 of the adopted South Cambridgeshire District Council Local Plan 2018 and therefore is located in sustainable location.
22. Policy S/9 of the adopted South Cambridgeshire District Council Local Plan 2018 states that residential development will be permitted in the Development Framework where it is up to 30 Dwellings.
23. As this application is for one dwelling that is considered to be acceptable in Principle, subject to material planning considerations, which are to be discussed below. The application is therefore in accordance with Policies S/7 and S/9 of the adopted South Cambridgeshire District Council Local Plan 2018.

Housing Density and Housing Mix

24. Policy H/8 of the adopted South Cambridgeshire District Council Local Plan 2018 states that development in Minor Rural Centres (part a) will be 30 dwellings per hectare.
25. The current density is 23 dwellings per hectare, as it is less than the 30 dwellings per hectare as per part a) of the policy, this one additional dwelling would not increase the density beyond part a) of the policy.
26. On that basis it is considered that this is acceptable and meets the requirements of Policy H/8 of the adopted South Cambridgeshire District Council Local Plan 2018.
27. This is for a self build dwelling and all matters have been reserved in the application, It is indicated in the application form that there are to be three bedrooms. However, there are no firm details of the amount of bedrooms in the property, as there are no floor plans.
28. On the basis of three bedrooms it is considered that this would be reflective of the other properties in the area and therefore acceptable and in accordance with Policy H/9 of the adopted South Cambridgeshire District Council Local Plan 2018.

Character and Design

29. This application has been submitted as a Outline application with all matters reserved. Therefore, on that basis it is considered that there are no comments to make on the design of the application.
30. It is recommended that the applicant is reminded that in any Reserved Matters application that the design of the dwelling is to be reflective of the rest of the street, this is both in bulk and scale of the dwelling. The materials are to match the neighbouring properties. The location of the dwelling within the plot is to be reflective of the character of the area also.

Residential Amenity

31. In regards of residential amenity of both of the future residents of the site and the neighbouring residents, it is considered that there would be minimal harm.

32. No details have been provided on the design of the dwelling and the location of any potential windows; this would be considered at the reserved matters application. This would need to be in accordance with Policy HQ/1 of the adopted South Cambridgeshire District Council Local Plan 2018 and paragraph 127 of the NPPF.
33. In regards of overshadowing and any overbearing issues, these would also be considered in the reserved matters application. This new dwelling is located to the north of No. 35 Balsham Road. Therefore, there would be no impact in regards of the loss of light. In regards of overbearing, this would depend on the location of the dwelling on the site.
34. In regards of the impact on no.1 Rivey Close, the loss of light would depend on the location of the dwelling within the site. There are rooflights on the southern flank single storey element of the dwelling, the location of the dwelling may have an impact on these roof lights, but that would be determined on the Reserved Matters application.
35. To the east of the site a Sub Station, a concern has been raised by the Parish Council in regards of the noise and the suitability of a dwelling in this location. It is therefore recommended that a condition is applied to the application to ensure that a noise report is submitted as part of the Reserved Matters application to mitigate any harm identified between the two uses.
36. It has been suggested by the Parish Council that a material is placed over the substation, as this located outside of the redline plan and not in the applicant's ownership this would not be reasonable under this permission to carry out. In regards of the location of the dwelling, and the potential cables from the substation. It would be up to the developer of the site to ascertain the relevant permissions to build over the cables.
37. Third- party comments have been received in relation to the construction leading to harm to neighbouring amenity from noise and dust pollution. Environmental Health were consulted on the application and stated no objection to the application. Environmental Health commented that the conditions of construction hours and a construction management plan, which is considered to be reasonable in this instance and would ensure that neighbouring would be protected from construction related activity.

Highway Safety and Parking Provision

38. It is proposed that this new dwelling would be using the same vehicle access as no.35 Balsham Road, which is via a dropped kerb to the east of the site. There are proposed to be two parking spaces to the north of the access, adjacent to the boundary with no.1 Rivey Close. As these parking spaces are not part of the outline they are indicative, and would be considered at any Reserved Matters Application.
39. The local Highway Authority has commented on the application and the new information and have recommended the following conditions on the application.
- Pedestrian visibility splays
 - Proposed driveway
 - Construction of the driveway
 - Access
 - Vehicle access to the site
 - Traffic management plan

40. Therefore, on that basis it is considered that there would be no harm to the local highway network, and subject to the conditions that are being recommended the additional use of the access would be acceptable.
41. Concerns have been raised from the third party representations in regards of the intensification of the access and the impact that this would have on the road and the impact on the childminding business during pick up and drop off.
42. The Local Highways Authority do not have concerns on the impact that the dwelling would have on the intensification of the access the surrounding network, they have considered that subject to the conditions that this would be acceptable.
43. In regards of the impact on the childminding business in regards of the vehicle traffic it is considered that there would be minimal harm. The site access is separate and there is a current boundary treatment which separate the two uses.
44. The Local Highways Authority have recommended a condition on the application for a traffic management plan, this will control the times of deliveries to the site, as raised as a concern by the third-party representations.
45. Parish concerns have been raised regarding speeding is a police matter and outside the assessment of the application. Comments received regarding the site in a close position to the blind bend is noted however, the Highway Authority have confirmed the proposal will not lead to material harm to Highway Safety. The Parish Council have also commented that the construction traffic should not be accessing the village from the High Street, the Highway Authority have confirmed that a Traffic Management Plan condition should be required this will ensure that traffic management caused by the development will not lead to material harm.
46. The Parish Council has raised concerns about the material of the access, the condition has been recommended by the Local Highways Authority in regards of the material to be bound. It is recommended that this is condition is changed, to prior to the instillation of a new surfacing material in relation to the access as indicated on the submitted plan, this is to be submitted to and agreed with the Local Planning Authority.

Other matters

47. Policies CC/3 requires that a scheme for renewable energy is submitted, Policy CC/4 required that water efficiency measures are imposed, and Policy TI/10 requires that infrastructure be imposed to create access to broadband internet respectively. None of this information has been provided at this stage is therefore considered reasonable and necessary to impose conditions to require that the above policies are satisfied.
48. The Contaminated Land confirmed no objection and no environmental constraints that would require a contaminated land condition.
49. The Drainage Officer confirmed that application is acceptable subject to the imposition of a condition for the disposal of surface and foul water.
50. Third party comments have been received in relation ownership. The applicant owns the land of the application site and has served notice to the Highway Authority in relation to the access onto the site.

Conclusion

51. It is considered that the principle of the development is acceptable as it is within the Development Framework of Linton, it would not exceed the housing density or the housing mix of the area.
52. The design and location of the dwelling within the plot would be considered at the reserved matters application, as this application is for outline permission which all matters are reserved.
53. The Local Highways Authority has commented on the application and there are no objections to the proposal, subject to conditions.

Recommendation

54. Officers recommend that the Committee Approve the application, subject to the below conditions.

Recommended Conditions

Time Limit

1. Time limit 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).

Reserved Matters

2. 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.

Plans

3. The development hereby permitted shall be carried out in accordance with the approved plans.

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

Noise report

4. No development shall take place until a scheme for protecting the proposed dwellings from noise from the adjacent sub station has been submitted to and approved in writing by the Local Planning Authority. 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 Policy HQ/1 of the adopted South Cambridgeshire District Council Local Plan 2018.

Carbon Emissions

5. No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the dwelling.

Reason – In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.

Water Efficiency Consumption

6. The dwelling hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.

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

Wi-Fi

7. The dwelling hereby approved shall not be occupied until the dwelling to be occupied has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.

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

Traffic management plan

8. 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.

Pedestrian visibility splays

9. Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary as shown on drawing number: SBA-XX-ZZ-DR-A502-F. 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.

Proposed Driveway

10. The proposed drive way 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 shown on drawing number: SBA-XX-ZZ-DR-A502-F. 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 Construction of the driveway.

11. Prior to the instillation of a new surfacing material in relation to the access as indicated on the submitted plan, this is to be submitted to and agreed with the Local Planning Authority Reason: in the interests of highway safety Access The access shall be a minimum width of 5m, for a minimum distance of 5m measured from the near edge of the highway boundary.

Reason: In the interests of highway safety.

Vehicle Access to the Site

12. Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to: a) enter, turn and leave the site in forward gear b) park clear of the public highway c) the applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing, space. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

Reason: In the interests of satisfactory development and highway safety.

Disposal of Surface and Foul Water

13. 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.

Reason: To ensure a satisfactory method of surface water and foul 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.

Construction Hours

14. 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.

Construction Environmental Management Plan

15. 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:

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.

Informative

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

Background Papers

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)

Report Author:

Nick Yager – Senior Planning Officer
Telephone Number – 07925398840

Agenda Item 10



**South
Cambridgeshire
District Council**

Report to: South Cambridgeshire District
Council Planning Committee 19th January 2022

Lead Officer: Joint Director of Planning and Economic Development

21/04594/HFUL – 19 Foxtan Road, Barrington, CB22 7RN

Proposal: Loft Conversion

Applicant: Mr Daniel Ostheimer

- Key material considerations:
- Principle of Development
- Design and Context
- Residential Amenity
- Highway Safety and Parking
- Ecology
- Other Matters

Date of Member site visit: N/A

Is it a Departure Application: No

Decision due by: 21.01.2022

Application brought to Committee because: Applicant employed my Greater Cambridge Planning Service.

Presenting officer: Nick Yager Senior Planning Officer.

Executive Summary

1. This application seeks planning permission for a loft conversion. The loft conversion would include the installation of two rear dormer windows, a front dormer window and two front facing Velux windows.
2. The application has been brought before planning committee as the applicant is a member of staff at the Greater Cambridge Planning Service.
3. The application is being recommended approval by Planning Officers.
4. Barrington Parish Council have recommended approval for the application.

Relevant Planning History

5. S/1563/13/PH – Rear Single Storey Extension – Permission not required.
SC/0092/59/ - Erection of 2 Adjoining Bungalows – Application Permitted.
SC/0207/59/ - Erection of Part of Bungalows – Application Permitted.
S/0404/15/DC – Application of Details in respect of Condition 3 (External Materials) Condition 4 (Hard and Soft Landscaping) and Condition 6 (Surface Water Drainage) of planning consent S/2568/13/FL – Application Permitted.
S/0111/13/FL – Single Storey Side & Rear Extension – Application Permitted.
S/0406/15/NM – Non- material amendment to planning application S/2568/13/FL in respect of the increase in width of patio doors on the south elevation increasing overall height of first floor window on the south elevation by lowering window sill and removal of kitchen window on west elevation – Application Permitted.

Planning Policies

6. National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

South Cambridgeshire Local Plan 2018

7. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/7 (Development Frameworks)
HQ/1 (Design Principles)
NH/4 (Biodiversity)
NH/14 (Heritage Assets)
TI/3 (Parking Provision)

Area Guidelines

8. Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
District Design Guide SPD – Adopted March 2010

Consultation

The following consultation were made in response to the application;

9. **Barrington Parish Council** - Barrington Parish Council would like to recommend approval for this application.

Representations from Members of the Public

10. Third party representation letter has been received in relation to the application from 49A Malthouse Way, Barrington objecting to the proposal stating the following;
11. Privacy/ Overlooking - the proposed loft conversion would have a dormer window on the front elevation approximately 15 m away and directly overlooking our property. The proposed dormer window will directly overlook our currently completely private back garden and will also have a direct line of sight over our fence and into nearly all of our downstairs rooms. This would lead to a substantial reduction in privacy both within the house and the garden. Hence, we are objecting on these grounds.

Site and its Surroundings

12. The proposal site is located within the Development Framework boundary for Barrington. The application site is not located within a conservation area and there are no listed buildings located within close proximity. The application site is located within flood zone 1 (low risk) and not within an area identified as surface water runoff. The application site is set back from Foxton Road and benefits from off road parking. The application site is a semi-detached bungalow with amenity space to the rear and a front driveway.

The Proposal

13. This application seeks planning permission for a loft conversion. The loft conversion would include the installation of two rear dormer windows, a front dormer window and two front facing Velux windows.
14. The front dormer window measuring 1.57 metres in width, 1.54 metres in depth, 1.12 metres for the height of the eaves and 1.92 metres for the height of the ridge.
15. The southern rear dormer window measuring 2.51 metres in width, 2.37 metres in depth, 1.56 metres in height.
16. The northern rear dormer window measuring 3.53 metres in width, 2.37 metres in depth and 1.56 metres in height.

Planning Assessment

17. The key considerations in this application are:
 - Principle of Development
 - Design and Context
 - Residential Amenity
 - Highway Safety and Parking

- Ecology
- Other Matters

Principle of Development

18. Policy S/7 development frameworks states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or were supported by other policies in this plan will be permitted.
19. The application is located within the development framework boundary of Barrington where policy S/7 of the Local Plan supports the principle of residential development. the principle of development is therefore considered to be acceptable.

Design and Context

20. Policy HQ/1 sets out detailed criteria to ensure high quality design is delivered as part of new development, seeking to ensure development is appropriate to its context in terms of scale, mass, form, design, siting, landscaping and materials.
21. The proposal would lead to the installation of a front dormer window and two front Velux windows which will be visible from the street scene. The front dormer window is of a relatively modest scale and design that is well proportioned and subservient to the host dwelling. It is therefore considered the front dormer will not lead to any material harm upon the character of the area or the street scene. The Velux windows are of a relatively modest nature and are considered to be appropriate scale.
22. The rear dormer windows are mostly screened by the host dwelling and therefore views from the street scene and character of the area are relatively modest. There may be some limited views from Malthouse Way of the rear dormers. However, the ridge height of the proposed dormers is set lower than the existing ridge line and there is some separation between the sides of the host dwelling and the flat roofed extension. It is therefore considered that due to the developments scale and the design of the rear dormers being of a suitable subservient nature it is considered the development will not lead to material harm upon the character of the area or the street scene.
23. For the front dormer the materials are stated to be timber cladding for the front and side elevations and roof tiles to match the existing. The rear dormer the materials are stated to be timber cladding for the front and side elevations and the flat roof dormer materials to be decided. Materials stated are considered to be reasonable in this instance.
24. Stated materials will be conditioned in accordance with the application form. The materials to be decided also to be conditioned.
25. The proposal is therefore compliant with Local Plan policy HQ/1 of the South Cambridgeshire Local Plan 2018.

Residential Amenity

26. Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.

27. The proposed front dormer window and the Velux rooflights are set facing towards the driveway area. The front dormer window would look towards 49a Barrington Way. However, there is some separation of 15.8 metres from the proposed dormer to the neighbouring boundary. Further, the front dormer would only serve a small landing area, bringing lighting into the landing and stairwell which are not habitable. It is acknowledged the dormer may create some limited views of the neighbouring property however, that due to some separation the dormer would not lead to overlooking effects that would be harmful to neighbouring amenity that would warrant a refusal of planning permission. The Velux windows would be positioned in a height and scale that would not lead to any overlooking impacts.
28. The proposed rear dormers would set on the existing roof form. The dwelling has two neighbouring either side of the host dwelling No.21 Foxton Road and No.41 Malthouse Way. It is acknowledged that the rear dormer windows are set back on the existing roof ridge and not the flat roofed extension and the existing roof ridge of the host dwelling is set back from the neighbouring properties. This therefore helps to limit the overlooking impacts as the dormer will be set back within the application site. Although it is acknowledged the dormer would lead to some modest overlooking to neighbouring amenity space it is not considered the development will not lead to overlooking that would lead to material harm.
29. It is also acknowledged the permitted development fall back. The rear dormer could be constructed under permitted development however, given the proposed dormer is to be timber cladding, which is different to the existing house, this requires planning permission.
30. Third party comments have been received in relation to the front facing dormer window leading to overlooking effects. However, noting the reasons above regarding an unhabitual room and some separation it is not considered to warrant a refusal of the planning permission.

Highway Safety and Parking

31. The proposal will not lead to any changes to the existing access to the property. Therefore, the development will not lead any material harm to the highway safety of the area.
32. The proposed loft conversion will create an additional bedroom within the property. The bedrooms will therefore increase from three bedrooms to four. However, the application has a driveway which accommodates two off road parking spaces.
33. The proposal therefore meets the requirements set under TI/3 and HQ/1.

Ecology

34. Policy NH/4 Biodiversity states new development must aim to maintain, enhance, restore or add to biodiversity.
35. The proposal is for a loft conversion and the insulation of dormer windows therefore a preliminary bat assessment was requested in order to ensure that proposal would not harm any biodiversity of the area in particular roosting bats. The assessment concluded

a specific search for evidence of bat activity was undertaken and the property has negligible potential to support roosting bats.

36. The supporting preliminary bat assessment was then reviewed the Ecological Officer who verbally confirmed that they agreed with the findings.

37. The development is therefore considered to be in accordance with NH/4.

Other Matters

38. Parish Council recommended approval of the application.

39. No Ward Member comments received.

Conclusion

40. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

41. Officers recommend that the Committee Approve the application, subject to the below conditions.

Recommended Conditions

Time Limit

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 requirement of Section 91 of Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

Plans

2. The development hereby permitted shall be carried out in accordance with the approved plans.

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

Materials

3. The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details specified within the application form unless otherwise agreed in writing by the Local Planning Authority.

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

Materials – Rear flat roof dormers

4. The materials to be used in the external construction of the rear flat roof dormer hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority.

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

Background Papers

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)

Report Author:

Nick Yager – Senior Planning Officer
Telephone Number – 07925398840

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Agenda Item 11



**South
Cambridgeshire
District Council**

Report to: South Cambridgeshire District Council Planning Committee 19th January 2022

Lead Officer: Joint Director of Planning and Economic Development

Provisional TPO Woodland besides Bourn Brooke, situated South West of Westfield Farm, Comberton

Parish: Comberton and Little Eversden

Proposal: Serve a provisional Tree Preservation Order.

Recommendation: To agree to the serving of a provisional Tree Preservation Order

Date of Member site visit: n/a

Application brought to Committee because: It is required under the Council Scheme of Delegation.

Presenting officer: Jay Patel (Trees Assistant)

Executive Summary

1. The proposal is to serve a TPO on this woodland in the interest of amenity and due to its contribution to conservation and canopy cover. This request to TPO these trees came from a third party.
2. The trees can be seen at a distance from Comberton Bridge and along the road leading to the bridge. They can be seen much better from the public right of way nearby and an old railway track that runs past the woodland which although not a public right of way is used by local people in the area.

3. The woodland is on land owned by multiple owners and is located on the banks of Bourn Brooke within the boundary of Comberton and Little Eversden and consists of black poplar and other tree species.
4. Black poplars are one of Britain's rarest trees. This species is recognised in the Cambridgeshire Biodiversity Action Plan (BAP). This is not a statutory designation; however, it must be considered within the planning system. Having an extra layer of statutory tree protection would ensure the trees are retained and appropriately managed, irrespective of who owns or manages them. This TPO would also be supportive of the South Cambridgeshire Policy of Doubling Nature.
5. The Bourn Brooke is undesignated; but is home to an abundance of water vole and otter. These are statutory protected species, and preserving their habitat is helpful to their continued presence
6. The site is within the range of the Eversden and Wimpole Woods Special Area of Conservation (SAC). This is an internationally important site designated for its maternity roosts of the rare barbastelle bat. Wooded river corridors are a prime hunting and commuting habitat for such species; and therefore, the protection of such a habitat could contribute to the conservation of a statutory protected species and Natura 2000 site on an international scale.
7. In accordance with the Council's Constitution, the request to serve a non-emergency provisional TPO comes before Planning Committee.

Relevant Law

8. Town and Country Planning Act 1990 Part VIII
Town and Country Planning (Tree Preservation) (England) Regulations 2012
Planning Act 2008 Section 192
Localism Act 2011 Part 6

Consultation

9. The formal consultation stage occurs when the provisional Order is served.

Site and Surroundings

10. The woodland is located on the banks of Bourn Brooke within the Parish boundaries of Comberton and Little Eversden. The Brooke provides the natural boundary between these two Parishes.

Proposal

11. The proposal is to serve a provisional TPO on those with an interest in the land and invite those parties an opportunity to submit objections, comments, or representations. The responses will be considered and aid the decision to amend, confirm or not confirm the Order.
12. Should the decision be taken to confirm the Order, it will return to the Planning Committee to request that the Order be confirmed.
13. Once confirmed, no further action needs to be taken by the District Council. The Order takes effect from when the date the provisional TPO was issued.

Recommendation

14. The Tree Officer recommends that the Committee Approves the issuing of a non-emergency provisional TPO.

Report Author: Jay Patel – Trees Assistant
Telephone: (01954) 713057

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Agenda Item 12



REPORT TO: Planning Committee

19th January 2022

LEAD OFFICER: Joint Director of Planning and Economic Development

Enforcement Report

Executive Summary

1. On 27th December 2022 there were 234 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 2nd 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 23rd August 2021.

Planning Enforcement have not been instructed to take any further action at this stage and this matter is ongoing.

Burwash Manor Farm

Without planning permission, the erection of children's play equipment within land designated as Green Belt. A retrospective planning application, reference S/3494/18/FL had been refused. The size, scale and height of the development is contrary to paragraph 144 of the National Planning Policy Framework (NPPF) 2019. The enforcement notice issued requires the owners to cease the use of the play equipment specifically the adventure tower and remove the play equipment from the land. The compliance period is one (1) month from the date it takes effect on the 21 May 2019 – A Planning Appeal has been submitted to the Inspectorate on the 20th May 2019 – Appeal allowed; Enforcement Notice quashed. Replacement notice to be drafted and served. Enforcement Notice served on 9th July 2020. Compliance visit to be carried out after 7th October. Late Appeal rejected by PIN's. Stephen Kelly in talks with owner to re-site playground on suitable land. Site visited by Enforcement and Environmental Health Officers 16th December. No agreement reached consideration to be given to prosecution for failing to comply with the enforcement notice.

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

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 30th December 2020.

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

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

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. Internal discussions between all departments are currently ongoing with how best to move this matter forward with recommendations from the Enforcement Group to be provided within two months to Leadership Group.

A briefing Note has been forwarded to Stephen Kelly with details of requirements from key stakeholders and other interested parties with regards to the possibility of serving Planning Contravention Notices on all occupants with the assistance of Ivy Legal. Consideration to be given to the resourcing for this due to high numbers on site, consideration and support for those that are unable to read and write as well as any other considerations.

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 23rd September 2021 with regards to piling on site. All works have ceased in relation to the piling. A meeting between members and residents took place on 7th October 2021 and a further meeting on 29th October 2021.

No requirement for further Enforcement action, though it will continued to be monitored.

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. Site is further complicated by awaiting an appeal decision from the Planning Inspectorate and this decision is crucial on advising any possible further action.

The Planning Inspector has discharged the surface water drainage scheme by Notice on 8th November 2021.

There are three conditions outstanding on the reserved matters application but the triggers are all above foundation level so there are no breaches at present. Two are on hand and pending, one need to be submitted following a refusal by the Council and by PINS.

Environment Agency are dealing with a matter concerning a pump discharging site water into the local river. Awaiting update from them presently.

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.

Site has a lot of previous history relating to the installation of two lakes, which was decided to be not expedient previously. The erection of the wooden structure presently meets guidelines under Schedule 2, Part 1, Class E and does not constitute a breach. The owner is refusing to give details of occupants to assess if there is a breach of the property being used as a large HMO. A PCN is being drafted to assess this legally. The final breach is the storage of rubbish and waste. Other departments are in a better position to progress this swiftly but if they do not resolve then they have been advised to contact us.

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: 27/12/21

Enforcement Cases Received and Closed

Month – 2021	Received	Closed			
		No Breach	Resolved	Not Expedient	Application Approved
November 2021	39	9	3	5	1
October 2021	27	23	25	1	4
September 2021	66	36	12	8	10
August 2021	46	2	1	0	3
July 2021	44	22	16	4	3
1 st Qtr. 2021	118	91			
2 nd Qtr. 2021	92	214			
3 rd Qtr. 2021	156	60	29	12	16
4 th Qtr. 2021	66	32	28	6	5
1 st Qtr. 2020	123	84			
2 nd Qtr 2020	101	60			
3 rd Qtr 2020	135	33			
4 th Qtr 2020	114	103			
1 st Qtr. 2019	135	134			
2 nd Qtr. 2019	146	155			
3 rd Qtr. 2019	177	154			
4 th Qtr 2019	157	198			
1 st Qtr. 2018	161	148			

2nd Qtr. 2018	156	167
3rd Qtr. 2018	176	160
4th Qtr. 2018	177	176
1st Qtr. 2017	122	122
2nd Qtr. 2017	157	165
3rd Qtr. 2017	148	118
4th Qtr. 2017	175	158
2021 - YTD	352	422
2020 - YTD	473	190
2019 - YTD	615	641
2018 - YTD	670	651
2017 - YTD	602	563
2016 - YTD	565	563
2015 - YTD	511	527
2014 - YTD	504	476

Notices Served

1. Notices Served in November 2021

Type of Notice	Period	Calendar Year to date
	October 2021	2021
Enforcement	0	10
Stop Notice	0	0
Temporary Stop Notice	0	3
Breach of Condition	0	2
S215 – Amenity Notice	0	0
Planning Contravention Notice	2	8
Injunctions	0	0
High Hedge Remedial Notice	0	1

2. Details of Notices served in October 2021

Ref. no.	Village	Address	Notice issued
EN/00362/21	Willingham	Cherry Trees Iram Drove Willingham Cambridge Cambridgeshire CB24 5HZ	Planning Contravention Notice
EN/00597/21	Longstanton	99 Thornhill Place Longstanton Cambridge Cambridgeshire CB24 3EF	Planning Contravention Notice

Date: 27/12/21

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Agenda Item 13



Report to: Planning Committee

19 January 2022

Lead Officer: Joint Director of Planning and Economic Development

Appeals against Planning Decisions and Enforcement Action

Executive Summary

1. This report informs Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 29 December 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

Appendix 4: Appeals Awaiting Decision from Inspectorate

Appendix 5: Appeals Pending Statement

Report Author:

Ian Papworth

Telephone Number:

Technical Support Officer (Appeals)

01954 713406

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Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/0277/19/COND9	The Retreat Fews Lane Longstanton	Condition 9 - Foul and surface water drainage	Allowed	29/11/2021	Non- Determination
S/4471/19/DC	The Retreat Fews Lane Longstanton	Discharge of condition 7 (Traffic Management Plan) of planning permission S/0277/19/FL	Dismissed	29/11/2021	Non- Determination
20/05296/FUL	Worsted Lodge London Road Old A11 Babraham	Barn conversion and new two bay garage	Dismissed	6/12/2021	Refused
20/05101/FUL	Land At The Retreat Fews Lane Longstanton	Erection of a chalet bungalow with garage and associated infrastructure	Allowed	6/12/2021	Non- Determination
20/05393/S73	Church View Newmarket Road Stow Cum Quy	Removal of condition 7 (Permitted development rights) of planning permission S/1929/13/FL (External Alterations and Conversion of Offices to Dwelling and Part Change of Use of Paddock Land to Garden Land.)	Allowed	9/12/2021	Refused
20/02250/FUL	19 Main Street Stow Cum Quy	Conversion of a timber- framed barn into a two bedroom dwelling	Dismissed	17/12/2021	Refused
20/02251/LBC	19 Main Street Stow Cum Quy	Conversion of a timber- framed barn into a two bedroom dwelling	Dismissed	17/12/2021	Refused

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Appeals Received

Reference	Address	Details	Date Appeal lodged
21/03984/HFUL	2 Manor Walk Fulbourn	Erection of a garden shed in the front garden	25/11/2021
21/00743/FUL	20-24 Pierce Lane Fulbourn	Change of use and associated works to revert from current use as shop unit and ancillary stores/ workshops to a terrace of 3 no dwelling houses	25/11/2021
21/01058/LBC	1 May Street Great Chishill	Listed building permission to rebuild the flint boundary wall (EN/00111/21 & 20/02001/LBC).	30/11/2021
20/05051/FUL	113 Cambridge Road Wimpole	Conversion of ancillary granny annexe to residential dwelling house	1/12/2021
21/02365/HFUL	79 Babraham Road Sawston	Retrospective two storey rear extension. Proposed single storey front and first floor side extensions, and conversion of garage to habitable space	1/12/2021
21/04068/FUL	Land North East Of 155 Rampton Road Willingham	Demolition of redundant agricultural building and erection of two dwellings with associated development (amendments to application 21/02578/PR103Q)	7/12/2021

Appendix 2

21/00298/FUL	Green Fox Farm Fowlmere Road Melbourn	Farmland diversification, ecological enhancements and erection of 1no. residential dwelling with an associated change of use in land from agricultural to residential	14/12/2021
21/01339/FUL	Land To The Rear Of 53 Church Street Gamlingay	Demolition of barn and erection of dwelling with associated parking	20/12/2021

Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
		NIL		

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/4057/19/OL	Mr Andrew Adams, Axis Land Partnerships Ltd	Tanner And Hall Ltd Station Road Harston	Planning Decision	TBC
EN/01535/20	Mr Joseph Tidd	Land To The South Of Chear Fen Boat Club, Twentypence Road	Enforcement Notice	TBC
20/04431/FUL	Mrs Julie Brown	The Arches, Schole Road Willingham	Planning Decision	TBC
EN/00216/21	Nelson Charles Arthur James O'Conner	Land To The North Of The Old Coal Yard Chesterton Fen Road Milton	Enforcement Notice	TBC

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Appeals Awaiting Decision from Inspectorate

Reference	Address	Description	Reason for appeal
20/01499/OUT	Land North Of Westfield Westfield Willingham	Outline planning permission for 4 No. self build dwellings with all matters reserved except for access.	Against Refusal of Permission
20/03254/OUT	Land At And To The Rear Of 30 & 32 New Road Over	Outline planning with all matters reserved except for access for redevelopment of land for 44 residential units with public open space provision, landscaping, means of access and associated works following demolition of No's. 30 and 32 New Road, Over - Resubmission of S/1279/18/FL	Non-determined within 8 weeks
21/00050/ENFNOT	Dogrose Barn Green Street Willingham	Without planning permission the unauthorised: (i) construction of extensions; (ii) alterations to roof and (iii) construction of an annexe building	Appeal against enforcement notice
20/02565/HFUL	The White Horse 3 High Street West Wickham	Erection of new dwelling	Against Refusal of Permission
S/4057/19/OL	Tanner And Hall Ltd Station Road Harston	Outline planning permission for the demolition of existing buildings and provision of up to 16 dwellings up to 120sq.m of office accommodation access public open space and landscaping (including details of access and with all other matters reserved)	Against Refusal of Permission

Appendix 4

S/3847/19/FL	The Rupert Brooke Public House 2 Broadway Grantchester	Retrospective alteration of parking layout construction of new garden and terrace area and installation of new sign post resubmission of S/1705/19/FL	Against Refusal of Permission
S/0022/20/FL	Hill Trees Babraham Road Great Shelford	Change of use from public house car park to parking for car sales	Against Refusal of Permission
21/00085/ENFNOT	Land To The North Of The Old Coal Yard Chesterton Fen Road Milton	Mobile homes sited on land without planning permission.	Appeal against enforcement notice
21/00084/ENFNOT	22 Cambridge Road Foxton	Without planning permission: 1. The material change of use of the land hatched in blue on the attached plan to a coach depot including the parking and storage of coaches, and 2. The creation of an area of hardstanding for use as a coach depot on the land hatched in blue on the attached plan.	Appeal against enforcement notice

Appeals Pending Statement

Reference	Address	Details	Date Statement due
20/05079/FUL	17 Heydon Road Great Chishill	Erection of one and a half storey dwelling	11/01/2022
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.	12/01/2022
21/01540/CLUED	Poplar Cottage Nosterfield End Shudy Camps	Certificate of lawfulness under Section 191 for an existing single storey rear extension	13/01/2022

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