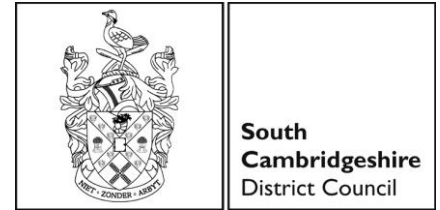


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Friday 05 January 2024

To: Chair – Councillor Dr. Martin Cahn
Vice-Chair – Councillor Peter Fane
All Members of the Planning Committee - Councillors Ariel Cahn,
Bill Handley, Geoff Harvey, Dr. Tumi Hawkins, Judith Rippeth,
Peter Sandford, Heather Williams, Dr. Richard Williams and Eileen Wilson

Quorum: 3

Substitutes Councillors Graham Cone, Sue Ellington, Mark Howell, Bunty Waters,
if needed: Dr. Shrobona Bhattacharya, Anna Bradnam, Dr Lisa Redrup,
Helene Leeming, William Jackson-Wood and Henry Batchelor

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held in the **Council Chamber, First Floor** on **Wednesday, 17 January 2024 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.**

Yours faithfully
Liz Watts
Chief Executive

Agenda

Pages

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

Minutes documents to follow

- | | | |
|------------|--|------------------|
| 5. | 23/00123/FUL - Land South of Pond, Cambourne Business Park, Cambourne | 5 - 76 |
| | Erection of 256 No. dwellings and change of use of the existing marketing suite to a café, landscaping, car parking, substations, bin and bike store and associated works. | |
| 6. | 23/03642/HFUL - Whitehall, 9 Chapel Lane, Fowlmere | 77 - 86 |
| | Erection of a greenhouse, summerhouse, garden shed and bicycle shed, and removal of an existing dilapidated shed. | |
| 7. | 23/03311/FUL - Rose Villa, Little Heath, Gamlingay | 87 - 124 |
| | Demolition of agricultural buildings and erection of 5 No. dwellings with associated access and landscaping. | |
| 8. | 23/02752/OUT - Land North of David's Lodge, Old North Road, Bourn | 125 - 170 |
| | Outline application for the erection of up to 5 No. self-build dwellings with some matters reserved, except for access off Fox Road. | |
| 9. | TPO (request ref SMXHKLWH) - 29 Station Road, Shepreth | 171 - 198 |
| | Permission to serve a provisional Tree Preservation Order at the request of Shepreth Parish Council. | |
| 10. | TPO (request ref ZGHDTZHV) - Hall Close (adjacent to 57 Station Road, Foxton) | 199 - 226 |
| | Permission to serve a provisional Tree Preservation Order at the request of Foxton Parish Council. | |
| 11. | Compliance Report | 227 - 234 |
| 12. | Appeals against Planning Decisions and Enforcement Action | 235 - 242 |

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'.

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[Link to further information for members of the public attending South Cambridgeshire District Council meetings.](#)

If you wish to ask a question or make a statement at a meeting, please refer to the Public Speaking Scheme at the below link.
[Link to the Public Speaking Scheme](#)

Further information for Councillors
[Declarations of Interest – Link to Declarations of Interest - Information for Councillors](#)

Councillors are reminded that Democratic Services must be advised of substitutions in advance of meetings. It is not possible to accept a substitute once the meeting has started.

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Agenda Item 5



| | |
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| Planning Committee Date | 17 th January 2024 |
| Report to: | South Cambridgeshire Planning Committee |
| Lead Officer: | Joint Director of Planning and Economic Development |
| Reference | 23/00123/FUL |
| Site: | Land South Of Pond Cambourne Business Park Cambourne Cambridgeshire |
| Ward / Parish | Cambourne |
| Proposal | Erection of 256 No. dwellings and change of use of the existing marketing suite to a café, landscaping, car parking, substations, bin and bike store and associated works. |
| Applicant | South Cambridgeshire Investment Partnership |
| Presenting Officer | Aaron Coe, Principal Planning Officer |
| Reason Reporting to Committee | Application brought to Committee because South Cambridgeshire District Council has a direct interest in the application as part applicant. |
| Member Site Visit Date | 4 th October 2023 |
| Key Issues | Principle of Development Housing Provision Design, Layout, Scale and Character Landscape Trees Carbon Reduction and Sustainable Design Biodiversity Water Management and Flood Risk |

Highway Safety and Transport Impacts
Cycle and Car Parking Provision
Residential Amenity
Open Space and Recreation
Developer Contributions
Impact on adjoining commercial premises
Other Matters

Recommendation

APPROVE subject to conditions and Section 106 agreement

1.0 Executive Summary

- 1.1 The application is a Regulation 3 planning application which is made by the South Cambridge Investment partnership (SCIP) which is a joint venture set up by South Cambridgeshire District Council and Hill. The purpose of the partnership is to deliver high quality homes in sustainable locations. The application site is located to the north west of Cambourne. The site is bound by the Cambourne Business Park to the north and east, lower Cambourne to the south and the Cambourne West development lies immediately to the west.
- 1.2 The site is allocated for development under Policy SS/8 of the South Cambridgeshire Local Plan 2018.
- 1.3 The application seeks full planning permission for the erection of 256 dwellings including 102 affordable dwellings, change of use of the existing marketing suite to a café, a Local Area of Play (LAP) and a Local Equipped Area of Play (LEAP), landscaping, car parking, substations, bin and bike stores.
- 1.4 The application has been the subject of pre-application advice with officers, including the advice of specialist officers. The applicant also presented the scheme to Cambridgeshire Quality Panel at pre-application stage and made alterations to the scheme through both the pre application and formal application process to address the comments raised.
- 1.5 The application was previously presented to members at planning committee on 11th October 2023. At that meeting, members agreed with the officer recommendation for deferral of the planning application to enable the Local Planning Authority to fully review the additional technical information in respect of noise, vibration and electromagnetic radiation which had been submitted by third parties and by the applicants after the publication of the agenda for the meeting. Commentary and conclusions on these matters are now provided in the updated report below.
- 1.6 Overall, officers consider that the proposal would provide a high quality scheme which would make a strong positive contribution to the local context

of the site and to the character of the area. The proposal engages fully with the objectives of the large number of relevant local and national planning policies and taken as a whole, including the terms of the S106 agreement and subject to the recommended planning conditions, the planning balance points to a positive recommendation in favour of the development.

2.0 Site Description and Context

- 2.1 The application site is located to the north west of Cambourne. Cambourne consists of three linked villages; Lower Cambourne which is located to the south of the site, Great Cambourne and Upper Cambourne which are both located to the east of the site. The site is bound by the Cambourne Business Park to the north and east and then the Cambourne West development lies immediately to the west.
- 2.2 The site measures 9.64 hectares as a whole and as existing comprises a broadly rectangular shaped parcel of undeveloped grassland area. There is a hard surfaced parking area in the north-eastern corner located to the south of the Business Park Road together with part of the gyratory and public square located to the front of the Council offices, and a parcel of land to the north upon which the former marketing suite building is located. The site has green edges that run along all four boundaries. A landscaped edge forms the northern boundary which includes a double row of trees with a footpath running in between, beyond which is Cambourne Business Park Road followed by three landscaped ponds which provide a civic edge to the business park. A strong landscape buffer frames the southern and western boundaries. The western boundary planting is uninterrupted while paths break the southern boundary trees and vegetation connecting the site to the bridleway and then to Lower Cambourne. The eastern boundary is formed by a footpath which connects the business park to the existing bridleway. The footpath is framed by a row of landscaped trees on the eastern side.
- 2.3 The site is accessed via the Cambourne Business Park Road which is a private unadopted road.
- 2.4 The site falls within the allocation area of Policy SS/8 of the 2018 Local Plan which changed the land use designation as defined by the previous Local Plan from commercial use to primarily residential use.
- 2.5 In terms of site constraints the site falls within Flood Zone 1 so is considered at low risk of flooding from rivers or the sea. The site is largely within an area at very low risk of surface water flooding, but with some areas of low, medium and high risk. The site is not located within a designated conservation area or within the setting of any listed heritage assets.

3.0 The Proposal

- 3.1 The development seeks full planning permission for 256 new dwellings and change of use of the existing marketing suite to a café with associated landscaping, car parking, substations, bin and bike stores.
- 3.2 The proposals have been subject to detailed discussions with the Councils' officers as part of a pre application process which has been ongoing since the beginning of 2022.
- 3.3 During the course of the planning application amended plans and additional information has been received to address statutory consultees and third party comments. These include revised biodiversity net gain calculations, additional bat survey data, amended flood risk assessment and drainage strategy, information on EMF emissions and construction noise and vibration, further refuse strategy details, revised plans to address landscape and urban design officer comments and additional external lighting details.

4.0 Environmental Screening

- 4.1 In August 2021 a Screening Request for the development of the Land South of Cambourne Business Park was submitted to the Local Planning Authority under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, to determine whether the proposed development constituted EIA development (planning reference 21/03771/SCRE).
- 4.2 The request was supported by an EIA Screening Report. The report concluded that the proposed development fell under 10(b) 'Urban Development Projects' as listed in Column 1 of Schedule 2 of the regulations and the proposals exceeded the criteria of more than 150 dwellings and an overall development area of over 5 hectares.
- 4.3 The Local Planning Authority issued a Screening Opinion on 18th February 2022 based on the information submitted, the proposed development was Schedule 2 development under the EIA regulations but would not constitute EIA development.
- 4.4 The Council's Screening Response found no potential significant environmental effects arising from the proposed development and as such the submission of an Environmental Statement with the application submission was not required.
- 4.5 Notwithstanding the February 2022 Screening Response, officers note that since this time, circumstances have changed and new evidence has emerged relating to ground water abstraction and potential increased risk of deterioration of water courses caused by levels of abstraction. The Screening Response has been reviewed by officers, specifically the potential impact on water resources. Officers maintain the view that, given the scale of the development proposed, the development proposals would not constitute EIA development.

- 4.6 In terms of dealing with the current application, it is accepted that the proposed development is Schedule 2 development within the EIA regulations, as noted above, and that the proposal would result in new development that has water demand which is not currently present on site.
- 4.7 The application is supported by technical documents dealing with sustainability measures, including an Energy Statement. The energy statement sets out an overview of the specification to be used. The applicants have committed to water use of no more than 99 litres per person per day which exceeds the adopted Local Plan policy requirement of 110 litres. An overview of the specifications of sanitaryware and appliances proposed to be used have been submitted to demonstrate the water efficiency standards will be met. It is also important to note that these measures will be secured through the planning process to require compliance with the proposed maximum water usage via planning condition(s).
- 4.8 In this instance, given the scale of the development proposed officers are satisfied that the proposal can proceed without an Environmental Statement and that the potential impact on water supply can be considered as part of the planning application process, with water efficiency measures that can be secured by way of planning condition.

Relevant History

21/03771/SCRE- Screening Opinion for up to 300 dwellings- EIA Not Required.

5.0 Policy

National Planning Policy

National Planning Policy Framework (NPPF) – December 2023
National Planning Practice Guidance (NPPG)
National Design Guide 2021 (NDG)
Written Ministerial Statement on water scarcity matters-19th December 2023

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/6 – The Development Strategy to 2031
S/7 – Development Frameworks
S/8 – Rural centres
SS/8 – Cambourne West
S/9 – Minor Rural Centre
CC/1 – Mitigation and Adaptation to Climate Change
CC/3 – Renewable and Low Carbon Energy in New Developments
CC/4 – Water Efficiency

CC/6 – Construction Methods
 CC/7 – Water Quality
 CC/8 – Sustainable Drainage Systems
 CC/9 – Managing Flood Risk
 HQ/1 – Design Principles
 HQ/2 – Public Art
 NH/2 Protecting and enhancing landscape character
 NH/4 – Biodiversity
 NH/6 - Green infrastructure
 H/8 – Housing density
 H/9 – Housing Mix
 H/10 – Affordable Housing
 H/12 – 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):

Biodiversity SPD- Adopted July 2009

Trees and Development Sites SPD- Adopted January 2009

South Cambridgeshire Supplementary Planning Documents (SPD)

Sustainable Design and Construction – Adopted January 2020

District Design Guide – Adopted 2010

6.0 Consultations

6.1 Cambourne Town Council- Object

6.2 The Town Council object due to the lack of employment uses proposed and the lack of an all motor vehicle connection between the site and Cambourne West.

6.3 The Town Council have raised the following design issues with the proposal:

- All units should be designed so the ground floors are fully accessible.
- Garden sizes and balcony sizes are too small for the size of the units proposed.

- Too much hard surfacing is proposed within the parking courts. These should be broken up by additional soft landscaping.
- Concerned there will be conflict between pedestrians and motor vehicles within areas of shared surface which lead to pedestrian links (between blocks K & L and H & I).
- There is a lack of variation between the rooflines along the business park frontage.
- Poorly designed dormer windows.
- Security concerns with the proposed rear parking arrangement.
- Concerned with the access arrangement and distance from a number of plots to the car parking locations.
- Distance between play spaces and dwellings.
- The Town Council are concerned by the potential maintenance charges associated with the private road serving the development.
- The Town Council are concerned by the proposed drainage strategy and the reliance on cellular tanks underground which discharge into the adopted sewer.
- Environmental concerns. Details of the offsite provision should be secured prior to determination.
- The Town Council has provided various Section 106 contribution requests which are based on a pro rata of the Cambourne West development contributions.

6.4 Cambridgeshire County Council (Highways Development Management)- No Objection subject to conditions.

- Maintenance scheme for the non-adoptable roads
- Compliance with Traffic Management Plan
- Details of the link from Business Park to Cambourne West

6.5 Cambridgeshire County Council (Transport Assessment Team)- No Objection subject to condition and Section 106 financial contribution.

6.6 The transport officers have considered that the local junctions in Cambourne within CCC's network appear to be operating in a satisfactory manner. There is sufficient spare capacity that if the impacts were found to be above that currently being predicted in the assessment modelling, there would not be a significant impact on the local network.

6.7 The transport team confirmed agreement with the conclusion of the Cambourne Business Park Road Note (Stantec) dated May 2023 which details the reasons why the new link road should serve buses, cycles and pedestrians only. This is in accordance with policy SS/8 and will enable the Greater Cambridge Partnership Cambourne to Cambridge Better Public Transport Scheme.

6.8 The transport assessment team have requested a financial contribution towards the Cambourne to Cambridge project which reflects the scale of

the development compared to the Bourn Airfield scheme (£5714 per dwelling which would equate to a total contribution of £1,462,784.00 from the proposed 256 unit scheme).

- 6.9 The transport assessment team confirmed agreement to the costs associated with providing the link through the Business Park which will serve the Cambourne to Cambridge scheme and as such the contribution request could be reduced by £523,000.00. Resulting in a final contribution request of £939,784.00.
- 6.10 **Cambridgeshire County Council (Archaeology Team)- No Objection.**
No objection to the proposals and no conditions required.
- 6.11 **Cambridgeshire County Council (Education, Library, Strategic Waste) No Objection subject to Section 106 contributions.**
- 6.12 As submitted the Cambridgeshire County Council Education, Library and Strategic Waste team requested contributions towards the following:
- £421,757 towards Early Years Places in Cambourne
 - £1,109,407 towards Primary School Places serving Cambourne (this contribution is no longer required by Cambridgeshire County Council as detailed at paragraph 6.13 below).
 - £933,098 towards Secondary School facilities serving the development
 - £37,760 towards additional capacity at Cambourne Library
 - £46,336 towards St Neots Household Recycling Centre
 - £150 monitoring fee
- 6.13 Following receipt of the consultation response the applicants submitted a rebuttal letter which confirmed the original comments had failed to take into account the primary school provision made by Cambourne West which would mitigate the impact of the additional children that will occupy this development. The forecast indicates 61 primary aged children would be generated by the development and there is capacity across the primary schools serving Cambourne to accommodate this development and therefore no contribution is requested towards primary school places.
- 6.14 The Cambridgeshire County Council (Education Library and Strategic Waste) submitted an updated consultation response dated 21st July 2023 which confirmed a financial contribution towards primary school places is not required.
- 6.15 **Urban Design Officer- No Objection subject to conditions.**
- 6.16 Urban Designer Comment: Details required in respect of the design of the pedestrian, cycle and bus link between the Business Park and Cambourne West.
Officer response: Details to be secured by condition 26.

- 6.17 Urban Designer Comment: Additional soft landscaping and tree planting should be included within the car parking courts.
Officer response: The landscape plans have been updated to introduce additional soft landscaping to soften the appearance of the courtyard spaces.
- 6.18 Urban Designer Comment: The public square should be introduced in an earlier phase to allow the trees to mature in this prominent location whilst the development is being built out.
Officer response: Phasing plan to be secured by condition 27.
- 6.19 Urban Designer Comments:
Clarification required in respect of material details for Apartment blocks A and B.
Conditions required to secure details of brick/materials and the approval for the construction of a sample brick panels for the entire development is required.
A condition on materials and detailing for furrow detailing, composite window panels, corner windows, balconies, eaves, porches, doors, windows, rainwater goods, rear boundaries, railings, parapets, soffits including the Apartment blocks is required.
Officer response: Material details secured by conditions 6 and 7
- 6.20 Urban Designer Comment: A condition for the design of the shelter within the public space.
Officer response: Details to secured by condition 8.
- 6.21 **Landscape Officer- No Objection subject to conditions.**
- 6.22 No objection subject to hard and soft landscaping conditions.
- 6.23 **Tree Officer- No Objection.**
- 6.24 No objection.
- 6.25 **Public Right of Way Officer – No Objection.**
- 6.26 No objection subject to informative.
- 6.27 **Sustainability Officer- No Objection subject to conditions.**
- 6.28 Acceptable subject to a condition which requires the implementation of the development in accordance with the submitted energy strategy.
- 6.29 **Waste Services- Requested the following information:**
- Site wide vehicle tracking required.
 - Provide a clearer refuse strategy (bin locations, drag distances, vehicle reverse distances, vehicle turning courtyards, confirmation

of parking enforcement details and if the roads will be built to adoptable standards).

- Provide capacity details in accordance with GCSWS capacities.

6.30 Environmental Health Officer- No Objection subject to conditions

- Demolition Construction Environmental Management Plan (which includes a noise, vibration and dust impact assessment, mitigation and monitoring plan).
- Noise assessment and insulation scheme
- Air Source Heat Pump noise impact assessment/ mitigation scheme
- Artificial lighting

6.31 Environment Agency- No comments.

6.32 No comments as the proposed development falls outside of the Environment Agency external consultations checklist (as the development was not considered EIA development).

6.33 Contaminated Land Officer- No Objection.

6.34 Acceptable subject to watching brief informative.

6.35 Health and Safety Executive- No comments.

6.36 No comment as the proposals do not appear to fall under the remit of planning gateway one because the height condition of a relevant building is not met.

6.37 Cambridgeshire and Peterborough Integrated Care System- No Objection.

As submitted

6.38 The existing local medical practise does not have capacity to accommodate the additional growth proposed. The healthcare provider has identified that the development would give rise to a need for additional primary healthcare provision to mitigate the impact arising from the development. A developer contribution of £179,600.00 would be required to accommodate the patient growth generated by this development.

As Amended

6.39 The initial assessment did not acknowledge that the Upper Cambourne 950 development is fully occupied and as such the Section 106 monies that has already been secured has provided the required additional capacity to serve the future occupants of this development and as such the request is retracted.

6.40 East of England Ambulance Service (NHS Trust)

- 6.41 The development is considered to give rise to a need for additional emergency ambulance healthcare and a developer contribution is required to mitigate the impacts arising from the development. A financial contribution of £110,779.00 is requested.
- 6.42 **Lead Local Flood Authority- No Objection subject to conditions.**
- 6.43 Following the submission of the Flood Risk Assessment and Drainage Strategy (produced by Create dated February 2023) and the Geo Environmental Report (produced by Enzygo dated June 2021). The submitted information was considered acceptable subject to conditions to secure a detailed surface water drainage scheme, details of long term management/ maintenance, management of surface water during construction and a completion report which demonstrates the surface water drainage scheme has been constructed in accordance with the approved details.
- 6.44 **Housing Officer- No Objection.**
- 6.45 The proposed development is considered acceptable to the Strategic Housing Team.
-40% affordable housing contribution (70% affordable rent, 30% intermediate/ shared ownership).
-All clusters are equally dispersed and below the maximum number of 25 units.
-Affordable units are not distinguishable from the market housing by external appearance.
- 6.46 **National Highways- No Objection.**
- 6.47 The National Highways raised no objection to the proposed development.
- 6.48 **Ecology Officer- No Objection subject to conditions.**
- 6.49 *As submitted*
- 6.50 *Insufficient information to determine the application. Additional information required:*
- 6.51 -Completion and submission of bat activity surveys of the boundaries of the site to inform the lighting strategy. As this is a Full application such surveys cannot be conditioned.
- 6.52 -Submission of the Impact Assessment and Conservation Payment Certificate to provide the evidence required to show participation in the Natural England District Level Licencing Scheme.
- 6.53 -Clarification of potential public access to Elsworth Wood SSSI, to ascertain the potential for increased visitor pressure.
- 6.54 -Confirmation of the Biodiversity Net Gain strategy.
- 6.55 *As Amended*

- 6.56 During the course of the application bat activity survey data and analysis was submitted for spring and summer months 2023. The bat survey data and analysis submitted showed that the western, southern, and eastern boundary are important for commuting and foraging bats. There are questions remaining regarding the impact to foraging and commuting bats on the southern and western boundary due to both lighting impacts (western boundary carparks) and protection of vegetation (rear garden curtilage southern and western boundaries). Following the concerns raised regarding the impact of lighting the applicants submitted test designs to show that the lighting design for the car parks on the western boundary could be designed in such a way that no significant light spill would impact the woodland boundary. When making decisions on the luminaries, the applicant should consult Bats and Artificial Lighting At Night guidance (Bat Conservation Trust and the Institution of Lighting Professionals, 2023) which has been recently published.
- 6.57 The guidance suggests the following:
- All luminaries should be LED
 - Have a warm white light source (2700Kelvin or lower)
 - Light sources should feature peak wavelengths higher than 550nm
 - Only luminaries with negative or zero Upward Light Ratio, with good optical control.
 - Luminaries should always be mounted horizontally.
 - And if necessary, consider baffles and reflectors.
- 6.58 Overall the ecology officer is satisfied that the applicant has provided a detailed analysis of the lighting issues, and that a truly sensitive lighting strategy can be installed to remove any risk of impact to commuting bats. The final details of the design can be secured through condition with reference to Bat Conservation Trust and the Institution of Lighting guidance.
- 6.59 The applicants submitted an Impact Assessment and Conservation Payment Certificate to provide the evidence required to show participation in the Natural England District Level Licencing Scheme
- 6.60 In respect of Biodiversity Net Gain the report submitted has provided an updated baseline assessment and recommended that an offsite solution will be required to meet the 20% net gain target set out by the applicant. The report states that the most viable option would be to purchase the required units from a third-party provider, which is acceptable. Planning conditions and the Section 106 agreement will secure the net gain provision and management/ monitoring for a 30 year period.
- 6.61 **Cambridge Fire and Rescue- No comments.**
- 6.62 No comments received.
- 6.63 **Natural England**

6.64 To assess the recreational pressure impacts of residential developments please refer to the Natural England guidance note dated 12th July 2019.

6.65 **Anglian Water- No Objection.**

6.66 The foul drainage from this development is in the catchment of Uttons Drove Water Recycling Centre which currently does not have capacity for the flows. However, Anglian Water has applied and is working to agree a new permit to address the exceedance. The proposed connection as set out in the submitted FRA and drainage strategy is acceptable.

6.67 **Designing Out Crime Officer**

As submitted- Further information required;

- Lighting details required
- Cycle storage details
- Boundary treatment details
- Concerned with footpath designs between properties
- Locations of public cycle parking

As Amended

- Content for lighting details to be conditioned.
- Content for cycle storage details to be conditioned.
- Remain concerned with hit and miss fencing proposed.
- Remain concerned with footpath locations between plots.

6.68 **Cambourne Village College- Objection**

6.69 Object to the application as it does not include a through road from the Business Park to Cambourne West for all vehicles. The lack of a through route will lead to additional pollution as journeys will be longer. Drivers currently drop children along Swansley Lane instead of the school car park which has already resulted in complaints from residents. Acknowledge the expense of upgrading the business park road but it is considered an important connection to Cambourne West.

6.70 **The Wildlife Trust- Comments**

6.71 The Wildlife Trust (WT) has reviewed the updated reports (Botanical Survey, BNG design and Biodiversity Metric spreadsheet). The WT has found the Botanical Survey findings and recommendations to be acceptable. The WT has assessed the biodiversity metric calculations and agrees that they are accurate.

6.72 The WT acknowledges the method for securing 20% net gain (combination of onsite and off site provision).

6.73 The WT preference is for the enhancement of existing land within Cambourne. However, if this is not possible then the use of a Habitat Bank elsewhere within the district would be acceptable.

- 6.74 Disappointed that there is no landscape buffer along the Wildlife Trust land. The increased pressure on the County Park should require a contribution (secured through the Section 106) towards the long term management of the Country Park.
- 6.75 **Cambridge Past Present and Future- Neutral comments.**
- 6.76 Supports the provision of a large park but not within the centre of the site without links to other green spaces or community features within the development.
- 6.77 Note that to achieve a 20% biodiversity net gain, off site provision is needed and would like to offer biodiversity credits at Coton Countryside Reserve in order to achieve the 20% Biodiversity net gain.

7.0 Third Party Representations

- 7.1 Representations have been received from 79 properties.
- 7.2 The full comments can be found on the Council's website using the planning application reference number (23/00123/FUL). In summary, the following concerns have been raised within the representations:

7.3 Principle of development

Concerned by the lack of employment use which is contrary to the requirement of policy SS/8 (criterion 7/8) which requires 8.1 hectares of employment land in addition to the retail and community/ leisure facilities that are required.

Concerned by the lack of employment use within the proposal as it will threaten the ability to deliver a sustainable integrated community and will be detrimental to business and employment growth. The Local plan policies seek to maintain employment opportunities where new housing is located to lead to more sustainable patterns of growth and avoid commuter towns being created. The site falls within the Arc and the Council should be prioritising world class tech and life sciences rather than housing on this site.

Concerned that there are insufficient facilities and infrastructure within Cambourne to accommodate the additional housing proposed.

Concerned that the proposals conflict with policy S/2 which requires developments to support economic growth, technology based industries, research and development

Highway matters/ Access

Concerned by the lack of an all motor vehicular access through the Cambourne Business Park. Conflicts with the requirement of policy SS/8 (criterion 12 part g). The proposal will lead to additional traffic to the school and result in people travelling through the housing estate roads (within Cambourne West) to get to the school. This will impact the safety of the highway and lead to greater travel emissions.

Concerns about the functionality of local buses which currently do not travel all around Cambourne

Biodiversity/ Landscape

Object to the loss of greenspace and the impact on wildlife

Amenity

Concerned that the development conflicts with NPPF paragraph 187 as the proposal as submitted has failed to demonstrate the development can be integrated effectively with existing businesses.

Other matters

Object to the application as residents would prefer community facilities on site rather than more housing.

Concerned that there is unlikely to be enough demand for a café use as residents can access the other facilities in the centre of Cambourne and Cambourne West.

8.0 Summary of design changes undertaken through the pre application process

- 8.1 The design and proposed layout of the development has evolved throughout the pre-application process following on from a number of pre application meetings and workshops with the LPA and as a result of feedback from two presentations of the scheme to the Cambridgeshire Quality Panel. The main areas of change are summarised below.
- 8.2 Through the pre application process various alterations have been made to the layout of the public square to create a more urban square environment with seating, trees and additional hard surfacing. The location and design of the foraging routes were also regularly discussed prior to submission to ensure the pedestrian/ cycling connectivity was enhanced across the site and with additional links to the surrounding area (Cambourne, the business park and Cambourne West). The pre app discussions also focused on creating a scheme which would provide a range of open spaces which are strategically located with their own character.
- 8.3 During the design process the applicants worked with officers to create a strong, continuous urban frontage character along the Business Park Road with rhythm and repetition of buildings along business park road frontage. The scheme also introduced 'the backs' to ensure car parking could be hidden from the street scene to prevent visual dominance of parked cars. The design and appearance of the apartment blocks were also frequently discussed at the pre application workshops. Additional detailing and material choices were made to add architectural interest to the apartment blocks.
- 8.4 Throughout the design process the applicants considered and presented various character areas, building forms, heights and arrangements. As a

result of various pre application workshops and discussions with officers the scheme submitted has responded appropriately to the sites surroundings.

- 8.5 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

9.0 Assessment

- 9.1 The key issues to consider in the determination of this application are the principle of development, housing provision, character / visual amenity, landscaping, biodiversity, trees, flood risk and drainage, highway safety and transport impact, residential amenity, renewables / climate change, the impact upon sensitive business uses adjacent to the site, open space provision, contamination and developer contributions.

Principle of Development

- 9.2 In terms of assessing the principle of development the key South Cambridgeshire Local Plan 2018 policy consideration is policy SS/8 which allocated the site for the development of a sustainable new settlement linked to Cambourne for approximately 1200 dwellings. An additional parcel of land immediately to the north of the allocation was put forward for development as part of the outline application (reference S/2903/14/OL, as amended by S/1775/19/NM) and consent was granted for 2350 dwellings together with employment, education and community facilities. Policy SS/8 has various criteria and each of these require assessment in order to determine whether the proposals comply with this policy. These are assessed in turn below:
- 9.3 *1) Land shown on the Policies Map south of the A428, north west of Lower Cambourne, including an area within the current Business Park is allocated for the development of a sustainable, fourth linked village to Cambourne of approximately 1,200 dwellings by 2031 with high levels of green infrastructure, subject to:*
- 9.4 The number of dwellings approved by the Cambourne West outline consent (2350 dwellings) has already exceeded the overall allocation of residential units (1200 dwellings) due to site area of the original allocation being extended. This planning application seeks consent for development on a parcel of land which was included within the original site allocation. The proposed site plan clearly demonstrates that the site can comfortably accommodate 256 new dwellings on the application site. The development also incorporates green infrastructure in the form of a central park area, public square, informal open space and a community orchard. The number of dwellings within the original allocation has already been exceeded by the Cambourne West permission. As a result, there is no policy requirement for housing on this site to meet the Local Plan housing need from this site. Notwithstanding this, the use of the site in line with the original allocation is not considered to conflict with Policy SS/8 and the additional new homes

- will provide a valuable contribution through the delivery of market and affordable homes to the local area that amounts to a benefit. The proposal incorporates green spaces and enhanced connections.
- 9.5 *2)Development taking place in accordance with a Masterplan to be submitted for approval by the Local Planning Authority as part of the first application for planning permission. The Masterplan will set out the principles of good design and be supplemented by a Design and Access Statement. Design Guides / Design Codes for the development will be prepared as part of applications for the grant of approval for reserved matters. The Masterplan will demonstrate how the development will integrate with the rest of Cambourne, the Business Park and with Cambourne Village College.*
- 9.6 The application site is not within the site boundary for the Cambourne West development for which a masterplan and design code document was developed and approved by the Local Planning Authority. This application is a full planning application. The Design and Access statement nevertheless demonstrates clearly how the proposed site relates to the masterplan/design codes accompanying the Cambourne West outline permission. The detailed proposals have also been reviewed by the Councils in house design team and the independent Design Review process. As a result, for this application, officers consider there is no need for a separate masterplan to be undertaken, in addition to the materials already submitted. The proposals are considered to be well integrated into the Cambourne Business Park and well connected to the surrounding areas via dedicated footpaths and cycle links.
- 9.7 *3)A Landscape Strategy must be submitted for approval by the Local Planning Authority as part of the first application for planning permission, and include the provision of a high quality landscaped setting around the boundary of the settlement to (amongst other things) provide appropriate open space between the new village and Lower Cambourne. This setting will form part of the publicly accessible green infrastructure of the settlement, and be well connected to Cambourne's existing green network and the wider countryside, including through an enhanced network of footpaths and bridleways.*
- 9.8 A landscape strategy has been submitted alongside the application. This has been considered alongside the wider landscape parameters established through the Cambourne West Outline planning permission, and the existing settlement. The landscaping proposals have evolved through the pre application process and the Council's landscape architect has reviewed the information and considered the details to be acceptable subject to conditions securing the details of hard and soft landscaping and a planting schedule. The scheme is considered consistent with the objectives of criteria 3.
- 9.9 *4)Building heights and landscaping will minimise the visibility of the settlement and the secondary school from adjoining roads to the north, west and south.*

- 9.10 In terms of building heights, the proposal consists of 2-3 storeys for dwellings and 4 storeys for the apartment blocks. The heights proposed are considered appropriate as they are similar to surrounding residential estates and commercial buildings within the Business Park. In respect of landscaping as existing the site is relatively well contained with broadleaved plantation woodland along the southern and western boundaries. To the north and east and there are trees which are proposed to be retained and protected as part of the proposal. Given the scale of the proposals, and the sites context, considered in the context of the wider site allocation under SS/8, the storey heights and massing of buildings is considered to be appropriate in addressing the objectives of criteria 4.
- 9.11 *5)Existing woods, hedges, unimproved grassland areas and water features will be retained which would contribute to the character and amenity of Cambourne West, managed to enhance their ecological value and linked together by areas of open space to provide a network of accessible green infrastructure.*
- 9.12 The woodland and trees at the boundaries of the site make a valuable contribution to the character of the site and would be retained as part of the development proposal. The site does not contain unimproved grassland but rather semi-improved grassland which will be regularly managed. In respect of Biodiversity Net Gain, the applicants are targeting a 20% net gain. The net gain will be secured by both on site enhancements and off site. The Biodiversity Net Gain details will be secured via planning condition and the Section 106 (legal) agreement which will also require the details of the management/ monitoring for a 30-year period. The scheme is considered to successfully address criteria 5.
- 9.13 *6)Residential, primarily dwelling homes (Use Class C3), but could also include nursing and residential care homes. Housing densities to vary across the site with higher densities close to the village centre and bus routes and lower densities around the settlement boundary. The starting point for negotiations concerning the provision of affordable housing on this site will be Policy H/10.*
- 9.14 The application proposes an almost wholly residential development with non residential uses comprising a café to the north of the access road. The proposed housing density equates to 31 dwellings per hectare. Towards the north of the site a higher density is proposed (closer to the business park), and lower density development is proposed along the southern edge. This creates a transition in character when moving from the more “formal” commercial character of the Business Park towards the more informal layouts and density of residential estates within Lower Cambourne to the south. In terms of affordable 40% affordable housing is proposed. This accords with Policy H/10 of the Local Plan. The scheme is considered to address criteria 6.

- 9.15 *7) Land south of the Business Park access road will be developed primarily for residential uses and will include provision of a segregated cycle and pedestrian path linking to Cambourne Village College along the southern boundary, enhancing the existing footpaths and bridleways. It will only come forward once replacement employment land in criterion 7 is secured.*
- 9.16 *8) An equivalent quantity of employment land to that lost on the Business Park (8.1ha. in June 2013) will be delivered in the northern part of the Cambourne West site rather than its current location. In order to be compatible with residential development this will primarily be in Use Class B1, although other suitable employment uses will be included to provide a mix of employment opportunities, including smaller units.*
- 9.17 It is considered appropriate to consider criterion 7 and 8 together. It should first be noted that there is a typographical error within criterion 7, which should refer to criterion 8 (the part of the policy which requires the provision of an equivalent quantity of employment land to that lost on the business park to be delivered as part of the policy SS/8 allocation).
- 9.18 The outline consent for Cambourne West (application reference S/2903/14/OL as amended by S/1775/19/NM) includes 6.25ha of employment land and there is no indication that alternative schemes will come forward within the Cambourne West site for additional employment uses. The applicant has considered the provision of employment land within the Cambourne West development to be 8.59 hectares. The applicants have reached this figure as following the amendments to the Town and Country Planning Use Class Order (September 2020) a number of the other uses were granted consent (such as community and leisure facilities and retail uses) which now fall within Use Class E and the applicant has concluded that these could come forward as employment uses which were previously defined as a B1 use (office, business use) without the need for planning permission. Whilst the applicants' position on this matter is acknowledged the requirement of policy SS/8 (8) was established and adopted before the uses were combined into Class E. Therefore, the amount of dedicated B1 uses considered necessary at the time of the creation of the policy SS/8 (8.1ha) would have been in addition to the provision of the retail, community and leisure facilities also provided within the Cambourne West development. As such it is the view of the Local Planning Authority that the proposed development does not satisfy the requirements of policy SS/8 on this specific criteria.
- 9.19 Following the granting of planning permission for Cambourne West, which only included up to 6.25ha of employment land, it is no longer possible to secure 8.1ha of alternative land for business uses within the Cambourne West development (or the initial smaller policy SS/8 site allocation). The objective of this land swap was to seek to help "...link and integrate the new village with the West of Cambourne." Third party representations suggest a concern about the lack of employment caused by the loss of business space leading to increased commuting.

- 9.20 Noting the more flexible use class E now in place and continued undeveloped and available space on the business park for development, the proposals are not considered to give rise to immediate unfulfilled short term pressures for space or frustrate delivery of new employment premises.
- 9.21 The officer committee report for the Cambourne West outline application stated *'any development of the vacant land on the business park would include some employment provision'* and *'the proposed employment land on Cambourne West would be a significant contribution towards the quantity of Use Class B1 employment land that would be lost on the business park if the proposals for a mixed use residential scheme are progress for the vacant land to the south of the business park road'*. The greater intensity of occupancy associated with additional homes on Cambourne West will increase the population of the wider Cambourne area and lead to an increase in the number of economically active people locally. New employment developments nearby plus the connectivity provided by Cambourne to Cambridge public transport corridor (and potentially the East West rail station at Cambourne at some point in the future) will nevertheless increase access to the City as well as to other localities along the route or nearby (such as at Bourn Quarter). As Cambourne continues to grow the employment offer and opportunities for employment will evolve. The impact from not meeting in full the replacement employment land provision from this site will emerge over time, but the impact arising from this development upon the economy of South Cambridgeshire or levels of commuting are not considered to be a matter that justifies refusal of this application.
- 9.22 A number of third party representations refer to the policy wording which suggests the site should be developed as 'primarily residential', with the suggestion that the scheme should be mixed use. Officers acknowledge the use of the word 'primarily' (defined as mainly, for the most part) and the proposals could be considered non-compliant with this part of the policy as the scheme proposes a solely residential development within the allocated part of the site (south of the Business Park Road). However, the proposal does include a café use immediately to the north of the business park road and various open spaces across the site. Noting the specific provision within the policy, officers acknowledge that the location of the café outside of the "policy" defined site amounts a non-compliance with the policy criteria. The application, does nevertheless include provision for non- residential use and for this reason, the objectives of the policy for primarily residential use are considered to be met through the enlarged site boundary (than the Local Plan allocation). Conflict with policy SS/8 on this basis for the reason above is not therefore considered to be material.
- 9.23 *9)Small scale shops and other town centre uses to serve the needs of the village and adjoining Business Park. Provide for convenience shopping needs with a store of up to 500 m2 (gross floorspace) within a 600 metre walk of the great majority of homes. A retail assessment will be submitted with the first planning application to demonstrate that the quantity of town centre uses proposed will support the needs of the development whilst not*

having a significant adverse impact on the vitality and viability of other centres including Cambourne village centre.

- 9.24 The development of Cambourne West (application reference S/2903/14/OL as amended by S/1775/19/NM) includes 1.04ha of retail uses and will provide 1500sqm of retail floor space (as secured by the discharge of condition 6 of the outline consent). Additionally the Site is also within walking distance of the retail uses within the wider Cambourne village (Coop within Lower Cambourne, Morrisons to the east of the site). Noting the extent of the allocation, and the satisfactory provision of retail floorspace to service this part of the site allocation in the plan, given ongoing structural changes across the retail sector, officers do not consider there is any specific need arising from the additional residents for additional on-site provision to be required for this site.
- 9.25 *10)If necessary to expand the capacity of the school, to provide land to enable the expansion of Cambourne Village College*
- 9.26 Cambridgeshire County Council (Education, Library, Strategic Waste) have been consulted on the application and requested a contribution of £933,098.00 towards the Secondary School facilities and this is considered reasonable and necessary to mitigate the impact of the proposed development on the education provision. The applicants have agreed to this contribution. The scheme is considered compliant with this criteria.
- 9.27 *11)Community needs for other services and facilities being provided in accordance with policies and standards set out in Chapter 9 including Policy SC/4*
- 9.28 The application proposes a new café facility within the business park and additional Section 106 contributions will be secured to mitigate the impact of the development on existing community facilities. The contributions will go towards improvements to the community building, the sports centre extension and swimming pool and community development staff. The scheme is considered compliant with this criteria.
- 9.29 *12)Development will provide for the additional travel demands generated. Coordination will be required with other developments on the A428 corridor to deliver the necessary improvements. The development will need to address, but is not limited to, the following (subject to detailed strategy development and to the transport assessment of development proposals):*
- a. Any measures necessary to ensure that a bus journey between Cambourne West and the junction of the A428 and the A1303 is direct and unaffected by any congestion suffered by general traffic;*
 - b. High quality segregated bus priority measures on the A1303 between its junction with the A428 and Queens Road, Cambridge;*
 - c. Direct, segregated high quality pedestrian and cycle links to west Cambridge, Papworth Everard, Caxton and Bourn;*

d. The impact of the proposals on the junctions of the A428 with the A1303 and the A1198 will be assessed in detail and contributions towards or direct funding of improvements to the junctions may be required;

e. Delivery or funding of any measures required to mitigate the traffic impact on Bourn, Caldecote, Toft, Comberton and Barton;

f. A Smarter Choices package including residential, school and workplace travel planning;

g. Vehicular access to be provided through an enhanced route through the Business Park, one or more access points from the Caxton Bypass, and via Sheepfold Lane;

h. Bus prioritisation measures, including a bus link from one of the roundabouts on the Caxton bypass through the Cambourne West site, linking through to Great Cambourne by the Cambourne Business Park;

i. Creation of high quality segregated cycle and pedestrian routes within the new settlement

- 9.30 The application is supported by a Transport Assessment and the Cambridgeshire County Council (CCC) Transport Assessment Team have been consulted on the application. This considers the additional trips envisaged from this part of the site allocation alongside the much larger West Cambourne scheme and existing background traffic.
- 9.31 The transport officers are of the view that the local junctions in Cambourne within CCC's network will operate in a satisfactory manner in future years with the proposed development added. There is sufficient spare capacity that if the impacts were found to be above that currently being predicted in the assessment modelling, there would not be a significant impact on the local network.
- 9.32 The transport team confirmed agreement with the conclusion of the Cambourne Business Park Road Transport Note (Stantec) dated May 2023. This document details the reasons why the new link road should be a bus, cycle and pedestrian only link and will enable the Greater Cambridge Partnership Cambourne to Cambridge Better Public Transport Scheme.
- 9.33 The transport assessment team have requested a financial contribution towards the Cambourne to Cambridge project which reflects the scale of the development compared to the Bourn Airfield scheme (£5714 per dwelling which would equate to a total contribution of £1,462,784.00 from the proposed 256 unit scheme).
- 9.34 The transport assessment team confirmed agreement to the costs associated with providing the link through the Business Park which will serve the Cambourne to Cambridge scheme and as such the contribution request could be reduced by £523,000.00. This resulted in a final contribution request of £939,784.00. This financial contribution will go towards funding the Cambourne to Cambridge scheme which will mitigate the traffic impact on surrounding villages. The Applicant has confirmed agreement to this financial contribution.

- 9.35 In respect of part f), the County Council have requested a condition which secures a detailed travel plan which encourages sustainable modes of transport for travel to and from the site.
- 9.36 In relation to part g), above which required an enhanced route through the business park considerable local comment has been made, including from Cambourne Community College and the Town Council, including objections to this application on the basis that the proposals omit the provision of an all vehicles linkage between Cambourne West and the Business Park. The approved access and circulation plan approved as part of the outline consent for the Cambourne West development shows a 'potential future link from the Business Park'. The proposed development includes a bus, pedestrian and cycle connection link through to Cambourne West. The route would not be open to private motor vehicle traffic. Instead, the focus is on enhancing access by sustainable transport means, reducing the mode share "penalty" between private car use and public transport, cycling and walking alternatives which acts as a disincentive to car users considering more sustainable travel patterns. The inclusion of an additional private motor vehicular route between the Business Park and Cambourne West would be contrary to the objectives of national and local planning policy which seek to minimise the use of the private motor vehicles and encourage the shift towards more sustainable transport modes. The existing access arrangements between Cambourne West and Cambourne have been assessed by the Cambridgeshire County Council Transport Assessment Team and Highways Development Management Engineers and are considered sufficient to serve the development.
- 9.37 Policy SS/8 is clear that there is a requirement for there to be a link between the Business Park Road through to Cambourne West. Whilst the policy wording itself does not state that this access requirement is for an 'all vehicular' link the supporting text at paragraph 3.53 suggests that the Business Park access road is to provide all mode access including that for the car. Parts 12 (a), (c) and (h) focus on high quality bus travel and prioritisation. Moreover, the Cambourne West outline application was determined without the need for an enhanced route through the Business Park and as set out in the officers committee report for the outline application 'the proposed level of connectivity between Cambourne and Cambourne West is considered acceptable without that route'.
- 9.38 The third party objections highlight concerns about the impact of the restricted link on private car users, including parents taking their children to and from school. The transport assessment team have confirmed that there is no technical need for the link to be open to private car use. In seeking to encourage more sustainable travel patterns, in part as a response to growing concerns around climate change, the prioritisation of more sustainable travel means is considered to be a relevant material planning consideration. Whilst contrary to the provisions of policy SS/8, officers consider that supporting more sustainable means of travel around Cambourne by prioritising bus and cycle pedestrian access over private car

use amounts to a material planning consideration that weighs significantly against the requirement of this part of policy SS/8.

- 9.39 In response to part h), a bus route is proposed through the Business Park to Cambourne West, with new stops to be introduced. The business park road will form part of the Cambourne to Cambridge route. The proposals are considered to promote public transport use both to and from the centre of Cambourne and to Cambridge, St Neots and Huntingdon.
- 9.40 Lastly, in respect of part i) a segregated pedestrian and cycle routes are provided through the site to increase permeability and encourage active travel. During the course of the application amendments have been made to the cycle routes to ensure appropriate desire lines for cyclists commuting through the Business Park to Cambourne West and surrounding areas. The scheme also includes pedestrian and cycle paths within the proposed development and pedestrian and cycle connections through the surrounding woodland towards Cambourne West to the west and to Lower Cambourne to the south. The scheme is considered compliant with this criteria.
- 9.41 *13) Sustainable design and construction measures which will exceed the minimum standards set out in Policies CC/3 and CC/4 in recognition of the opportunities to exceed those standards afforded by strategic scale developments*
- 9.42 An energy statement has been submitted to support the application. The details have been assessed by the Council's sustainability officer and are considered acceptable. The results of the submitted energy statement show that 184 private and shared ownership units achieve an average of 63% carbon reduction and the 72 affordable units achieve an average of 104% carbon reduction over the Part L 2013 baseline. Overall a site wide 72% carbon reduction is achieved compared to the baseline case, the results therefore offer a significant improvement above the Local Plan policy CC/3 requirement of 10%. The proposed water use is a maximum of 99 litres per person per day which exceeds the policy requirement of 110 litres per person per day. Noting the Written Ministerial Statement and the current focus on water scarcity locally, including recent and pending appeal schemes for larger developments where water supply considerations have been material, officers consider that the current proposals should be required to reduce water consumption as far as possible – and below the 110litres per person per day. The scale of the current proposals, the allocation of the site for development in the 2018 Local Plan and likely build out rate mean that the proposals are considered to be acceptable, noting the potential risk of deterioration plus the measures for improved water efficiency proposed within the parameters of the site layout, the potential magnitude and impacts on the risk of deterioration will need to be balanced against other benefits arising from the proposals as part of the final planning balance to be struck.

- 9.43 *14)Satisfactory provision being made for the provision, management and on-going maintenance of sustainable surface water drainage facilities to control the risk of flooding on site and which will reduce the risk of flooding to areas downstream and upstream of the development.*
- 9.44 A Flood Risk Assessment and Drainage Strategy have been prepared to support the application. The submission successfully demonstrates that surface water from the proposed development can be managed through the use of a combination of permeable paving, swales and geo-cellular storage. LLFA comments have reviewed the information and confirmed the details are acceptable subject to conditions.
- 9.45 *15)Satisfactory arrangements being made for foul drainage and sewage disposal, to be explored and identified through a Foul Drainage Strategy;*
- 9.46 A Flood Risk Assessment and Drainage Strategy have been prepared to support the application. In terms of foul water drainage, this development site is in the catchment of Uttons Drove Water Recycling Centre which currently does not have capacity for the flows. However, Anglian Water has applied and is working to agree a new permit to address the exceedance. The proposed connection as set out in the submitted FRA and drainage strategy is acceptable. A foul water drainage condition is recommended by officers. Subject to the recommended conditions, officers are satisfied that the proposal would be acceptable.
- 9.47 *16)Satisfactory arrangements to control traffic noise from the A428 and A1198 which do not involve the use of acoustic fences and walls such as gently contoured landscaped soil bunds;*
- 9.48 This requirement relates to the Cambourne West development and proposals within close proximity to the A428 and A1198. Therefore, this is not considered to be a relevant consideration in relation to the current application.
- 9.49 *17)Planning permission will only be granted where there are satisfactory legal agreements for the improvement, provision, management and maintenance of infrastructure, services and facilities, open spaces and other matters necessary to make the scheme acceptable in planning terms;*
- 9.50 Details of the management and maintenance of the access road, landscape and open spaces are proposed to be secured by conditions 10 and 24. Relevant obligations will also be included with the Section 106 agreement.
- 9.51 *18)Satisfactory arrangements being made concerning site accesses, haul roads, construction traffic routes, storage compounds, use of plant and machinery, working days and hours, and retention of construction spoil on site.*

9.52 Appropriate conditions including a CEMP, phasing plan, traffic management plan and construction hours will be imposed to ensure the impacts of the development during construction are mitigated. The scale and quantum of development proposed is unlikely to lead to significant adverse impacts requiring for example a haul road. Concerns expressed by third parties in respect of the impact of the construction operations on the operation of sensitive machinery and apparatus in the adjacent building has been the subject of further specific technical submissions. Officers are satisfied that the potential impact caused during the construction phase (see below) can be resolved by the use of conditions.

Conclusion on the principle of development.

9.53 The primarily residential development proposed is taking place on a part of the site allocated under policy SS/8 of the Local Plan for development. This includes the parcel of land earmarked for “primarily residential” use within the business park. The criteria associated with the Local Plan allocation have been considered above. Noting the specific areas where the proposals depart from requirements within the policy – notably concerning the re-provision of employment space from the business park to Cambourne West and the construction of an all vehicle linkage – officers are satisfied that there are material planning considerations that justify these criteria not being met so that overall, the principle of development of the site for the proposed purposes is acceptable.

9.54 **Housing Provision**

Density

9.55 Policy H/8 of the Local Plan states that housing developments will achieve an average net density of 30 dwellings per hectare (dph) in Rural Centres, Minor Rural Centre villages, and Group villages; 40 dph in urban extensions to Cambridge and in new settlements. 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.

9.56 The site measures approximately 9.64 hectares (including the business park road). The provision of 256 dwellings equates to a density of 26.56 dwellings per hectare. Excluding the business park road (main site area) the proposals equate to an overall density of 31 dwellings per hectare. The housing is proposed to be distributed across the site appropriately with a higher density proposed along the business park frontage and adjacent to the commercial buildings and a medium density is proposed within the semi urban and green edge character areas. The proposal is considered to comply with policy H/8 of the South Cambridgeshire Local Plan 2018.

Housing Mix

Affordable Housing

9.57 The proposed development includes 40 per cent affordable housing equating to 102no. affordable dwellings. This complies with Policy H/10 of the Local Plan which requires 40 per cent of the total number of dwellings be provided as affordable housing on sites of 11 dwellings or more. The tenure split consists of 71% rented and 29% intermediate homes, equating to 72 affordable rent units and 30 shared ownership units. The affordable housing mix has been assessed by the Council's Housing Strategy team and the scheme is considered to provide a balanced mix of units which is policy compliant.

9.58 Market Housing mix

| <u>Policy Requirement</u> | <u>Market (number of units and p</u> |
|---------------------------|--------------------------------------|
| 30% 1 or 2 bedroom homes | 46 (30%) |
| 30% 3 bedroom homes | 46 (30%) |
| 30% 4 bedroom homes | 47 (30%) |
| 10% flexibility | 15 (5 bedroom units) (10%) |

9.59 As set out above the mix of market housing is considered acceptable and compliant with policy H/9.

9.60 In terms of the distribution of affordable housing, Policy H/10(1.c) of the Local Plan requires affordable housing to be provided in small groups or clusters distributed through the site. The Greater Cambridge Housing Strategy 2019-2023 Annex 10: Clustering and Distribution of Affordable Housing Policy sets out that for large mixed tenure residential developments 200 units or over, there should be maximum clusters of 25 units (including blocks of flats), which should not abut each other and be dispersed appropriately across the whole development.

9.61 The proposed layout of the site creates a number of separate groups of affordable units dispersed across the site. All of the proposed clusters of affordable units are below the maximum number of 25 units. The affordable units have been designed to ensure they are not distinguishable from the market housing in terms of their external appearance.

9.62 Officers, in consultation with the Council's Housing Team, are satisfied that the proposed distribution and appearance of the affordable units within the site is acceptable.

Self and Custom Build Homes

9.63 The application includes 3 custom build plots. Policy H/9 of the South Cambridgeshire Local Plan 2018 requires proposals which consist of 20 units or more to include self and custom build plots. Whilst this policy does not specify a numerical value or percentage of the overall development which is required to be self or custom build, the emerging Greater Cambridge Local Plan requires 5% of the overall number of units to be self or custom build for schemes of 20 units or more. This would equate to a requirement for 13 units to be self or custom build. The proposed 3no.

build units is lower than that which would be required under the emerging joint local plan. However, given that the current Local Plan 2018 does not provide a specific numerical value for the number of units that are required to be self or custom, this level of provision is considered acceptable and in accordance with policy H/9. A condition has been imposed (condition 38) to secure further details of the custom build strategy for the three identified plots (L3,L4,L5). Subject to the imposition of this condition the development is considered to meet the requirements of policy H/9.

M4(2) compliant units

- 9.64 Policy H/9(4) requires 5% of homes in a development to be built to the accessible and adaptable dwellings M4(2) standard. 41% of the units (105 dwellings) are proposed to meet M4(2) standards, this exceeds the policy requirement of 5%. Four of the units are proposed to be M4 (3) compliant. The proposal is in accordance with policy H/9.

Residential Space Standards

- 9.65 Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed Nationally Described Space Standards (2015) or successor document. The proposal will meet the prescribed national space standards in line with Policy H/12.
- 9.66 **Design, Layout, Scale and Character**
- 9.67 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 9.68 The site is an open and undeveloped area of the business park largely laid to grass with the exception of the temporary car park arrangement in the north east corner of the site. The proposed site layout is a result of an extensive pre application process which has seen the layout evolve.

Business Park frontage

- 9.69 Along the business park road the proposals consist of a mixture of detached, semi detached and terrace properties. Noting the third party comments, the objective of this more regular arrangement of buildings is to reflect the greater formality created along the business park road by existing large floorplate "office blocks." The townhouses are designed to incorporate two storey elements between the three-storey forms to express the roof form and create a rhythm along the frontage. The three-storey element of these houses have pitched roofs with flat roofs proposed to the lower two-storey elements which also include a roof terrace area above. To the rear of the dwellings that front onto the business park an area which has been referred to as 'the backs' within the submission package is proposed. Within

this area a rear access arrangement is proposed and this seeks to serve a functional purpose by enabling servicing to both the dwellings fronting north and south. This rear access arrangement also creates a practical landscaped space for future occupants in terms of access to gardens and a social space for interaction with neighbours.

Apartment blocks

- 9.70 Across the development three blocks of apartments are proposed, two blocks at four storey and one block at three storey. The four storey apartment buildings have been located at landmark points, adjacent to the existing commercial development at Cambourne Business Park, this helps to provide a transition between the larger scale commercial development to the north / east and the proposed residential development. Apartment block A is located immediately adjacent to the public square and South Cambridgeshire District Council Hall, it has been positioned to provide enclosure to the public square and to form a vista stop. Apartment block B is positioned on the eastern edge of the development set back from the business park road. The building has been designed to take account of the adjacent commercial buildings to the east and winter gardens have been introduced to mitigate any noise impact on future occupants. Apartment block C is the three storey building which is proposed to be located in the south west corner. The building has been designed to fit in with the immediate surroundings and the lower density area within the scheme. A reduced mass has been achieved by dividing the building into separate parts within differing plan depths. Dual pitched roofs have also been included to reduce the height and massing of the building.

The Backs

- 9.71 The Backs is a private shared surface area that is designed to serve the houses facing onto the business park and the dwellings that front onto the central park. The inclusion of the backs enables the development to achieve a car free frontage along the business park frontage. The backs design ensures there is convenient access to the properties from the rear and the inclusion of roof terraces as well as rear upper floor windows offers passive surveillance of this space.

The Central Park

- 9.72 A mix of two and a half and three storey detached and semi detached units are proposed around the central park. The dwellings have been positioned to ensure there is a strong sense of enclosure around the park space. Varied roof forms (gables and eaves fronted roof forms) are proposed, and these contribute to the scheme achieving a strong sense of rhythm along the edges of the park.

Mews streets

- 9.73 The mews streets located to the east and west of the central park. Two and two and a half storey detached and semi detached units are proposed with materials and detailing that reflect the appearance of the dwellings to the north and south of the park. The mews streets have been designed to create vista terminations and carefully considered street corners. Features such as corner windows and contrasting brick detailing have been introduced where considered appropriate. The dwellings within the mews streets have on plot car parking proposed between the units and are accessed via a shared surface.

The Courtyards

- 9.74 The southern edge of the development adjacent to Lower Cambourne is lower density with dwellings centred around open courtyard spaces at two storeys in height. These units have been designed to achieve a less formal and more rural character with larger gardens.
- 9.75 Noting third party comments, overall officers consider that the proposed layout, configuration and building heights are considered to be reflective of the immediate surrounding characters with tallest buildings (2no 4 storey apartment blocks) appropriately positioned adjacent to the commercial uses (SCDC officers to the north and the east boundary of the site). The density and building heights then reduce to the south of the site to ensure the scheme integrates positively with Lower Cambourne. The applicants have taken on board the advice from the quality panel members and officers through a pre application process and officer consider that the proposed 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. The proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with South Cambridgeshire Local Plan (2018) policies HQ/1, NH/2, NH/6 and SC/9 and the NPPF (2023).

Landscape

- 9.76 In terms of the landscape details within the site the green infrastructure provided as part of the development comprises approximately 1.19 hectares of open space within the site. These areas consist of three key spaces; the central park, the orchard and the main square. The development seeks to create a network of connected public spaces for the local community but ones that also function as part of the development and enrich the site and associated character areas. The proposed landscape strategy seeks to be in keeping with the green infrastructure that exists across Cambourne and create green routes not only within the site but to other green routes that surround the site on the east, west and southern boundaries.
- 9.77 Soft landscaped frontages are provided on most properties and the dwellings are afforded with private gardens and amenity space.

9.78 A Local Equipped Area of Play (LEAP) is proposed to be located in the centre of the site while a Local Area of Play (LAP) is proposed adjacent to the main square and a foraging route between the square and the central park. Planting is incorporated along streets within the development, street furniture is incorporated into the layout and play equipment into the areas of play. The application has been subject to formal consultation with the Council's Landscape Officer who raises no objection to the proposal subject to conditions.

9.79 Officers consider it reasonable and necessary to impose a condition requiring a detailed scheme of hard and soft landscaping, boundary treatments and street furniture to ensure the final detailing aligns with the amended Landscape Strategy Plan and contributes positively to the quality of the development and integrating the proposal with its surroundings. Subject to the recommended conditions, officers consider that the proposal would accord with Policies HQ/1, NH/2, NH/4 and NH/8 of the Local Plan.

Trees

9.80 The application is supported by an Arboricultural Impact Assessment and Tree Survey produced by Geosphere. None of the trees on site are subject to a Tree Preservation Order (TPO) and the site is not within a designated Conservation Area. Therefore, the trees are not afforded any additional protection.

9.81 The proposals involve the removal of four category B trees, two category C trees, tree removals of groups of trees along the edge of the site will be required to enable the provision of the new connections and a number of other trees will require pruning. The submitted AIA has highlighted the mitigation measures that will need to be followed to ensure development conserves the trees on the site and the inclusion of replacement tree planting will ensure the site is enhanced. The details of the species and quality will be secured by condition. The proposals introduce 318 new trees as part of the development.

9.82 The application has been subject to formal consultation with the Council's Trees Officer who raises no objection. Officers consider it reasonable and necessary to impose conditions requiring the replacement tree planting details and a requirement for the tree protection methodology to be implemented to ensure appropriate protection of retained trees. Subject to these recommended conditions the proposal would accord with Policies HQ/1(b) and NH/4 of the Local Plan.

Carbon Reduction and Sustainable Design

9.83 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

- 9.84 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change as required by Policy CC/1 of the Local Plan.
- 9.85 Policy CC/3 'Renewable and Low Carbon Energy', requires that proposals for new dwellings and new non-residential buildings of 1,000m² or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 9.86 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 157 – 164 of the NPPF are relevant.
- 9.87 An energy statement has been prepared to support the application (Qoda, December 2022). The scheme is proposed to be gas free and deliver the Council's first Net Zero Carbon Council rented properties, these units have been designed to Passivhaus principles through a fabric- first construction, use of air source heat pumps, mechanical ventilation and pv panels. The private units are also proposed to be gas free and served by air source heat pumps. The proposed development will reduce carbon emissions by 72% site wide compared to the Part L 2013 baseline, which significantly exceeds the minimum 10 per cent as required under Policy CC/3 of the Local Plan. The proposed development will also achieve a minimum water efficiency equivalent to 110 litres per person per day as required under Policy CC/4 (the submitted information/ specification advises a maximum water usage of 99 litres/person/day- this is secured by condition 23). The application proposes for 100% of houses to have active EV chargers provided. Also, of the car parking spaces serving the apartment blocks, 50% of these spaces are proposed to have active chargers and the remaining 50% passive chargers.
- 9.88 The information submitted has been assessed by the Councils Sustainability officer and considered the development to be acceptable subject to a condition which ensures the scheme is carried out in accordance with the submitted energy statement. Noting the commentary earlier in this report in relation to water efficiency the proposed development is considered to comply with policies CC/1, CC/3P, CC/4, CC/7 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

Biodiversity

- 9.89 The NPPF states new development should contribute to enhancing the natural environment through biodiversity net gain. The Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain

in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off setting. This approach accords with Policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides protection of Protected Species, Priority Species and Priority Habitat.

- 9.90 The application as submitted was accompanied by a Preliminary Ecological Appraisal which identified foraging bats, great crested newts, reptiles and possible impacts on nearby statutory protected sites due to increased visitor pressures. As originally submitted the Council's Ecology Officer objected to the application due to insufficient information. During the course of the application the applicants have submitted evidence of participation in the Natural England District Level Licensing Scheme, bat surveys for spring and summer months, a detailed analysis of the lighting issues which has demonstrated that a truly sensitive lighting strategy can be installed to remove any risk of impact to commuting bats.
- 9.91 In respect of Biodiversity Net Gain the report submitted has provided an updated baseline assessment and recommended that an offsite solution will be required to meet the 20% net gain target set out by the applicant. The Biodiversity Net Gain will be secured via planning condition and the Section 106 (legal) agreement which will also require the details of the management/ monitoring for a 30-year period.
- 9.92 In consultation with the Council's Ecology Officer and Natural England, subject to appropriate conditions, officers are satisfied that the proposed development complies with the NPPF, policy NH/4 of the Local Plan (2018), the Biodiversity SPD 2022, and 06/2005 Circular advice.
- 9.93 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered.
- 9.94 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

Water Management and Flood Risk

- 9.95 The application site is in flood zone 1 (low risk) and is therefore considered as having low probability of flooding. Small areas of the site are identified as being at risk from surface water flooding. The application is supported by a Flood Risk Assessment and Drainage Strategy and, as amended, Flood Risk Assessment and Drainage Strategy (Create Consulting Engineers Ltd. February 2023). The Assessment considers the impact of the development

in respect of flood risk and provides a drainage strategy for the development. The Assessment confirms that the site is in flood zone 1 and therefore the sequential test is not required and the principle of residential development is acceptable from a flood risk perspective.

- 9.96 In terms of surface water drainage. the submission sets out that surface water from the proposed development can be managed through the use of a combination of permeable paving, swales and geo-cellular storage. In addition, water efficiency measures are proposed which are in excess of current Local Plan policy requirements, and are welcomed by Council officers. These can be secured by planning conditions.
- 9.97 The application has been subject to formal consultation with Anglian Water, the Environment Agency and the Lead Local Flood Authority. Following the submission of a revised Flood Risk Assessment and Drainage Strategy, no objection is raised subject to conditions. The Lead Local Flood Authority have recommended conditions to secure a detailed surface water drainage scheme which complies with the submitted drainage strategy (Create, Feb 2023), details of management/ maintenance, management of surface water during construction and submission of a completion survey to demonstrate the drainage infrastructure has been delivered in line with the approved details.
- 9.98 In terms of foul water drainage, this development site is in the catchment of Uttons Drove Water Recycling Centre which currently does not have capacity for the flows. However, Anglian Water has applied and is working to agree a new permit to address the exceedance. The proposed connection as set out in the submitted FRA and drainage strategy is acceptable. A foul water drainage condition is recommended by officers.
- 9.99 The applicants have suitably addressed the issues of surface water management and flood risk having regard to policies CC/7, CC/8 and the NPPF. The enhanced water efficiency measures proposed (over and above policy CC/4) are in officers view justified in this case. Noting the wider considerations relating to the risk of deterioration of watercourses across Greater Cambridge discussed above, officers consider that in this case, the potential level of increase to that risk arising from the status, size and character of the development would not justify refusal of the application having regard to policy CC/7. The potential impact upon the objectives of Policy CC/7 will nevertheless need to be considered as part of the planning balance.

Highway Safety and Transport Impacts

- 9.100 HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.

- 9.101 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 9.102 Para. 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.103 The application is supported by a Transport Assessment (Stantec, December 2022), Residential Travel Plan (Stantec, December 2022), Cambourne Business Park Transport Note (Stantec, June 2023).
- 9.104 The proposed access to the development site is via the Cambourne Business Park road which is a privately owned access road. The nearest adopted public highway is situated at the roundabout at the entrance of the private road to the Business Park. As the existing access road is a private road and is not built to adoptable standards the Local Highway Authority have confirmed they will not be seeking to adopt any part of the application site. The Local Highway Authority have recommended a pre commencement management and maintenance condition to ensure the estate roads are managed and maintained to a suitable and safe standard. A traffic management plan and a condition to secure the details of the design/ layout of the proposed link through Cambourne Business Park has also been recommended.
- 9.105 The Transport Assessment Team comment that they raise no objection to the proposal subject to a mitigation package in regard to a contribution towards the Greater Cambridge Partnership Cambourne to Cambridge Better Public Transport Scheme. The transport assessment team have requested a financial contribution towards the Cambourne to Cambridge project which reflects the scale of the development compared to the Bourn Airfield scheme (£5714 per dwelling, which would equate to a total contribution of £1,462,784.00 from the proposed 256 unit scheme).
- 9.106 The transport assessment team have confirmed agreement to the costs associated with providing the public transport and cycle link through the Business Park which will serve the Cambourne to Cambridge scheme and as such during the course of the application the contribution request has been reduced by £523,000.00. Resulting in a final contribution request of £939,784.00.
- 9.107 Subject to conditions and S106 mitigation as applicable, the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with the NPPF.

Cycle and Car Parking Provision

9.108 Cycle Parking

9.109 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.

9.110 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or garage, for flats either individual lockers or cycle stands within a lockable, covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.

9.111 The application proposes 808 cycle parking spaces in total. 1 cycle parking space per bedroom. For the dwellings the cycle parking spaces are proposed to be located within stores within the rear gardens and within the garages. All dwellings proposed along the Business Park frontage are proposed to have on plot visitor cycle parking in the form of sheffield stands. The proposed blocks of flats also have one cycle parking space per bedroom which are proposed to be located within communal stores at ground floor level. General public visitor cycle parking spaces are also proposed for the café use, within the public square and within the park/orchard spaces.

9.112 Car Parking

9.113 Policy TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. The supporting text to the policy advises that the Council will encourage innovative solutions such as shared parking areas, for example where there are a mix of day and night uses, car clubs and provision of electric charging points.

9.114 The application proposes 2 car parking spaces per dwelling in accordance with policy TI/3. The car parking for the houses are proposed to be located on plot (to the side, rear and occasionally front of the dwellings). A number of spaces are proposed within garages or carports for the larger units. The car parking for the apartments are proposed to be located to the rear of the blocks, Each flat has an allocated car parking space and additional car parking spaces are proposed on a flexible basis (to be allocated by the housing department). A total of 20 visitor car parking spaces are proposed across the development which includes the existing 6 spaces which are proposed to be retained to serve the proposed café use.

- 9.115 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 9.116 The application proposes for 100% of houses to have active EV chargers provided. Also, of the car parking spaces serving the apartment blocks, 50% of these spaces are proposed to have active chargers. Given specific sensitivities associated with apparatus within a neighbouring building to the site, restrictions on the location of EV chargers along the eastern boundary to the site are considered necessary following technical studies undertaken by the applicant. This will be managed by the use of planning condition numbers 39 and 40.
- 9.117 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

Residential Amenity

- 9.118 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. The District Design Guide 2010 advises 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 25m should be provided between rear or side building faces containing habitable rooms, which should be increased to 30m for 3 storey residential properties. It advises that a 12 metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.

Impact on amenity of neighbouring residential properties

- 9.119 The nearest neighbouring residential properties to the proposed development are located within the Lower Cambourne development to the south of the application site beyond the dense tree belt. The closest proposed property would be approximately 55 metres within Akerly Drive. Given this extensive separation distance, the proposed residential development would not give rise to any harmful residential amenity impacts such as loss of light, overlooking or visual enclosure.

Amenity for future occupants

9.120 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 (NDSS 2015) or successor document. The applicants have submitted an accommodation schedule which demonstrates that all of the proposed properties would meet or exceeds the NDSS and is in accordance with South Cambridgeshire Local Plan 2018 policy H/12.

Garden Size(s)

9.121 The District Design Guide 2010 advises that 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. Ground floor apartments should have a minimum of 10m² private amenity space immediately outside their living accommodation, or use of a communal garden, where 25m² is allowed for each apartment. Upper floor apartments should have use of a private balcony, of a minimum of 3m², plus use of a communal garden, where 25m² is allowed for each apartment. Each property would benefit from a private garden area or balcony which would meet or exceed the recommendations of the Council's District Design Guide.

9.122 All dwellings are proposed to have a private rear garden that meet or exceed the Council's District Design Guide in terms of sizes.

9.123 The proposed flats each have private balconies or wintergardens which meet or exceed the minimum standard. Furthermore, there is a significant quantum of public open space present within walking distance of flats both within the application site and nearby to the application site.

9.124 Overall, each plot within the development is considered to be provided with a reasonable amenity space that is not significantly compromised by the proposed layout or existing development adjacent to the site. The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with Local Plan Policy HQ/1 and the District Design Guide SPD (2010).

9.125 **Open Space and Recreation**

9.126 SC/6 'Indoor Community Facilities' and SC/7 'Outdoor Play Space, Informal Open Space and New Developments' require all housing developments to contribute towards indoor community facilities and outdoor playing space (including children's play space, sports facilities) and informal open space.

- 9.127 There is a minimum but no maximum standard for this provision. This is reinforced by the NPPF, which highlights the importance that access to open space has to the health and wellbeing of a community.
- 9.128 Policy SC/7 sets out the requirements for outdoor play space (including children's play space, formal outdoor sports facilities) and informal open space in accordance with the following minimum standards:
- Outdoor sports – 1.6 ha per 1,000 people;
Formal children's play space – 0.4 ha per 1,000 people;
Informal children's play space – 0.4 ha per 1,000 people; and
Informal open space – 0.4 ha per 1,000 people.
Allotments and community orchards – 0.4 ha per 1,000 people.
- 9.129 In respect of sports provision Cambourne Town Council has the ambition to deliver a swimming pool and sports centre extension for Cambourne. To date there has been pooling of contributions towards this project from the Cambourne West development at a figure of £4,801,301.99 (indexed from 1st Qtr 2017) and an agreed figure from Bourne Airfield. However, there remains a funding gap to deliver this project and evidence has been provided by the Town Council in the form of a detailed costing estimate provided by the Town Council's quantity surveyor which has indicated there remains a funding shortfall as the total cost for delivering the 6 lane swimming pool project is £7,510,000.00 and a further £2,401,000.00 is required to deliver the sports centre extension (to include studios, stores and a two court badminton court).
- 9.130 The contribution request of £523,035.45 has been calculated in proportion to the amount secured from the Cambourne West development. The delivery of this project is high on the priority list for the Town Council and the community. A swimming pool would go towards meeting the wider needs of the district as presently many residents have to travel to the surrounding districts for swimming. This would also make Cambourne more sustainable as less of its residents would have to travel to visit swimming pools in the neighbouring districts. The contribution is considered fairly and reasonably related in scale and necessary to make the development acceptable in planning terms in accordance with policy SC/4 and SC/7 of the South Cambridgeshire Local Plan 2018. The applicant has agreed this contribution and this will be secured through the Section 106 agreement.
- 9.131 In terms of formal children's play space, a total of 0.23ha is the amount required to be considered policy compliant. 0.11ha is provided on site meaning a shortfall of 0.1157ha.
- 9.132 In respect of informal children's play space 0.234ha is proposed which slightly exceeds the amount required by policy SC/7.

- 9.133 0.71ha of informal open space is proposed which is an overprovision of 0.47ha when compared to the amount required by policy SC/7.
- 9.134 0.13ha of allotments and community orchards are proposed on site which is an under provision of 0.11ha.
- 9.135 In terms of the provision of open space, the scheme would exceed the overall amount required by policy SC/7. The total amount required is 0.94ha, the total amount proposed is 1.18ha. On balance the under provision in formal children's play space and allotments/ community orchards is counteracted by the over provision of informal open space and informal children's play space. Additionally, officers acknowledge that the site is within close proximity to various formal play spaces that are within a short walking distance from the site (Cambourne Eco Park- 400m to the east of the site, School Lane- 400m to the south within Lower Cambourne and various other formal play spaces planned within Cambourne West).
- 9.136 Overall, officers are satisfied that, having regard to the wider site context, the proposed development provides a sufficient quantum of onsite open space to achieve the objectives of the Local Plan. The layout of the development incorporates a range of open spaces including a Locally Equipped Area of Play (LEAP), Local Area for Play (LAP) and other incidental open spaces. As set out above through the provision of onsite open space and offsite contributions towards community facilities and sport provision, the proposal would, in officers view, accord with Policy SC/7 of the Local Plan.
- 9.137 **Planning Obligations (S106)**
- 9.138 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 9.139 The applicant has indicated their willingness to enter into a Section 106 planning obligation in accordance with the requirements of the Council's Local Plan and the NPPF and negotiations have commenced between the LPA, applicant and County Council.
- 9.140 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.

- 9.141 Policy NH/6 of the Local Plan deals with Green Infrastructure and sets out that all new developments will be required to contribute towards the enhancement of the green infrastructure network within the district. These contributions will include the establishment, enhancement and the on-going management costs.
- 9.142 Draft Heads of Terms (HoTs) of the Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) have been agreed in principle between the parties. The planning obligations to be secured from the proposed development includes a 'policy compliant' package of affordable housing provisions.
- 9.143 Where contributions are required by Local Plan policies and/or have been sought by consultees, these are summarised below. All sums are provisional and will be finalised in the S106 Agreement. Contributions will be cost indexed from the date of the consultee request where applicable.
- 9.144 Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (see para. 55 of the NPPF 2023).
- 9.145 Table 1 sets out the obligations sought with a brief description of the details for the obligation and why it is required and whether agreement has been reached on the obligation.

Table 1- Heads of Terms

| Obligation sought | Relevant details | Comments | CIL reg 122 comments |
|--|---|-----------------|---|
| Housing | | | |
| 40% of the for sale element of the residential development to be affordable housing. | On-site provision of 40% of the for sale element of the residential development to be affordable housing. Tenure mix proposed to be 71% rented and 29% intermediate. There will be a mix of unit sizes. (Policy H/10) | Agreed. | Housing provision necessary to meet the needs of the new population generated by the development. On-site provision. Policy H/10 requires a minimum of 40% affordable homes on sites of 11 dwellings or more. |
| 3 x Custom build plots | The application includes 3 custom build plots. | Agreed. | Policy H/9 of the South Cambridgeshire Local Plan 2018 requires proposals which consist of 20 units or more to include self and custom build plots. |

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|--|--|---------|--|
| Education, Libraries and Waste | | | |
| Financial contribution towards additional capacity at Cambourne Library. | £37,760 requested by County towards additional capacity at Cambourne Library. Contributions sought by County Council. Triggers for contributions to be agreed with County Council. | Agreed. | Library facilities necessary to meet the needs of the new population generated by the development. Off-site provision. Scale determined with reference to County Council guidance and local plan policy SC/4. |
| Early years, Secondary, SEND and Post-16 Education Facilities | £421,757 towards Early Years Places in Cambourne £933,098 towards Secondary School facilities serving the development Contributions sought by County Council. Triggers for contributions to be agreed with County Council. | Agreed. | Education provision necessary to meet the needs of the new population generated by the development. On-site or off-site provision, to be agreed. Scale determined with reference to County Council guidance and multipliers and policy SC/4. |
| Contribution towards St Neots Household Recycling Centre | £46,336 towards St Neots Household Recycling Centre | Agreed. | Waste recycling contributions have been identified as necessary to meet the needs of the new population generated through the development, in accordance policy SC/4. The money would be spent on infrastructure related directly to the site and the development. |
| Transport | | | |
| Contribution towards the Cambourne to Cambridge project. | £939,784.00. | Agreed. | Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they |

| | | | |
|--|--|---------|--|
| | | | have maximised opportunities for sustainable travel. |
| Open space, Sports and Recreation | | | |
| Off-site sports provision | Contribution to off-site sport provision in line with Local Plan requirements in the sum of £523,035.45 Swimming pool and Sports Centre Extension. Contribution figure calculated on a pro rata basis as agreed as part of the Cambourne West application. Additional evidence of the cost of the project has been provided. | Agreed. | Off site sports facilities are necessary to meet the needs of the new population generated by the development. Off-site provision to include sports hall and swimming pool improvements. |
| Informal open space and public realm | Provided on site. | Agreed. | Quantum in accordance with policy SC/7. |
| Play space provision | On-site provision. Obligation to manage and maintain by a management company in accordance with an approved management scheme. | Agreed | Formal play facilities are provided on site and the site is very well connected to other play spaces included as part of the Cambourne West development. The provision is considered to be in accordance with policy SC/7. |
| Indoor community space | Contribution to off-site community building provision via a contribution to an extension to The Hub community facility (evidence has been provided to demonstrate there is a funding gap related to this project). Amount: £248,503.17 | Agreed. | Community meeting space necessary to meet the needs of the new population generated by the development. Scale determined with reference to policies SC/4 and SC/6. |
| Community development | £62,240.64 staff and management costs. | Agreed. | To meet the needs of the new population |

| | | | |
|---|--|----------------------|---|
| (including young people provision) | General community engagement, stakeholder involvement. Identifying and addressing community needs. Events and meetings with new residents. Enabling access to services. | | generated by the development. Scale determined with reference to policy SC/6. |
| Burial space | Contribution towards burial plots within Cambourne £210 per dwelling- £53,760.00 | | Burial plots required to meet the needs of the new community. Off-site provision. Scale determined with reference to policy SC/4. |
| Health | | | |
| Ambulance | The Ambulance Service has requested a contribution, but this has not yet been justified to the Council's or Applicant's satisfaction. | Not agreed. | Does not meet the CIL tests at this stage, awaiting further response from the Ambulance service. |
| Biodiversity | | | |
| Biodiversity net gain - delivery and management | On-site provision of 20% biodiversity net gain is almost certainly unachievable. The Heads of terms will include a S106 obligation which requires the applicants to produce a scheme that delivers a minimum 20% net gain (combination of on site enhancements and off site). - A condition will also be imposed to prevent occupation taking place until the strategy for achieving 20% net gain has been approved in writing and the 30 years management/ monitoring details are agreed. | Agreed in principle. | Biodiversity mitigation necessary to offset the impact of the development. |
| Public art | | | |
| Public art | Public art is proposed to be provided on site (within the Square). | Agreed in principle. | Local Plan policies seek to secure public art as an integral part of development. On- |

| | | | |
|------------------------|--|---------------|--|
| | | | site provision. Scale determined with reference to policy HQ/2 and SC/4. |
| Other | | | |
| Section 106 monitoring | A contribution towards the costs of monitoring the planning obligations is required. | To be agreed. | Contribution directly related to achieving the implementation of the planning obligations. |

9.146 The planning obligations set out above are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the required planning obligation(s) passes the tests set by the Community Infrastructure Levy Regulations 2010 and are in accordance with Policy TI/8 of the South Cambridgeshire Local Plan (2018).

Indoor community facilities

9.147 When the Cambourne West (S/2903/14/OL) contribution towards community facilities is Indexed from the 1st Qtr of 2017 a figure of £2,281,181.43 towards community facilities was secured. Therefore, based on this amount a pro rata contribution of £248,503.17 is requested from this application towards off site community facilities in order to satisfy the policy requirement of policy SC/6 and ensure adequate provision is made to meet the needs generated by the development.

9.148 Cambourne Town Council has put forward community facility projects which the additional funding would go towards. The Town Council have appointed a quantity surveyor who has provided a detailed cost breakdown of delivering these community facility improvement projects. One of the projects is an extension to the Hub Community centre (either the addition of a first floor or a side extension plus first floor). The other project referred to is the improvement and extension to the Lower Cambourne Cricket Pavilion. The community needs and facilities are required to ensure the development is in accordance with the eleventh criterion of policy SS/8.

9.149 *11. Community needs for other services and facilities being provided in accordance with policies and standards set out in Chapter 9 including Policy SC/4.*

9.150 It is considered appropriate for Cambourne Town Council to decide which of these two projects the community facility contribution is spent on. The Town council has a strong record of delivering successful community facilities and also has a good understanding of which projects are the priority based on what the social needs of the Cambourne community are.

Off site sports provision

9.151 As set out in paragraphs 9.129-9.130 above Cambourne Town Council has the ambition to deliver a swimming pool and sports centre extension for Cambourne and officers consider these requests to be fairly and reasonably related in scale and necessary to make the development acceptable in planning terms in accordance with policy SC/4 and SC/7 of the South Cambridgeshire Local Plan 2018.

9.152 Community development (including young people provision)

9.153 The Local Plan sets out a requirement for a Community Development Strategy for larger sites including Cambourne West (Chapter 9: 8:203). A community development contribution is sought to support new residents to build a strong resilient community. The calculation and figure provided by the sustainable communities team is based on staffing arrangements for one day per week for five years plus management and oncosts. The staff will be responsible for general community engagement, stakeholder involvement, identifying and addressing community needs. Support is needed to help people to settle and start the groups, clubs and activities found in more established neighbourhoods. This could include support to help establish good communication and information for new residents, establish new community groups, organise community activities, and support the growth of new sports clubs and community groups. The financial contribution is required to meet the needs of the new population generated by the development in accordance with policy SC/4 and SC/6. A contribution request of £62,240.64 towards community development staff is requested. Community development workers have been crucial in the development of Cambourne and there would be a further requirement for specialist workers to satisfy the requirements of policy SC/4.

9.154 Impact on adjoining commercial premises

9.155 Paragraph 193 of the National Planning Policy Framework (December 2023) states that decisions should ensure new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, suitable mitigation should be provided before the development has been completed.

Electromagnetic fields/ interference, Noise and Vibration

- 9.156 The nearest neighbouring building within the Cambourne business park is Building 1030 (ZEISS House) which is located to the east of the site and there is approximately 18metres between the proposed east elevation of apartment block B and the flank wall of the ZEISS House building. Building 1030 is currently occupied by ZEISS, a technology company which operates in the optics and optoelectronics industries. The manufacturing and testing of the companies products takes place within ZEISS House.
- 9.157 Representation were received from the current occupants of ZEISS House, raising concerns that the approval of this development would result in unreasonable burdens on their business which would potentially require them to relocate their business elsewhere as the operations taking place within ZEISS House are sensitive to noise, vibration and electromagnetic interference.
- 9.158 Following the publication of the committee report on 4th October 2023, a further representation was submitted by the occupants of the neighbouring building (ZEISS House, Building 1030) re-iterating the concern over the potential adverse effects of the development. The letter was supported by technical information (electromagnetic field impact assessment, noise and vibration technical notes), as such the application was recommended for deferral to give officers sufficient time to undertake a further review of the additional technical information.

EMF matters

- 9.159 Since the deferral of the application officers have engaged with the applicants, representatives of ZEISS and technical specialists. The applicants appointed an electromagnetic field consultant to carry out modelling and to provide an expert opinion on the likely impacts of the proposed development on the sensitive operations taking place within ZEISS House. The technical experts representing the applicants and the third party have engaged at meetings and via technical notes. Following the submission of modelling and technical reports the experts are in agreement that the proposed substation to serve the new development should be relocated to a position more than 30m from the eastern site boundary and that low voltage cabling and all electrical vehicle charging/ infrastructure should be located more than 30m from ZEISS House. These measures are required to provide sufficient protection and assurance to the existing sensitive business operations taking place at ZEISS House.
- 9.160 The applicants have submitted a revised plan showing how the substation can be relocated to a position which is beyond 30m from the site boundary and condition 39 is recommended to secure the details of the precise location of this infrastructure and the associated electrical cabling. To further address concerns around EMF fields, condition 40 removes permitted development rights for the installation of electric vehicle charging points within 30m of ZEISS House.

9.161 Overall, subject to the imposition of conditions 39 and 40 officers are satisfied that the impacts of the proposed development will be mitigated and in accordance with NPPF paragraph 193 the proposals will not place unreasonable restrictions on the existing operations taking place at ZEISS House. Officers are satisfied that the proposed development can be integrated effectively with the existing businesses and officers consider that subject to the recommended conditions the proposals are in accordance with Paragraph 193 of the National Planning Policy Framework (2023) and South Cambridgeshire Local Plan policies HQ/1 and SC/10.

Noise levels during construction

9.162 In relation to the potential noise impacts of the proposed development on the sensitive operations at ZEISS House, both the acoustic consultants representing the applicants and the third party have agreed that the construction of the development has the potential to generate noise levels that could cause disruption to testing and producing processes taking place at ZEISS House. A mitigation and monitoring strategy is accordingly required to ensure the development meets the requirements of paragraph 193 of the NPPF.

9.163 The third party acoustic consultant has submitted a technical note which advises of the noise levels (when recorded from the ZEISS House test bed) that they consider should not be exceeded during the construction process. The note states that the most sensitive machinery used within Zeiss House has installation requirements that define “allowable” noise levels (referred to as the “Zeiss Installation Requirements”) through a range of octave bands.

9.164 The applicants have carried out surveys of the existing noise levels within ZEISS House and when measured from the test bed it was found that the ambient noise levels within the test bed already exceeded the target levels and it was not possible for the applicants to test external noise impacts against these limits. Noise impacts of the external works could instead be measured and monitored relative to either the Zeiss Installation Requirements or the ambient noise levels within the Zeiss House test bed area, whichever is the higher for that octave band.

9.165 The applicants have also carried out trial construction works which involved the use of the equipment/ plant most likely to generate the highest degree of measurable noise levels. The noise levels were recorded at the site boundary, the façade of ZEISS House and at the test bed area. The purpose of the trial construction works was to determine if the impact of construction works will exceed either the Zeiss Installation Requirements and/or the ambient noise levels when measured within the Zeiss House test bed area, whichever is the higher.

9.166 The highest sound level recorded at the façade of Zeiss House was 88.2 dB when recorded at the façade of the building, however, this noise level

was not audible from the test bed (the level did not exceed the ambient noise level of 49.8 Db). This survey result suggests that the various building elements of Zeiss House, including the internal and external walls and air gaps, provides a noise level reduction of approximately 38dB as a minimum.

- 9.167 A separate noise measurement was also taken during the use of different plant equipment (a pecker) with simultaneous noise levels being recorded at the application site boundary and at the facade of Zeiss House. In this instance, the use of the pecker resulted in a sound level measurement at the application site boundary of 83.0 dB and when measured at the facade of Zeiss House, these same works generated a noise level of 77.1 dB LAeq,T.
- 9.168 Given that the evidence submitted demonstrates that a sound level of 88.2 dB when measured at the façade of ZEISS House was inaudible above the ambient noise levels within the test bed area, this evidence submitted supports officers view that appropriately worded conditions are capable of addressing the third party concerns about the impact of noise during construction on the operations within ZEISS House.
- 9.169 The applicants have proposed a noise monitoring strategy within the submission which has been shared with the advisors to ZEISS House. That document which includes indicative locations for the monitoring equipment and yellow, amber and red alert levels/ triggers is considered an appropriate starting point to mitigate potential adverse impacts through appropriate conditions.
- 9.170 Condition 42 is therefore recommended to secure a precise and detailed monitoring strategy based on the information within the submitted strategy document prior to any works commencing on site, this will be submitted to and agreed in writing with the Local Planning Authority. An informative is also recommended to advise the applicants to continue to work collaboratively with ZEISS on the final details of this strategy document.

Vibration levels during construction

- 9.171 In relation to vibration matters the consultants representing the applicants and the third party have agreed that the construction of the development has the potential to cause vibration levels that could result in disruption to testing and producing processes taking place at ZEISS House. Therefore, both parties are in agreement that a mitigation and monitoring strategy is required to ensure the development meets the requirements of paragraph 193 of the NPPF.
- 9.172 The occupiers of ZEISS House have advised that to ensure disturbance to its processes does not occur, construction works carried out on the application Site should meet the Installation Design Standards for vertical and horizontal vibration of the most sensitive machinery within Zeiss House, when measured on the test bed plinth.

- 9.173 Trial construction works have been carried out by the applicants to provide evidence that the construction works would not exceed the maximum vibration levels when measured from the test bed. The trial works found that all typical construction works were able to be carried out on Site without the Zeiss Design Standards being exceeded with the exception of the use of a “pecker” which caused marginal exceedances. As such due to these results the applicants have confirmed the construction methodology will be refined to ensure the use of the pecker is not required which will enable the ZEISS Design Standards to be adhered to throughout the construction process.
- 9.174 The applicants have also included a vibration monitoring strategy within the submission document which includes indicative locations for the monitoring equipment and yellow, amber and red alert levels/ triggers.
- 9.175 Based upon the conclusions from the preliminary testing and through engagement with the applicants and ZEISS House occupiers, officers consider that a condition (Condition 43) would be required to secure a precise and detailed monitoring strategy based on the information within the submitted strategy document prior to any works commencing on site. An informative is also recommended to advise the applicants to continue to engage with ZEISS on the final details of this strategy document which will be submitted to fulfil the requirements of the recommended condition 43.
- 9.176 No other comments were received from any of the other occupiers of the Cambourne Business Park in relation to the proposals. Subject to the imposition of the above conditions and noting the concerns expressed by the occupiers of ZEISS House, the impact of the development on neighbouring uses is considered to be capable of acceptable mitigation and the development is considered acceptable and in accordance with the requirements of South Cambridgeshire Local Plan 2018 policies HQ/1, CC/6, SC/10 and the National Planning Policy Framework Paragraph 193.

Noise impacts on the future occupants of the development

- 9.177 The proposed development would introduce a four storey apartment block adjacent to Building 1030. The proposed apartment block would not have any openable windows on the eastern elevation (adjacent to Building 1030) and this is secured by planning condition (number 37). A car parking court (23 car parking spaces) is proposed to the rear of this apartment block. As existing there is a tree lined pedestrian and cycle link which runs along the east of the application site along the Zeiss boundary, this is proposed to be retained as existing and the proposed development will provide connections to this existing footpath.
- 9.178 The immediate surrounding area consists of employment uses within the Cambourne Business Park with the nearest other commercial building being Building 1020 which is a two storey office block which is approximately 19metres to the east of the Zeiss building (Building 1030). It is

acknowledged that the application site is located within close proximity to an established employment site.

- 9.179 The application is accompanied by a noise assessment which identified that the dominant noise from the application site originates from the existing business operations associated with Building 1030. The submitted noise assessment identified that Apartment Block B as the area most likely to be impacted by noise from this source and appropriate mitigation would be required to create an acceptable living environment for future occupants.
- 9.180 The applicants engaged with the Council's Environmental Health Officers both at pre application stage and during the course of the application. The proposed design of the scheme clearly indicates that the scheme has considered noise matters during the design process through engagement with the applicants appointed acoustic consultant. The scheme includes the installation of a 2.1m acoustic fence (to the engineers specification) along the eastern boundary adjacent to Building 1030, winter gardens are proposed to serve the upper floor units at the rear of the apartment block (adjacent to Zeiss) and the applicant has confirmed within the submission that the windows facing towards the commercial building (on the east elevation) will be fixed shut. A noise insulation and mitigation scheme condition has been recommended by the Council's Environmental Health officer to ensure the noise levels experienced internally and externally by future occupants are acceptable. This condition will also require the applicants to submit details of the building fabric, glazing and ventilation systems within the proposed noise insulation scheme.
- 9.181 Subject to the imposition of condition 12 (noise insulation/ mitigation scheme) officers are satisfied that the proposed development complies with policies HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018 and the amenity of future occupiers will be protected.

Broadband

- 9.182 Policy TI/10 requires that infrastructure be installed to create access to broadband internet for future occupants. It is therefore considered reasonable and necessary to impose a broadband condition on any consent granted to fulfil the requirement of this policy.

Air Quality

- 9.183 The Council's Environmental Health Officer has commented that they raise no objections to the proposals in respect of air quality, bar the requirement to mitigate, manage and monitor dust during construction. This has been addressed through the recommended Demolition Construction Environmental Management Plan condition.

Crime

- 9.184 The Designing Out Crime Officer commented on the schemes reasonable levels of natural surveillance, lighting, cycle storage, footpath locations, parking courts, boundary treatments and access arrangements to apartment blocks. During the course of the application the applicant provided responses to various queries. The details of lighting, cycle storage and boundary treatments are proposed to be conditioned to allow further information to be provided at the detailed design stage. In respect of the proposed footpath locations the proposed routes are considered important features within the scheme as they increase the permeability of the site to the open spaces and the wider area. Therefore, the proposed connections are considered acceptable.

Lighting

- 9.185 Policy SC/9 of the Local Plan sets out that development proposals which include new external lighting will only be permitted where it can be demonstrated that the proposed lighting scheme and levels are the minimum required for reasons of public safety, crime prevention / security, and living, working and recreational purposes, that light spillage and glare are minimised and there is no unacceptable adverse impact on the local amenity of neighbouring or nearby properties and road users. The application has been subject to formal consultation with the Council's Environmental Health Team, who in their comments raise no objection subject to an artificial lighting impact assessment and a requirement of the DCEMP secures details of lighting during construction to protect the amenity of neighbouring properties. The impact of lighting on the ecology of the area, noting the comments for the Councils Ecologist has been considered above (para 9.90). Subject to the imposition of conditions 14 and 31 the development is considered acceptable in accordance with policy SC/9.

Refuse/ Waste

- 9.186 A refuse strategy has been submitted with the application which demonstrates that there is adequate space for bin storage for each plot and that there is a bin collection point or communal bin collection point for all properties.
- 9.187 The proposed bin capacity calculations are based on the recommendations of the Greater Cambridge Shared Waste Service Developer Guide (November 2021). The submitted refuse strategy also includes details of the drag distances (for residents and crew members), reverse distances for the refuse vehicle and vehicle tracking. The proposed arrangements are considered acceptable and in accordance with South Cambridgeshire Local Plan 2018 policy HQ/1.

Cambridgeshire Fire and Rescue

- 9.188 Should consent be granted, the Fire and Rescue authority require a condition to be added to any consent to require details of the number and location of fire hydrants on site.

Contaminated Land

- 9.189 The Council's Scientific Officer (contaminated land) has reviewed the submitted Geo-Environmental Report by Enzygo dated October 2022. The contaminated land officer has confirmed there is no evidence of environmental constraints that would warrant further investigation or assessment of potential contamination risks. Therefore, the development is considered acceptable subject to a condition which requires works to stop and a remediation strategy to be submitted if unsuspected contamination is found during construction. Subject to this condition the development is considered to be in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018.

Public Art

- 9.190 Public art is proposed to be provided on site within 'the square'. The submission documents highlight a budget of £25,000 has been allocated to the public art provision. Final details of the proposed public art delivery plan and strategy will be secured by planning conditions.

Planning Balance and Conclusion

- 9.191 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 9.192 The assessment in this report above has concluded that in respect of the principle of a primarily residential development on this site, the proposed use is acceptable, noting the specific provisions of policy SS/8 of the Local Plan and the third party representations received. The detail of the application proposals and site layout have evolved through an extensive pre application process with officers and consultees, reviews by the Cambridgeshire Quality Panel and amendments submitted during the course of the application. A collaborative process has taken place and the development is supported.
- 9.193 The scheme would provide a high-quality environment for future occupants. The site layout does not provide an all motor vehicle link through the business park and instead promotes active transport modes by providing a pedestrian, cycle connection and the link which will serve the Cambourne to Cambridge bus route in the future. The applicants are committed to achieving a 20% Biodiversity Net Gain and the development will deliver the Council's first Net Zero Carbon Council rented properties, with all affordable

units being designed to Passivhaus principle standard through a fabric- first construction, use of air source heat pumps, mechanical ventilation and PV panels.

- 9.194 The proposal would deliver 256 dwellings, including 102 affordable dwellings (40%), along with open spaces and a new café facility. The proposal overall would provide a high-quality scheme that would make a strong and positive contribution to the local and wider context of the site and to the character of the area. In addition, the scheme will secure approximately £3.3million in Section 106 contributions which will go towards key services and facilities within Cambourne including education, community and sports facilities and transport infrastructure.
- 9.195 The impacts of the proposed development on neighbouring properties, including the adjoining commercial premises at ZEISS House, subject to the conditions and safeguards identified, would not have a significant and unacceptable impact upon the conditions of nearby residents or businesses. Having specific regard to submitted information the application is considered to comply with the requirements of relevant local and national planning policies
- 9.196 The development does not fully meet the criteria of Policy SS/8 and in respect of Policy CC/7, there is a wider issue facing the Greater Cambridge area associated with the risk of deterioration to the water environment from continued groundwater abstraction to supply existing and new users with potable water. Having regard to the planning balance in this case, for the reasons set out above officers consider that the benefits of the scheme as set out above and subject to the S106 and planning conditions required to mitigate adverse effects identified, significantly outweigh those matters outlined in this report which weigh against the proposals, including the concerns expressed by those writing in to oppose the development. The planning balance in this case falls in favour of approval of the application, subject to the recommended planning obligations and conditions.

10.0 Recommendation

10.1 Approve subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

-Satisfactory completion of a Section 106 Agreement which includes the Heads of Terms (HoT's) as set out in the report with minor amendments to the Heads of Terms as set out delegated to officers.

Conditions

Standard time

- 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 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans

- 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.

M4 (2) compliance

- 3 Notwithstanding the plans hereby approved, 105 of the dwellings shall be constructed in accordance with the submitted details to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Local Plan policy HQ/1).

M4(3) compliance

- 4 Notwithstanding the plans hereby approved, four of the dwellings shall be constructed to meet the requirements of Part M4(3) 'accessible and adaptable dwellings' of the building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Local Plan policy HQ1).

Travel Plan

- 5 No occupation of any dwelling, hereby permitted, shall take place until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify: the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking. The Travel Plan shall also set out how the provisions of the Plan will be monitored for compliance and how evidence of compliance will be submitted to the local planning authority. The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.

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

Materials

6. No development shall take place above ground level, except for demolition, until details of all the materials for the external surfaces of

buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The details shall include external features such as private cycle stores, weatherboarding, roof tiles, windows, pre-cast stone cill, brise soleil, doors and entrance canopies, external metal work, rainwater goods, balustrades, balcony details, soffits, furrow detailing, edge junction and coping details. 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 South Cambridgeshire Local Plan 2018 policy HQ/1).

Brickwork sample panels

7. No brickwork above ground level shall be laid until a sample panel(s) minimum 1.5mx1.5m has been prepared on site detailing the choice of brick, bond, coursing, special brick patterning [projecting headers, hit and miss, decorative brick quoining] mortar mix, design and pointing technique. The sample panel shall be inspected and approved in writing by the Local Planning Authority prior to any brickwork above ground level commencing. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved sample panel shall be retained on site for the duration of the works for comparative purposes, and works will take place only 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 (South Cambridgeshire Local Plan 2018 Policy HQ/1).

Detailed design of the structure within the square

8. Prior to the installation of the proposed structure/ pergola within the public square, the details of this and all the proposed electric connections within the public square 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 design and appearance of the structure does not detract from the character and appearance of the area South Cambridgeshire Local Plan 2018 policy HQ/1).

Cycle parking

9. Each phase of the development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with that phase of 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 of the secured cycle parking. 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 (South Cambridgeshire Local Plan 2018 Policy TI/3).

Hard and soft landscape details

10. No development above ground level, shall commence until details of a hard and soft landscaping scheme (in general accordance with the approved landscape drawings dated Mach 2023) have been submitted to and approved in writing by the Local Planning Authority. These details shall include: a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, fitness equipment, bridges, platforms, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to be being installed) and existing functional services above and below ground (e.g. pumping stations, drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant; b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme; 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 c) boundary treatments (including the areas that about the allotments and pumping stations and acoustic barriers) indicating the type, positions, design, and materials of boundary treatments (hard or soft) to be erected. d) landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The development shall thereafter be carried out in accordance with the approved hard and soft landscape plans.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity (South Cambridgeshire Local Plan 2018 policies HQ/1)

DCEMP

11. No development, including demolition, shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include the consideration of the following aspects of demolition and construction: a) Demolition, construction and phasing programme. b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures. c) Construction / Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless an extension to these time to enable specified activities to occur has first been agreed in writing with the Local Planning Authority in order to better align planned activities on the Site with ongoing

operations at Zeiss House. d) Delivery times and collections / dispatches for construction / demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, Bank of Public Holidays, unless an extension to these time to enable specified activities to occur has first been agreed in writing with the Local Planning Authority in order to better align planned activities on the Site with ongoing operations at Zeiss House. e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails. f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate. h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition – Greater Cambridge supplementary planning guidance 2020. i) Use of concrete crushers. j) Prohibition of the burning of waste on site during demolition / construction. k) Site artificial lighting including hours of operation, position and impact on neighbouring properties. l) Drainage control measures including the use of settling tanks, oil interceptors and bunds. m) Screening and hoarding details. n) Access and protection arrangements around the site for pedestrians, cyclists and other road uses. o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures. p) External safety and information signing and notices. q) Implementation of a Stakeholder Engagement / Residents Communication Plan, Complaints procedures, including complaints response procedures r) Membership of the Considerate Contractors Scheme. Development shall be carried out in accordance with the approved DCEMP.

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

Noise assessment

12. No development above ground level shall commence until a noise assessment and any noise insulation/mitigation scheme that is required has been submitted to and approved in writing by the local planning authority. The noise assessment/insulation scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings and shall include details of: a) the acoustic/noise insulation performance specification of the external building envelope of the residential units having regard to the building fabric, glazing and ventilation; b) mitigation to reduce the level of noise experienced externally and internally. Once approved the scheme shall be carried out as approved before the use is commenced or the development is occupied and shall be retained as such.

Reason: to protect the amenity of future occupiers in accordance with Policies HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018.

Noise assessment (ASHPs)

13. Prior to the installation of any Air Source Heat Pumps (ASHPs) a noise impact assessment, noise insulation/mitigation scheme and servicing and maintenance schedule / programme for the ASHPs shall be submitted to and approved in writing by the local planning authority. The noise assessment, insulation/mitigation scheme and servicing and maintenance schedule / programme shall mitigate and reduce noise impacts to future occupiers of properties internally and externally in private amenity areas (gardens, balconies, terraces, patios) from ASHPs, both individually at each property where they are installed and cumulatively. The ASHPs shall be installed and maintained in accordance with the approved details and schemes. The Air Source Heat Pump/s or other equivalent mechanical plant / equipment scheme as approved shall be serviced regularly in accordance with the manufacturer's instructions to ensure that the requirements of this condition are maintained. Reason: To avoid noise from giving rise to significant adverse impacts on health and quality of life and to mitigate and reduce to a minimum potential adverse impacts on proposed and existing noise-sensitive uses resulting from noise and secure acceptable living conditions in accordance with paragraphs 135 f), 180 e) and 191 a) of the National Planning Policy Framework (NPPF), Policies CE/10 and CE/26 of the Cambridge East Area Action Plan (February 2008) and Policies 13 and 35 of the Cambridge Local Plan 2018 / Policies SS/3, HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018.

Artificial lighting

14. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded). The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.
Reason: To protect the amenity of nearby properties (South Cambridgeshire Local Plan 2018 policy HQ/1).

Unexpected contamination

15. If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer

has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority Reason – To ensure that risks from land contamination to the future users of the land neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely 2 without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018.

Surface water strategy

16. No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Land North Of Lower Cambourne Flood Risk Assessment and Drainage Strategy prepared by Create Consulting Engineers (ref: B) dated SG/VL/P21-2322/02 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.
Reason To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Management and Maintenance (drainage)

17. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter. Reason To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 169 and 171 of the National Planning Policy Framework.

Surface water management during construction

18. No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Reason To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties

within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

Development completed in accordance with approved strategy

19. Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority. Reason To ensure the effective operation of the surface water drainage scheme following construction of the development.

AMS and TPP

20. Prior to any tree works being carried out and before any equipment, machinery or materials are brought onto site for the purpose of the development (including demolition) and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to and approved by the local planning authority. In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity (Local Plan policies HQ/1 and NH/2).

Tree protection

21. The approved tree protection methodology will be implemented throughout each phase of the development and the agreed means of protection shall be retained for each phase until all equipment, and surplus materials have been removed from that phase. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning

authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity (Local Plan policies HQ/1 and NH/2).

Tree replacement

22. If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 (Local Plan policies HQ/1 and NH/2).

Energy strategy compliance

23. The development hereby permitted shall be carried out in accordance with the energy strategy and water efficiency specification set out in the Energy Statement and Part O Overheating Assessment, Qoda (13.12.2022), with the affordable rented units constructed in line with Passivhaus principles and the market and shared ownership units built to the enhanced fabric and energy specifications provided. All units shall achieve potable water use of no more than 99 litres/person/day. The energy and sustainability strategy shall be fully implemented and thereafter maintained in accordance with the approved details prior to the occupation of any dwelling.

Reason: In the interests of reducing carbon emissions and to make efficient use of water (South Cambridgeshire Local Plan 2018, policies CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD).

Management and Maintenance of streets

24. No development above ground level 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.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with South Cambridgeshire Local Plan 2018 policy HQ/1 and the NPPF (2023) paragraph 114.

Traffic Management Plan

25. No demolition or construction works (including any Enabling Works) shall commence on site until a Traffic Management Plan (TMP) has been submitted to and agreed in writing with the Local Planning Authority. The TMP shall be a stand-alone document separate from the Construction Environmental Management Plan. The principle areas of concern that should be addressed within the TMP are: i. Movements and control of muck away lorries. ii. Contractor parking; including details and quantum of the proposed car parking and methods of preventing on street car parking. iii. Movements and control of all deliveries. iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway. v. Routing arrangements for all construction vehicles that will service the site. No demolition or construction works hereby permitted shall be carried out other than in accordance with the approved TMP.

Reason: To ensure that the interface between site traffic and other users of the adopted public highway is appropriately managed in the interests of highway safety, and that any increase in large vehicular traffic that the site will generate during the construction period is appropriately managed in accordance with the NPPF(2023) paragraph 114.

Details of the link between Cambourne West and the Business Park

26. Prior to any works above slab level the detailed design of the proposed link (footpath, cycleway and busway) from the existing Cambourne Business Park Road through to the Cambourne West development shall be submitted to and approved in writing by the Local Planning Authority. The agreed design shall then be fully implemented to the satisfaction of the Planning Authority prior to the first occupation of any residential unit.

Reason: In the interest of good design and to ensure the scheme connects to the wider transport network within Cambourne West, for the effective operation of the highway in accordance with policy HQ/1.

Phasing Plan

27. Prior to the commencement of development a Development Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall include the broad sequence of providing the following elements and a mechanism for the Plan's review and amendment:
- a) Development Parcels
 - b) Delivery of infrastructure including all accesses, primary roads/routes within the site, footpaths and cycleways, including timing of provision and opening of links into and around the site
 - c) location of the site compound and material storage areas throughout the development.

The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: To clarify how the site is to be phased to protect the amenity of existing uses within the business park and ensure that infrastructure

provision and environmental mitigation is provided in time to cater for the needs and impacts arising out of the development, in accordance with policy SC/3 of the South Cambridgeshire Local Plan 2018.

Fire Hydrants

28. Prior to the commencement of above ground works, a scheme for the provision of fire hydrants shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details. The approved scheme shall detail the implementation strategy for the fire hydrants (noting the hydrants may be installed in a phased manner across the site). No phase of development shall be occupied until the fire hydrants serving that part of the site have been implemented and installed in accordance with the approved Scheme. Reason: To ensure an adequate water supply is available for emergency use in accordance with South Cambridgeshire Local Plan 2018 policy TI/8.

Biodiversity Net Gain

29. Prior to the first occupation of the development hereby permitted, a scheme demonstrating a biodiversity net gain of not less than 20% shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- Confirm the baseline biodiversity assessment of the site (utilising Defra Biodiversity Metric 4.0) and the baseline assessment of the approved layout together with the approved detailed landscaping scheme for the site.
 - Identify the proposed habitat improvements on-site and where applicable, off-site.
 - Include an implementation, management and monitoring plan (including the identified responsible bodies) for a period of 30 years for both the on and off-site enhancements as appropriate.

The scheme shall thereafter be implemented in accordance with the approved implementation, management and monitoring plan.

Reason: To provide ecological enhancements in accordance with the NPPF 2023 para 180, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

Construction Ecological Management Plan (CEcMP)

30. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:
- A) Risk assessment of potentially damaging construction activities.
 - B) Identification of "biodiversity protection zones".
 - C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - D) The location and timings of sensitive works to avoid harm to biodiversity features.

E) The times during construction when specialist ecologists need to be present on site to oversee works.

F) Responsible persons and lines of communication.

G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

H) Use of protective fences, exclusion barriers and warning signs if applicable.

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

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

Sensitive lighting design (biodiversity)

31. Prior to the first occupation of the development a “lighting design strategy for biodiversity” features or areas proposed to be lit shall be submitted to and approved in writing by the local planning authority.

The strategy shall:

a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

Enhancement features

32. Prior to the commencement of development above slab level a scheme of ecological enhancement features shall be submitted to and approved in writing by the local planning authority. The scheme must include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable in accordance with the Greater Cambridge Biodiversity Supplementary Planning Document (2022). The installation of the boxes and biodiversity enhancements shall be fully implemented within an agreed timescale unless otherwise agreed in writing by the Local Planning Authority.

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

Woodland edge management strategy

33. No dwelling hereby approved shall be occupied until a scheme for the management of the woodland edge that forms the southern and western boundaries of the application site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the means of management and the frequency of maintenance. The approved scheme shall thereafter be implemented in accordance with the approved details.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 (Local Plan policies HQ/1 and NH/2).

PV panels

34. Prior to the installation of any solar panels and/or photovoltaic cells, full details including type, dimensions, materials, location and fixing shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to any variation in writing.

Reason: To ensure that the appearance and locations of the PV panels are appropriate in accordance with South Cambridgeshire Local Plan 2018 policy HQ/1.

Broadband

35. Prior to the first occupation of any dwelling, infrastructure to enable the delivery of broadband services, to industry standards, shall be provided for that dwelling.

Reason: To contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband across the district, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

Public Art Delivery

36. Prior to the commencement of development above slab level a Public Art Delivery Plan (PADP) shall be submitted to and approved in writing by the Local Planning Authority. The PADP shall include the following:
- a) Details of the public art
 - b) Details of how the public art will be delivered, including a timetable for delivery;
 - c) Details of the location of the proposed public art on the application site;
 - d) The proposed consultation to be undertaken;

- e) Details of how the public art will be maintained;
- f) How the public art would be decommissioned if not permanent;
- g) How repairs would be carried out;
- h) How the public art would be replaced in the event that it is destroyed;

The approved PADP shall be fully implemented in accordance with the approved details and timetabling. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To accord with the provisions of South Cambridgeshire Local Plan 2018 policy HQ/2.

Apartment block B (east elevation windows)

- 37 Notwithstanding the approved plans, all windows on the east facing elevation of apartment block B which are proposed to serve habitable rooms (as shown on drawing reference: 114-PS-405) shall be non-opening and fixed shut. The development shall be retained as such thereafter.

Reason: to protect the amenity of future occupiers in accordance with Policies HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018.

Custom Build housing

38. Notwithstanding the approved plans, prior to any above ground works a Self-Build and Custom Build housebuilding strategy for the plots identified as L3, L4 and L5 shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:
- i) A proposed strategy for marketing the Custom Build plots (L3, L4 and L5) to the eligible purchasers (such purchasers to have first registered their interest for the same with South Cambridgeshire District Council pursuant to the Self and Custom Build Housebuilding Act 2015).
 - ii) Details to demonstrate that the proposed Custom Build Plots are consistent with the definition of Self- Build and Custom Housebuilding.
 - iii) A Custom Build configurator document to demonstrate that various options will be offered to future purchasers:
 - External façade finishes (brick palettes, patterns/ textures, timber or boarding finishes options, glazed brick options, front door options, roof tile options).
 - Customisable internal layouts and floor plan options for the selected house types.
 - Sustainability upgrade options (such as PV panel upgrades, integrated shading/ blinds)
 - Hard and soft landscaping options for each unit (choices of planting, trees, hard surfaces).
 - Options for the internal specifications (choices for interior finishes, storage options).
 - Kitchen and bathrooms designs/ layout and locations within the property.

iv) The mechanism for releasing the reserved plots back to market housing in the event of a lack of demand for a Self Build or Custom plot(s).

The development shall thereafter be carried out in accordance with the approved custom build housing strategy.

Reason: To ensure the development meets the requirements of South Cambridgeshire Local Plan 2018 policy H/9.

Substation location/specification and electrical cabling location/specification

39. As indicatively shown on drawing reference 114-PPS-113a Rev A, and as referred to in the Electro Magnetic Interference Mitigation Strategy document produced by Carter Jonas and dated 20th December 2023, no below ground works shall commence until the precise location and specification of the proposed substation to be located to the south of Apartment Block B, and the cable runs to serve the substation to the south of Apartment Block B, Apartment Block B itself, Plots D7,8,9,10,11 and the Electric Vehicle charging points associated with Apartment Block B have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved plans and specifications.

Reason: To ensure appropriate locations and designs for the substations are achieved in accordance with the NPPF paragraph 193.

Removal of PD rights for electric vehicle charging infrastructure within 30m of ZEISS House

40. Notwithstanding the provisions of Schedule 2, Part 2, Class D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no charging points or associated cables for electric vehicles shall be installed within 30m of the western façade of ZEISS House (as illustrated by the purple dashed line on drawing 114-PPS-113a Rev A) without the granting of specific planning permission.

Reason: In the interests of protecting the existing business operations taking place at ZEISS House, in accordance with NPPF paragraph 193.

Vibration monitoring strategy

41. No development shall commence until a detailed vibration monitoring strategy which follows the principles set out within the Construction Vibration Mitigation Strategy, prepared by Carter Jonas, dated 20th December 2023 has been submitted to and approved in writing by the Local Planning Authority. The detailed strategy shall include details of how the vibration impacts of construction works on the Site shall be managed and monitored to achieve compliance with the Zeiss Vertical Installation Requirements (mm/s RMS), as detailed within Table 1 of the Carter Jonas

Construction Vibration Mitigation Strategy dated 20th December 2023, applicable when measured on the test bed contained within Zeiss House and therefore adjusted to reflect the agreed monitoring locations.

The approved strategy shall also detail where monitoring equipment is to be installed, the specification of the monitoring equipment to be used, the precise methodology for monitoring the construction activities (with appropriate warning limits being set) and details of the duration for which monitoring equipment shall be in operation on the Site during the relevant construction activities.

The construction of the development hereby approved shall thereafter be carried out in accordance with the approved vibration monitoring strategy.

Reason: To protect the existing business operations taking place at ZEISS House in accordance with South Cambridgeshire Local Plan 2018 policies SC/10, SC/14 and NPPF paragraph 193.

Noise monitoring strategy

42. No development shall commence until a detailed noise monitoring strategy which follows the principles set out within the Construction Noise Mitigation Strategy, prepared by Carter Jonas and dated 20th December 2023 has been submitted to and approved in writing by the Local Planning Authority.

The detailed noise mitigation strategy shall include a detailed construction noise impact assessment of the planned construction activities to be carried out on the site and shall detail how the noise impacts of construction works on the Site shall be managed and monitored to achieve compliance with the Zeiss Installation Requirements, as detailed within Table 1 of the Carter Jonas Construction Noise Mitigation Strategy dated 20th December 2023, applicable when measured in the test bed area within Zeiss House and therefore adjusted to the agreed monitoring locations.

The approved strategy shall detail where monitoring equipment is to be installed, the specification of the monitoring equipment to be used, the precise methodology for monitoring the construction activities (with appropriate warning limits being set) and details of the duration for which monitoring equipment shall be in operation on the Site during the relevant construction activities.

The construction of the development hereby approved shall thereafter be carried out in accordance with the approved Noise Monitoring Strategy.

Reason: To protect the existing business operations taking place at ZEISS House in accordance with South Cambridgeshire Local Plan 2018 policies SC/10, SC/14 and NPPF paragraph 193.

43. In order to ensure the installed substation apparatus and cabling alignments comply with the details approved pursuant to condition 39, the Local Planning Authority will be given a minimum of 72 hours' notice of when the following works are due to be completed to enable inspection of the works on site.

-Substation transformer installation

-Cable installation from substation to Apartment Block B and house plots D7 to D11, as indicated on drawing 114-PPS-113a (Rev A).”

Reason: To ensure appropriate locations and designs for the substations and cable details are achieved in accordance with the NPPF paragraph 193.

Informatives

Public Right Of Way Officer

-Public Bridleway No. 2, Cambourne 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).

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

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

-The applicant will be required to meet the costs of any new or amended signage that may be required as a result of any legal changes to the Public Rights of Way network.

-The applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-andparking/roads-and-pathways/highway-licences-and-permits/>

Sustainability

In line with the transitional arrangements set out in the relevant approved documents, the Council expects the development hereby approved to meet the requirements of Parts O and F of Building Regulations. Where meeting these requirements results in any changes to the design of the proposals hereby approved, these amendments shall be submitted and approved by way of formal application to the local planning authority.

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.

Continued collaborative working and engagement with ZEISS.

The applicants are advised to continue positive engagement with the occupants of Building 1030 (ZEISS House) throughout the discharge of condition and construction process.

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Agenda Item 6



| | |
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| Planning Committee Date | 17 th January 2023. |
| Report to | South Cambridgeshire District Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 23/03642/HFUL |
| Site | Whitehall, 9 Chapel Lane, Fowlmere |
| Ward / Parish | Fowlmere |
| Proposal | Erection of a greenhouse, summerhouse, garden shed and bicycle shed, and removal of an existing dilapidated shed |
| Applicant | Dr James Hobro |
| Presenting Officer | Dominic Bush |
| Reason Reported to Committee | Application submitted by a member or officer of the Council |
| Member Site Visit Date | N/A |
| Key Issues | 1. Design, Layout and Scale 2. Neighbour amenity 3. Heritage |
| Recommendation | APPROVE subject to conditions |

1.0 Executive Summary

- 1.1 The application seek permission for the erection of a greenhouse, summerhouse, and bicycle shed in the rear garden and the removal of an existing dilapidated shed, together with the erection of a shed in the front/ side garden.
- 1.2 The application property is the Grade II listed, Whitehall, 9 Chapel Lane Fowlmere. The site is not located within any conservation area. The proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped.
- 1.3 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area or the setting of listed buildings. the scale of the structures proposed is minimal and as such it is considered that they would have little impact on the protected trees within the site.
- 1.4 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 Site Description and Context

| | | | |
|---|---|-------------------------|---|
| None relevant | | Tree Preservation Order | X |
| Conservation Area | | Local Nature Reserve | |
| Listed Building | X | Flood Zone 1, 2, 3 | |
| Building of Local Interest | | Green Belt | |
| Historic Park and Garden | | Protected Open Space | |
| Scheduled Ancient Monument | | Controlled Parking Zone | |
| Local Neighbourhood and District Centre | | Article 4 Direction | |
| Protected Village Amenity Area | X | | |

*X indicates relevance

- 2.1 The application site comprises No.9 Chapel Lane, a grade II listed dwellinghouse. The property fronts Chapel Lane and has a significantly sized private rear garden extending to the north. The site is located within the Development Framework of Fowlmere but not within a Conservation Area. There is an area of TPO trees to the southeast of the site extending into the neighbouring plot to the east with an additional two TPO trees to the rear of the garden, in the northwestern corner of the site. The site is within a Natural England green risk zone for great crested newts.
- 2.2 To the west of the application site is group of three terraced properties, whilst to the east is the adjoining grade II listed Barn and Cottage to the

west of No.9. To the south on the opposite site of Chapel Lane is the grade II listed Perks Close which is situated within a protected village amenity area.

3.0 The Proposal

3.1 The application seek permission for the erection of a greenhouse, summerhouse, and bicycle shed in the rear garden and the removal of an existing dilapidated shed, together with the erection of a shed in the front/ side garden.

3.2 The application is proposing the erection of one shed within the front garden of the listed property towards the southeastern corner of the plot. This is in addition to the proposed erection of three further outbuildings proposed within the rear garden of the dwelling. A bike shed and greenhouse are proposed along the western boundary of the site and a summerhouse is proposed along the eastern boundary. The proposal also includes the removal of an existing shed within the centre of the rear garden that has become overgrown and dilapidated.

4.0 Relevant Site History

| Reference | Description | Outcome |
|------------------|--|----------------|
| S/0156/10/LB | Insert 2 new sash windows 2nd floor south elevation. | Permitted |
| S/0032/10/F | Erection of a Garden Shed Enclosure for an External Boiler and Siting of a New Oil Tank | Permitted |

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Conservation of Habitats and Species Regulations 2017

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 South Cambridgeshire Local Plan 2018

S/7 – Development Frameworks
NH/4 – Biodiversity
NH/14 – Heritage Assets
HQ/1 – Design Principles

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Listed Buildings SPD – Adopted 2009
Trees and Development Sites SPD – Adopted January 2009

6.0 Consultations

6.1 Parish Council – No comment

6.2 Conservation Officer – No Objection

- 6.3 The proposed siting of additional outbuildings are all subservient to the host, listed property and befitting of the garden setting. The shed proposed to the front of the dwelling would be limited in its visibility and would therefore have a minimal effect on the setting of the listed building.

6.4 Ecology Officer – No Objection

- 6.5 The site is within a Natural England green risk zone for great crested newts. There are no non-statutory protected sites in the vicinity. Species data shows barn owls and other breeding birds, flowering plants, invertebrates, reptiles, bats and hedgehog have all been recorded locally. No objection, there is sufficient ecological information to determine the application. The inclusion of two bird nesting boxes in the garden would be welcomed; suggest informatives regarding nesting birds and bats.

6.6 Tree Officer – No Objection

- 6.7 There are two trees to the north within the site address that have legal protection through a Tree Preservation Order. Given the scale of the proposed structures it is considered that they would have little impact on any trees.

7.0 Third Party Representations

7.1 1 representation has been received objecting to the proposal.

7.2 Those in objection have raised the following issues:

- Potential concerns raised regarding the use of the existing rear access gate for construction and parking for contractors.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8.0 Assessment

8.1 Design, Layout, Scale and Heritage

8.2 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

8.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.4 Paragraph 200 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

8.5 Paragraph 201 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

8.6 Para. 205 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss

- of, the significant of a heritage asset should require clear and convincing justification.
- 8.7 Paragraph 206 states that any harm to, loss of, the significance of the designated heritage assets should require clear and convincing justification.
- 8.8 Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.9 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area. Both of these policies align with the statutory provisions and NPPF advice.
- 8.10 The application property is the Grade II listed, Whitehall, 9 Chapel Lane Fowlmere. The site is not located within any conservation area.
- 8.11 This application is proposing the siting of 4No. small outbuildings within the curtilage of the grade II listed dwelling. One of the proposed structures is a shed that is proposed to be sited to the front of the existing dwelling, within the southeastern corner of the site. This shed is of modest scale at approx. 2.4 metres in width and 2 metres in depth with a height of approx. 2.2 metres to the ridge. As such it is clearly subservient in its scale in relation to the host, listed building. In addition, its design is symptomatic of a domestic outbuilding and in line with the comments from the conservation officer, by virtue of the surrounding trees and hedges it would be largely screened from view from the public realm. Officers therefore consider that it would have a minimal effect on the setting of the listed building.
- 8.12 The application is also proposing an additional three outbuildings within the rear garden of the property, these include a bike shed, summerhouse and greenhouse. The proposed bike shed is to be sited along the western boundary of the site towards the dwelling, it too is considered modest in its scale at approx. 5.6 metres in width, 2 metres in depth and 2 metres in height. It is to be constructed using wooden planks for the side and rear walls with a felt roof and open front.
- 8.13 The proposed summerhouse is to be sited along the eastern boundary of the site and is of a similar design to the other outbuildings with regards to its use of materials with wooden walls and a felt roof. Meanwhile the proposed greenhouse is of a traditional glazed design, it is similar in appearance to that found at the neighbouring property of No. 5 Chapel Lane. The greenhouse is proposed to be sited further to the rear of the

large garden along the western boundary in close proximity to the existing oil tank. Both of these additional outbuildings are clearly subservient in their scale, and along with the bike shed would be almost entirely screened from view from the public realm with the Yew tree besides the proposed location of the bike shed limiting its visibility.

- 8.14 It is noted that the proposed development includes the removal of an existing, modern shed within the rear garden that has become dilapidated over time. The removal of which, in addition to the reinstatement of an area of lawn, would result in a small enhancement to the garden of the property. As such, in line with the comments from the Conservation Officer, it is considered that the scale and design of the proposed outbuildings is acceptable and would not adversely affect the setting and significance of the listed building.
- 8.15 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with South Cambridgeshire Local Plan (2018) policy HQ/1 and the NPPF.
- 8.16 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area or the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy NH/14.
- 8.17 Trees**
- 8.18 Policies NH/2, NH/4 and HQ/1 seek to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 8.19 There are two trees to the north within the site address that have legal protection through a Tree Preservation Order. These trees are located approximately 8 metres from the proposed greenhouse which is the closest of the proposed outbuildings. Although sited within close proximity to trees, the proposed bike shed is not located close to the protected trees. There is a second area of TPO protected trees to the front of the site. The proposed garden shed is to be located within close proximity to these protected trees at approximately 2 metres.
- 8.20 However, the scale of the structures proposed is minimal and as such, in line with the comments from the Councils trees officer, it is considered that they would have little impact on the trees within the site.
- 8.21 It is therefore considered that the proposal would accord with policies NH/2, NH/4, HQ/1 of the Local Plan.

8.22 Biodiversity

- 8.23 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 8.24 The site consists of a garden with garden shed, hedgerows and trees. The site is within a Natural England green risk zone for great crested newts. There are no non-statutory protected sites in the vicinity. Species data shows barn owls and other breeding birds, flowering plants, invertebrates, reptiles, bats and hedgehog have all been recorded locally.
- 8.25 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several informatives to ensure the protection of species. Informatives have been recommended for breeding birds and bats, and the Ecology officer has advised that ideally works to remove the existing shed or vegetation clearance should be undertaken outside of the bird breeding season. The inclusion of two bird nesting boxes in the garden would be welcomed.
- 8.26 In consultation with the Council's Ecology Officer, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

8.27 Highway Safety and Transport Impacts

- 8.28 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 8.29 Para. 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.30 It is noted that concerns have been raised by third parties with regards to the parking and access for construction vehicles as a result of the proposed development from a rear access gate on Ryecroft Lane. However, there is no rear access gate shown on the provided plans, and officers consider that, given the scale of the proposed development, in addition to the nature of the outbuildings, of which 3 are purchased rather

than built from scratch, that the level of construction required would be minimal and that parking if necessary could be facilitated within the existing area at the site to the east of the dwelling.

8.31 It is therefore considered that the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

8.32 Amenity

8.33 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.

8.34 The proposed outbuildings are all located along side boundaries of the application site. Boundaries that are shared with No.5 Chapel Lane to the west and the Barn and Chapel to the west of White Hall, to the east. Officers consider however, that the scale of all of the proposed outbuildings are such that they would largely be screened by the existing boundary treatment and would not be deemed to cause any undue harm to neighbouring amenity through overbearing, loss of light or loss of privacy.

8.35 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010.

8.36 Planning Balance

8.37 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

8.38 The proposed development would not have any public benefit, although it is acknowledged that the proposal would provide private benefits to the occupiers through the ability to create outbuildings within the garden of their home.

8.39 It is considered by officers that the design and scale of the proposed development is appropriate in relation to the host, listed dwellinghouse as well as its surrounding context. In line with the comments from the Conservation Officer it is considered that it would not adversely affect the setting or significance of the heritage asset. Additionally, it is considered that the proposed development would not cause any harm to the amenity of neighbouring properties.

8.40 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

9.0 Recommendation

9.1 Approve subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers:

1. Time Limit

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. Drawings

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. Materials

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 approved plans and 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 and appearance of the area in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

Agenda Item 7



| | |
|--------------------------------------|--|
| Planning Committee Date | 17 January 2024 |
| Report to | South Cambridgeshire District Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 23/03311/FUL |
| Site | Rose Villa, Little Heath Gamlingay Cambridgeshire SG19 3LL |
| Ward / Parish | Gamlingay |
| Proposal | Demolition of agricultural buildings and erection of 5 No. dwellings with associated access and landscaping. |
| Applicant | Mr R Stewart |
| Presenting Officer | Mary Collins |
| Reason Reported Committee | to Called-in by Cllr Bridget Smith Third party representations |
| Member Site Visit Date | 10 th January 2023 |
| Key Issues | 1. Impact of character and appearance of countryside 2. Impact on biodiversity |
| Recommendation | APPROVE subject to conditions. |

1.0 Executive Summary

- 1.1 The application seeks planning permission for demolition of agricultural buildings and erection of 5 No. dwellings with associated access and landscaping.
- 1.2 The site benefits from a Part 3, Class Q consent for change of use of the agricultural buildings to residential use as five dwellings.
- 1.3 The proposals include maintaining the existing footprint of all three existing barns on site but increasing the floor area of the dwellings by adding an additional area within the lower levels i.e. basement areas of the buildings.
- 1.4 The proposal is acceptable in principle.
- 1.5 Officers recommend that the Planning Committee approve.

2.0 Site Description and Context

| | | | |
|---|--|-------------------------|---|
| None relevant | | Tree Preservation Order | |
| Conservation Area | | Local Nature Reserve | |
| Listed Building | | Flood Zone 1 | X |
| Building of Local Interest | | Green Belt | |
| Historic Park and Garden | | Protected Open Space | |
| Scheduled Ancient Monument | | Controlled Parking Zone | |
| Local Neighbourhood and District Centre | | Article 4 Direction | |

*X indicates relevance

- 2.1 The application site is situated within the hamlet of Little Heath in the parish of Gamlingay. Little Heath is outside the defined village framework.
- 2.2 Little Heath extends south-west of the village of Gamlingay. It is long an un-adopted track, to the south of Dennis Green (a small cluster of settlement off Heath Road and accessed off West Road. Little Heath is the site of former brickworks and clay pits. It is characterised by a mix of residential, equestrian, agricultural and some commercial uses to either side of a lane which leads to the former Belle Vue brickworks.
- 2.3 The first section of track leads southwards, the track then bends and leads westwards; another bend and the track runs in a south westerly direction, before a bend leading in a south easterly direction and to the southern end of Little Heath ends at the site of the former brickworks/pits.
- 2.4 To either side of the track are a number of residential dwellings, many of which face and are directly accessed via the track. These houses vary in

scale, siting and character. Little Heath has a linear pattern of development with dwellings mostly adjacent to the access track with some situated in backland plots.

2.5 The application site is situated to the east of the first section of the track, close to the first bend in the track. The dwelling at Rose Villa is at the southern end of this section and is a replacement dwelling. The barns are situated to the east of the dwelling at Rose Villa.

2.6 The application site is in agricultural use. Immediately to the west of the application site is the residential property at Rose Villa. There are three barns on the application site, which are sited behind the dwelling.

3.0 The Proposal

3.1 Planning permission is sought for demolition of agricultural buildings and erection of 5 No. dwellings with associated access and landscaping.

3.2 Further to obtaining prior approval, reference 22/03529/PRIOR, the applicant is seeking full planning consent to replace the agricultural buildings (rather than converting) and proportionately increase the gross internal floor areas of the previously approved barn conversions to create a higher quality residential scheme.

3.3 The proposals include maintaining the existing footprint of all three existing barns but increasing the floor area of the dwellings by adding an additional area within the lower levels i.e. basement areas of the buildings.

3.4 The dwellings will be clad in vertical timber cladding and aluminium roofing to maintain the character of the agricultural appearance. Plots B, C, D and E would have a bin/bike store incorporated within the footprint. The site area is 0.7767 hectares.

4.0 Relevant Site History

| Reference | Description | Outcome |
|----------------------------|---|----------------------|
| 22/03529/PRIOR | Conversion of 3 No. agricultural barns to 5 No. dwellings together with external alterations. | Approved 07.10.2022. |
| Adjacent site (Rose Villa) | | |
| 22/00722/FUL | Detached four-bedroom dwelling to replace the existing two-bedroom bungalow. | Approved 26.04.2022 |

North of Rose Villa

21/04014/FUL

Single detached dwelling Approved
with garaging and parking. 19.11.2021.

5.0 **Policy**

5.1 **National**

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment)
Regulations 2017

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Technical Housing Standards – Nationally Described Space Standard
(2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 **South Cambridgeshire Local Plan 2018**

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/7 – Development Frameworks

S/9 – Minor Rural Centres

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
NH/2 – Protecting and Enhancing Landscape Character
NH/3 – Protecting Agricultural Land
NH/4 – Biodiversity
H/12 – Residential Space Standards
H/14 – Replacement Dwellings in the Countryside
SC/9 – Lighting Proposals
SC/10 – Noise Pollution
SC/11 – Contaminated Land
TI/2 – Planning for Sustainable Travel
TI/3 – Parking Provision
TI/10 – Broadband

5.3 **Neighbourhood Plan**

Gamlingay Neighbourhood Plan (made 24th November 2022)

5.4 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Village Design Guide SPDs (Gamlingay).

- 5.5 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Landscape in New Developments SPD – Adopted March 2010
District Design Guide SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009

6.0 **Consultations**

- 6.1 **Gamlingay Parish Council – Object** - The Parish Council object to this planning application in the strongest terms.

- 6.2 As a background attached in appendix A are the parish council's responses made to the previous applications relating to this site, detailing previous concerns about the proposals for conversion of dwellings in this location. The Parish council advise that these previous concerns are still relevant and need to be fully considered.

- The proposal is for the development of 5 new build properties in the open countryside. There is no mention of the Neighbourhood Plan in the planning statement, and no evidence that it complies with the neighbourhood plan policies.

- The existing character of the site is severely compromised by the newbuild barns and their setting. The amenity land surrounding properties (the curtilage) is a significant altering factor of the setting. The garden enclosures, car parking prominent and visible and insufficient cycle storage facilities or garden storage is included in the current built form. Curtilage of properties will be severely impacted by modern day living, affecting the character of the location which is in the open countryside, outside of the village framework, and affecting views through the site.
- The bin storage and bin collection arrangements are not practical for the proposed residents. There are no visitor parking spaces, 2 parking spaces per property is not sufficient for 5 x 4 bed houses, and these will be visible from the access changing the character of this location. The access road is in very poor condition, and the distance to village centre is significant (20-minute walk, with no footways).
- GAM3- The proposed development is not in character with the open countryside, and more recent development in Little Heath. The proposed development does not respond positively to the character of the area and creates an urban feel in the open countryside by creating a cul de sac, effectively creating an urban 'close' in the open countryside.
- GAM9- Proposed development is not safeguarding the landscape and not enhancing the natural environment features, severely altering the site with engineering works and level changes. There will be a significant impact on wildlife (lighting and increase in hard landscape features). Concern expressed about light overspill from properties, especially at night (impact on wildlife).
- GAM8- contributions for footpath /cycleway improvements is formally requested as the proposal is a newbuild development.
- GAM1- similar large properties are not selling within Gamlingay parish - oversupply, the Housing Needs Survey evidenced in the Neighbourhood Plan states the need for smaller 2-bedroom accommodation (previous application did provide four 2-bedroom properties). The revision to the mix of development by increasing floorspace by engineering beneath the current ground levels does not comply with GAM1. (the housing needs of the community)
- The scheme is not a good example of design, and the parish council do not agree that the proposed scheme delivers a higher quality of development to the fallback Class Q conversion scheme, and the scheme will materially have a greater impact upon the rural character and appearance of the area.
- The previous comments to all applications from 2021- present still apply- please see the appendix attached. The parish council strongly object to the application. The Council request that should the planning officer recommend approval of the application the application be referred to Planning Committee.

6.3 **County Highways Development Management – No Objection.**

- 6.4 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission as Little Heath is not public highway.

- 6.5 **Sustainable Drainage Officer** – No response received.
- 6.6 **Ecology Officer – No Objection**
- 6.7 The submitted Ecological Appraisal report has not found any evidence that a protected species licence will be required prior to works commencing on site. The report has recommended non-licensable reasonable avoidance measures are employed to remove any residual risk of harm or disturbance to protected and priority species. these are agreed and no further surveys are required.
- 6.8 The updated Biodiversity Net Gain Assessment has included an area of mixed scrub and the trees proposed are outside of the areas mapped as private gardens. The area included within the site boundary on the Biodiversity Net Gain Assessment Version 2.0, look to be partly outside of redline on the Location Plan and Block Plan. If areas are proposed outside of the redline, they are classed as offsite and should be subject to a s106. If it is offsite, this would also mean that the criteria for use of the Small Sites Metric would not be met and the DEFRA Metric 4.0 should be used. But this can be amended at condition stage if required and a recommended condition is below.
- 6.9 The Ecological Appraisal report has recommended non-licensable reasonable avoidance measures are employed to remove any residual risk of harm or disturbance to protected and priority species, this includes construction safeguards and precautions for nesting birds.
- 6.10 A wildlife sensitive lighting strategy is also recommended and should be designed to reduce impacts on foraging and commuting bats. The scheme should be secured by a separate condition of any consent. Guidance should be followed in Bats and Artificial Lighting at Night Guidance Note 08/23.
- 6.11 Conclusion: There is sufficient ecological information to determine the application. If habitat enhancement areas are proposed outside of the redline, they are classed as offsite and should be subject to a s106. Recommends conditions.
- 6.12 **Tree Officer – No Objection.**
- 6.13 The redline boundary as identified through the Arboricultural report shows the primary location for the proposed development, based on the provided tree survey there are no trees of arboriculture importance that will be impacted by the proposed plans. All other trees surveyed are outside the redline boundary and considered not to be impacted by the proposed plans. Recommended condition Tree protection measures.
- 6.14 **Environmental Health – No Objection.**

6.15 Desk Top Study Report, Herts and Essex Site Investigations (HESI), reference 18307 dated June 2023 (Rev A October 2023) The report recommends further assessment in the form of intrusive investigation and ground gas monitoring. The previously noted errors and queries raised in my memo of the 26 September 2023 have been corrected and we note that the previously identified above ground tank has now been identified as a water tank that has not been used for any on-site fuel storage. The revised desk study is acceptable, and we agree with the recommendations for a phase II intrusive investigation, including ground gas monitoring.

7.0 Third Party Representations

7.1 7 representations have been received objecting to the proposal.

7.2 Those in objection have raised the following issues: -

- Principle of development –outside the defined development framework for Gamlingay, new housing in countryside. Encroachment and urbanisation of the countryside.
- Character, appearance and scale - It is not in keeping with the character of Little Heath. Little Heath is a pleasant rural hamlet and this would turn it into a housing estate.
- This land acts as a buffer area that separates Little Heath from the village and thereby keeps Little Heath as a distinct hamlet, and to preserve this unique status and protect the countryside.
- Harm to biodiversity - Barns being destroyed and 5 large properties built on this site. The barns have been home to barn owls, tawny owls and bat for generations. Would be destroying both their homes and habitat by building on their hunting grounds. These grounds have insignificant status to humans but not to the animals that hunt there. There are many mammals and birds living in and around Little Heath, including badgers, bats, swifts, owls, red kite and buzzards. All hunt on the undisturbed land proposed for development.
- As part of the village plan it is smaller starter homes, 1 and 2 bed properties that are needed by the community and not larger 4 bedroom properties. Further large 4 bedroom houses and not required on Little heath. It has taken a long time to sell those which have recently been built and some remain unsold. These types of developments do not close the gap on the homes needed to solve the UK housing crisis.
- Rose Villa provides a valuable undeveloped gap which helps little heath maintain its hamlet status. the proposed development would be harmful to the character and appearance of the lane and would destroy the unique character of little heath. most existing development has been along the road line, and this proposal is a significant distance into the land, so a new road would have to be built to reach them.
- Due to the considerable amount of construction traffic the build would cause and then the 12 or more extra cars of the new residents, would cause the lane to further deteriorate. Emergency vehicles have already experienced problems accessing the lane. this will be little heath, an area with no services or public transport accessed by an unadopted,

unlit lane in poor condition. Further building traffic, those living in the properties and associated deliveries etc would add further peril. There is no footpath, drainage or lights which would discourage walking / cycling and encourage more driving in and around the village.

- Further dwellings on this road cannot be supported as the infrastructure of roads and services has not been upgraded and therefore is not adequate to support it.
- More environmentally friendly to convert rather than demolish.
- Either the pigsties are suitable for conversion, or they are not. If they are, and benefit from permission under permitted development Class Q, then they must be converted and meet current building regulations without substantial works. If not, then any application to demolish and build new dwellings, falls outside of permitted development and needs to be considered in accordance with current policy.
- Potential to set a precedent once built.

8.0 Member Representations

8.1 Cllr Bridget Smith has made a representation objecting to the application and concurs with the parish council comments.

9.0 Local Interest Groups and Organisations / Petition

9.1 Not applicable

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

10 Assessment

10.1 Principle of Development

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

10.3 Policy S/6 of the Local Plan sets out the Council's development strategy and a hierarchical approach to new housing in the district, with a descending order of preference given to on the edge of Cambridge, at new settlements and only limited development at Rural Centres and Minor Rural Centres.

10.4 Policy S/6(4) sets out that development in the rural area will be limited, with allocations for jobs and housing focused on Rural Centres and Minor Rural Centres, and rural settlement policies providing for windfall development for different categories of village consistent with the level of local service

provision and quality of public transport access to Cambridge or a market town.

- 10.5 Policy S/7 of the South Cambridgeshire District Council Local Plan 2018 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.
- 10.6 The supporting text to policy S/7 sets out that the development frameworks define where policies for the built-up areas of settlements give way to policies for the countryside. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.
- 10.7 Frameworks have not been defined around small clusters of houses or areas of scattered development where such buildings are isolated in open countryside or detached from the main concentration of buildings within nearby villages. Although it is recognised that such dwellings may be considered locally as 'part' of the nearest settlement in community terms, it is important in planning policy terms to limit the amount of new development that can take place in rural areas, which have few services and little or no public transport. Settlement Strategy.
- 10.8 Policy S/9 outlines the village status in the hierarchy. Gamlingay is a Minor Rural Centre where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the development framework.
- 10.9 The application site is outside the Development Framework of Gamlingay and in the countryside. The proposed dwellings are Market dwellings and are not required to support workers in agriculture, horticulture, forestry, outdoor recreation and other uses.
- 10.10 The development is therefore contrary to policies S/7 and S/9 of the South Cambridgeshire Local Plan 2018.
- 10.11 The Gamlingay Neighbourhood Plan has been made in November 2022 and forms part of the development plan, and therefore all decisions need to be made in accordance with the neighbourhood plan. The relevant policies are as follows:
- 10.12 GAM1- New houses and employment buildings states: *As appropriate to their scale, nature and location new housing development should provide a mix of housing sizes in general and one and two bed houses in particular. Development proposals for new buildings which incorporate renewable energy generation (geothermal, solar and wind power) and water saving measures will be particularly supported where they otherwise comply with development plan policies.*

- 10.13 The proposal would not be in accordance with Gamlingay Neighbourhood Plan policy GAM1, as the proposal does not include a mix of housing or any one and two bed houses. However, given the scale of the development, which is below 10 dwellings, there would be no requirement under Policy H/6 of the South Cambridgeshire Local Plan 2018 to provide at least 30% 1 or 2 bedroomed houses, although the policy goes on to say the mix of market homes to be provided on sites of 9 or fewer homes will take account of local circumstances.
- 10.14 Given its rural location, outside the Development Framework and in an unsustainable location, it is considered that the provision of smaller homes in this location may not meet the needs of the community and local demand as the homes would be at a distance from the village centre and facilities and future occupiers would need to rely on the car for journeys to access services/facilities.
- 10.15 Notwithstanding this, a material consideration in this instance is that three of the barns on the site have consent to be converted to a residential use (for 5 dwellings) under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 10.16 The granting of the Prior Approval under Class Q has established the principle of a residential use at the site and this application carries weight as a fall- back position as it represents a viable backup option for the redevelopment of the site.
- 10.17 The proposal is acceptable in principle subject to compliance with the Gamlingay Neighbourhood Plan 2022 and policies HQ/1 and H/16 of the South Cambridgeshire Local Plan 2018.
- 10.18 **Design, Layout, Scale, Character, and Landscaping**
- 10.19 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 10.20 Policy NH/2 is relevant to the landscape and visual impacts of a proposal and seeks to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
- 10.23 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment. Policy HQ/1 of the Local Plan 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.

- 10.24 GAM3 – Local Character states: *Development proposals will be supported where they respond positively to the guidance in the Village Design Guide (or to any document which supersedes the Guide). Housing and employment development should draw upon the scale, form, materiality and massing of existing vernacular buildings as described in the Village Design Guide. In addition, they should include suitable landscape treatments (for example hedgerows in keeping with the Bedfordshire Greensand Ridge National Character Area). New housing should be located and designed to prevent the village, the hamlets and smallholdings from joining up, to preserve the visual quality of the landscape and to retain the separate identities of the settlements. The Plan places particular emphasis on the settlement gap between The Cinques, Dennis Green and Little Heath as identified in the Policies Map (Map 8)*
- 10.25 GAM9 – Landscape and natural environment states: *Development should be designed to safeguard and where practicable enhance the landscape, recreation and natural environment features as shown on Map 13 and in Appendix 2. Where appropriate, development proposals should incorporate proportionate mitigation measures to keep any effects to a minimum. Development proposals which would have an unacceptable impact on the identified landscape, recreation and natural features will not be supported.*
- 10.26 Little Heath is considered to be of a semi-rural character, the west side of the road has slowly become more built up over the last few years due to the addition of a number of dwellings. The east side of the road has seen less of an increase in development; however it is acknowledged that there is a linear pattern of development that exists here. Rose Villa forms the final dwelling on the eastern side within this linear row of development before the built form gives way to the open countryside. There is a valuable undeveloped gap which lies predominately to the south of Rose Villa and the application site which allows for significant views into the surrounding open countryside which contributes significantly to the semi-rural character of Little Heath and these are seen and experienced from the Little Heath hamlet.
- 10.27 The proposed dwellings would be sited behind Rose Villa to the east and south east and would not encroach into this important visual space. The access road would lie to the south but it would not encroach detrimentally into this important visual gap.
- 10.28 Given there is a consent for the conversion of these buildings to residential use, the proposed dwellings are not considered to harm the character of the area.
- 10.29 Broad landscape character assessments are set out in Natural England's Countryside Character for East of England. Gamlingay is within the Western Greensand Landscape Character Area which is a very small character area

associated with the undulating dip slope of the Lower Greensand ridge. It is drained by small streams and there are some locally steep slopes. The fairly wooded landscape is interspersed with medium sized arable fields, small areas of pasture and market gardening. There are also small areas of remnant parkland and heath. Despite the presence of some worked out gravel pits, the area retains a predominantly rural character.

10.30 The proposed dwellings and their gardens would be sunk into the surrounding landscape and would allow views through the application site. There are already buildings on the site and the new dwellings would retain a predominately agricultural character and as such it is considered the proposal would respect and retain the local character and distinctiveness of the local landscape and Character Area.

10.31 Proposed dwelling on Plot A

10.32 The previously approved converted barn would have an articulated roof form with varying roof slopes and ridge heights, and it would also have an irregular footprint. The proposed new dwelling under this application would have a similar roofscape and an irregular footprint. The massing of the roof has been broken up by having several sections with varying ridge levels, so that the impact of the massing is reduced and there is not one uniform roof and ridge level.

10.33 The proposed elevations are generally uncluttered by windows. The western elevation would face the main route through Little Heath. It would not be overtly residential in appearance with three narrow tall windows and would retain a largely agricultural appearance. The entrance to the proposed dwelling would be to the eastern end as well as a raised decked area. To the south would be a sunken patio area. A parking area for two cars would be sited to the east end. These more domestic functions would be screened from view from the public vantage points. The openings are asymmetrically located on the elevations and fenestration does not dominate. The proposed dwelling overall has the appearance of an agricultural building, albeit a converted one.

10.34 The proposed dwelling at Plot A would be visually separated from the other proposed dwellings and there would be intervening visual space of approximately 50 metres to the east which would allow existing views through the application site and to the countryside beyond to be maintained.

10.35 Proposed dwellings on Plots B, C, D and E

10.36 The character of the proposed dwellings B/C and D/E would retain the simple form and agricultural appearance (one akin to converted agricultural buildings) and one which does not introduce a domestic/residential character in this countryside setting.

10.37 There are no objections to the associated engineering works and the impact of this on the surrounding landscape as the visual impact of this would be

negligible. The proposed amount of excavation would be approximately 278m² for plots B and C combined, and for plots D and E combined with the addition of the footprint of the dwellings being excavated to create a lower floor.

- 10.38 The use of vertical timber and with the majority of the building viewable above ground level being one storey only, the proposed dwellings would read as barn conversions and akin to the fallback position. The proposed dwellings at B/C and D/E would be read as sunken into the surrounding topography. Views across the fields towards these dwellings from the main section of the unmade lane through Little Heath, would be recessive. Above ground level, these dwellings would present their narrow end to wider views from the west and would be set back from the lane through Little Heath and this would help to ensure that the visual impact of the dwellings on their rural setting is minimised. These western end elevations would not have any openings and would maintain a similar visual appearance to that of the existing buildings. There would be limited public views of the eastern and southern elevations of these dwellings. The northern elevation of Plots B and C would have a single storey form, with rooflights. Fenestration would not dominate and would be irregular. Any views of this elevation would read as a single storey barn conversion. There would be a separation of approximately 23 metres between the two proposed buildings and this visual spacing between built form would provide views through to the countryside beyond and would not result in a detrimental impact on the rural setting.
- 10.39 The car parking areas to serve Plots B, C, D and E would be within the central section between the two buildings and there are long views of this part of the development in particular from the track through Little Heath. There are opportunities for these areas to be screened by planting within, to either end, as well as planting at a distance. The car parking areas are best placed to the front of the properties and with good landscaping, any domestic/urban feel can be mitigated.
- 10.40 The access road to these dwellings would be long but its impact can be mitigated as the road has a sweeping curve and bend rather than being straight and planting on the bends and curves would help to distract views of the proposed dwellings. The road will curve round into the site from the main gate, will swing down to the south to reduce the impact of Plot A and then swing up towards the remaining proposed dwellings. There is an existing access track into the first part of the application site. Keeping the access road, narrow in width with the provision of passing points along the route and through the use of a surface appropriate in this countryside setting such as a hoggin would reduce the visual impact of the road. The access road would consist of a number of smaller lanes off the central one and would have an informal layout. As such the access road is not considered to introduce a cul-de-sac or layout which is more estate like and urban in feel, into these rural surroundings.
- 10.41 Proposed landscaping is not shown in detail. However, planting of trees in

the intervening space between the proposed dwellings would help to screen and reduce the visual impact of this predominately parking area and assimilate the dwellings within the wider landscape, these details could be conditioned on any approval.

10.42 The proposed dwellings would be sited behind Rose Villa which fronts the eastern side of Little Heath. The proposed dwellings would not encroach into the important visual space which lies predominately to the south of the application site and any visual space as seen and experienced from the Little Heath hamlet. The proposed dwelling on plot A is in close proximity to Rose Villa and other dwellings on the eastern side of Little Heath, whilst the dwellings on plots B, D and E are sited so that there is a sense of spaciousness around them and they are not considered to encroach into the open countryside to a detrimental degree or cause visual harm.

10.43 The construction of these new dwellings would not result in infilling between the village, the hamlets and smallholdings, the visual quality of the landscape would be preserved and the settlements would retain their separate identities. The settlement gap and space between The Cinques, Dennis Green and Little Heath would be maintained. The gap between Little Heath and the cluster of settlement at Mill Hill to the east would also be maintained.

10.44 The proposed development is considered to be in character with the open countryside, given the material finish and form of the proposed dwellings which has a predominately agricultural appearance which is in keeping with this rural context. The proposed development by virtue of its size form and material appearance is considered to respond positively to the character of the area. It is considered the proposal would maintain the integrity of the satellite hamlets, the distinctive dispersed landscape settlement pattern of farmsteads, hamlets and small detached houses and would retaining the open landscape character between the hamlets and the village. The proposal would be in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

10.45 With respect to GAM3 of the Gamlingay Neighbourhood Plan, the proposed dwellings would draw upon the scale, form, materiality and massing of the existing buildings on site. The proposal would retain the separate identities of the settlements and would retain the settlement gap between Dennis Green and Little Heath.

10.46 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with the Gamlingay Neighbourhood Plan 2022, South Cambridgeshire Local Plan (2018) policies HQ/1, NH/2 and the NPPF.

10.47 **Trees**

10.48 Policies NH/2, NH/4 and HQ/1 seek to preserve, protect and enhance

existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

10.49 The application is accompanied by an Arboricultural Impact Assessment. The Council's Tree Officer has advised that this is acceptable, and a condition is required to ensure these approved documents are implemented on site throughout the construction period.

10.50 Subject to conditions as appropriate, the proposal would accord with policies NH/2, NH/4, HQ/ of the Local Plan.

10.51 Carbon Reduction and Sustainable Design

10.52 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change as required by policy CC/1.

10.53 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.

10.54 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day Paras 152 – 158 of the NPPF are relevant.

10.55 Subject to conditions relating to carbon reduction technologies and water efficiency, the applicants have suitably addressed the issue of sustainability and renewable energy. The proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

10.56 Biodiversity

10.57 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

10.58 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out estimated net gain of 39%. The updated Biodiversity Net Gain Assessment has included an area of mixed scrub and the trees proposed are outside of the areas mapped as private gardens. However much of the Biodiversity Net Gain can be achieved on site. If areas

are proposed outside of the redline, but still within the ownership of the applicant they are classed as offsite and would then be subject to a s106 agreement. As such a condition is recommended relating to the details of the proposed provision of BNG and how the net gain will be achieved through a combination of on-site and / or off-site mitigation.

- 10.59 The Ecological Appraisal report has not found any evidence that a protected species licence will be required prior to works commencing on site. The report has recommended non-licensable reasonable avoidance measures are employed to remove any residual risk of harm or disturbance to protected and priority species.
- 10.60 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species during construction, ecological enhancements, biodiversity lighting strategy and the delivery of biodiversity net gain.
- 10.61 With respect to policy GAM9 – the development has been designed to safeguard and where practicable enhance the landscape, recreation and natural environment features and mitigation measures are proposed to keep any effects to a minimum.
- 10.62 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

10.63 **Protecting Agricultural Land**

- 10.64 Local plan policy NH/3 'Protecting Agricultural Land' states that permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless:
- a) Land is allocated for development in the Local Plan;
 - b) Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land...'
- 10.65 The classification of the agricultural land is Grade 4, which is Poor Quality Agricultural Land. Land included within this grade suffers severe limitations that significantly restrict the range and/or yield of crops to be grown. This land is mainly suited to grass with occasion arable crops – the yields of which are variable. In addition to the private residential curtilages, a small section of land, mostly to central section between the proposed dwellings on plots B and C and D and E would be taken out of agricultural use. Given its location between two buildings it is not considered to be part of a larger field which can be cultivated or used for grazing.

10.66 The loss of this additional area of agricultural land is therefore acceptable, and the proposal is compliant with policy NH/3 and NPPF advice.

10.67 Water Management and Flood Risk

10.68 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

10.69 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

10.70 With regards to drainage, specific details of surface water drainage and foul water drainage could be required by condition and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

10.71 Highway Safety and Transport Impacts

10.72 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.

10.73 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development.

10.74 Para. 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.75 Access to the site would via Little Heath. As vehicular access to the site is off an unadopted private track and given the fallback position that dwellings can be constructed here, the additional dwellings would not be detrimental to the use of this access.

10.76 It is noted that the proposal would entail an intensification of the use of the existing unadopted road, however, the application site does benefit from a fallback position for the creation of four dwellings.

10.77 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who raise no objection to the proposal.

10.78 The proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

10.79 Cycle and Car Parking Provision

10.80 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.

Cycle Parking

10.81 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or garage, for flats either individual lockers or cycle stands within a lockable, covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.

10.82 Plots B, C, D and E would have a bin/bike store incorporated within the footprint. Spaces for two cycles are shown indicatively, and provision should be made for 5 bikes per dwelling. It is not good practice to have a combined bin/bike store and this is against RECAP Guidance. The proposal does not show any bin or bike stores for Plot A. It is considered that separate cycle stores must be provided on site. This can be conditioned for submission and implementation prior to first occupation.

Car Parking

10.83 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. All the proposed dwellings benefit from two onsite parking spaces. There is no requirement to provide visitor parking spaces. The Gamlingay Neighbourhood Plan seeks to ensure that new development complies with parking and access requirements as applied by the District and County Councils.

10.84 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking.

10.85 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

10.86 **Amenity**

10.87 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.

Neighbouring Properties

Impact on new property to the west of Plot A.

- 10.88 The replacement dwelling at Rose Villa is approximately 3.4 metres away from the north-western corner of the proposed dwelling which is the nearest point. This is in the ownership of the applicant.
- 10.89 There are no openings proposed in the western elevation at first floor level which would overlook this property.
- 10.90 Given the existing relationship between the existing barn on the site and this dwelling, there would not be an increased detrimental impact on the residential amenity of this neighbouring properties in terms of loss of light, loss of outlook, sense of dominance or loss of privacy.
- 10.91 The proposed dwelling is inset from the northern boundary by approximately 7 metres. At first floor level to the northern elevation high level rooflights are proposed, one to a bedroom. Given the orientation of the two buildings, there would be no detrimental impact on the occupier of the new dwelling to the north of Rose Villa.

Future Occupants

- 10.92 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.
- 10.93 The gross internal floor space measurements for units in this application are shown in the table below:

| Unit | Number of bedrooms | Number of bed spaces (persons) | Number of storeys | Policy Size requirement (m²) | Proposed size of unit | Difference in size |
|-------------|---------------------------|---------------------------------------|--------------------------|--|------------------------------|---------------------------|
| A | 4 | 8 | 2 | 124 | 206 | 82 |
| B | 5 | 10 | 2 | 128 | 180 | 52 |
| C | 5 | 10 | 2 | 128 | 180 | 52 |
| D | 5 | 10 | 2 | 128 | 180 | 52 |
| E | 5 | 10 | 2 | 128 | 180 | 52 |

- 10.94 The proposed dwellings meet the overall internal floor area for the number of bedspaces provided. All bedrooms meet the minimum room sizes.

Garden Sizes

- 10.95 The District Design Guide 2010 advises that each house with 3 bedrooms or more should have private garden space of 80m² in rural settings.

- 10.96 The proposed dwellings on plots B, C, D and E would benefit from a private garden area which would exceed the recommendations of the Council's District Design Guide. Each would have a rear garden of approximately 132 m². Plot A would have a sunken patio area in addition to a terrace, approximately 74m² of private amenity space. This is marginally below the recommended size however it is considered acceptable in this context. The residential curtilage associated with each new dwelling is to be similar to the fall-back position of the approved curtilage of the barn conversions which would be equivalent to the ground floor area of the existing barns to be converted. The size of the garden for the proposed dwellings would be of a similar size to the footprint of the dwellings. This is considered acceptable.
- 10.97 Gabion walls will be used to create the retaining walls to the perimeter of the patio areas. The gabion walls are not considered to be unduly overbearing or result in any overshadowing and would provide a good level of amenity in respect of any overshadowing created through the security of the perimeter. To ensure safety it is likely that treatment would be necessary to screen the perimeter and to ensure safety. These details will be required by a landscaping/boundary treatment condition.
- 10.98 The proposal is in accordance with policy H/12 of the South Cambridgeshire Local Plan 2018.

Construction and Environmental Health Impacts

- 10.99 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.
- 10.100 The Council's Environmental Health Team have assessed the application and recommended condition are attached in relation to contamination and remediation, hours of construction and requiring details of piling.

Summary

- 10.101 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.
- 10.102 **Third Party Representations**
- 10.103 Third-party representations have raised concerns that the size of the proposed housing (4 and 5 bedrooms) does not relate to the housing need in the community. Larger houses are not sought after, and it is noted that

the larger properties recently built are not in demand. As part of the village plan, smaller properties are needed by the community and not larger 4-bedroom properties. The Neighbourhood Plan is a material consideration however, given the scale of the development (5 dwellings) and the location of the site outside the development framework, the level of accommodation provided above two bedrooms would not warrant a refusal.

10.104 Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development Order), Changes of use, Class Q allows the conversion of an agricultural building to a residential dwelling. This is a fallback position which has established that dwellings can be constructed on the application site.

10.105 With regard to any precedent this application if approved might set for the construction of further new dwellings in the countryside, all planning applications are assessed on their own merits. There is a difference between what is proposed as part of this application and any future application for the construction of new dwellings in the countryside. This is because there are already buildings on site and there is a fall-back position.

10.106 The Greater Cambridge Housing Trajectory and Five Year Housing Land Supply Report (April 2023) concludes that Cambridge City And South Cambridgeshire jointly have 6.1 years of housing land supply for the 2023-2028 five-year period. Due to these positive housing figures in the District, the local plan takes primacy in decision making. There is no policy support for the construction of new dwellings in the countryside, unless they meet the exception criteria for rural housing as outlined in the NPPF paragraphs 82, 83 and 84.

10.107 **Other Matters**

10.108 Plots B, C, D and E have a shared bin/bike store integrated within the building envelope. It is not good practice to have a combined bin/bike store. The store is an acceptable size for three bins per property. A condition requiring separate cycle stores is recommended.

10.109 Given the nature of the access road, its width and its proposed surfacing, it is unlikely that refuse collection vehicles will be able to use this access road. RECAP Guidance recommends that residents should not have to move waste more than 30m to any designated storage area within the boundaries of the property. Any designated storage area within the boundaries of the property should not be more than 25m distance from the collection point.

10.110 In the case of this proposal, given the length of the access road to the proposed dwellings, and given this access is off an existing unmade road, it would not be possible to provide a bin storage area, within 30 metres of the dwellings and a collection point a further 25 metres, from which bins could be wheeled to be emptied on collection days. The length of the access road exceeds these combined drag distances. Building Regulations, Approved Document H) states - Bin collection points would need to be sited

in a convenient position for both future occupiers as well as for collection vehicles. The position of bin storage areas and the management of household waste will be required by condition, as it is likely the household waste would need to be managed privately.

10.111 Policy TI/10 'Broadband' requires new development to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the district. A condition is proposed to ensure this provision.

10.112 **Planning Obligations**

10.113 Regulation 122 of the Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (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.

10.114 The applicant has indicated their willingness to enter into a S106 agreement in accordance with the requirements of the Council's Local Plan and the NPPF.

10.115 Policy TI/8 'Infrastructure and New Developments' states that Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy (CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area.

10.116 The Gamlingay Neighbourhood Plan was made in November 2022 and this holds material weight in the decision making process.

10.117 Policy GAM8 requires contributions towards providing new infrastructure for walking, cycling and horse riding and states:

Proposals for the development of new or improved walking cycling and horse riding routes will be supported. The implementation of the package of measures as shown on Map 12 will be particularly supported. As appropriate to their scale nature and location, new residential and business units should mitigate their impact on the local road network by their design and layout and contributing towards the provision and maintenance of new paths for cycling, walking and horse riding between the village, hamlets, employment sites and neighbouring villages.

10.118 The amount of the contribution is £10 per square metre of gross internal floorspace provided. The proposed dwellings have a floor area of 934m² and therefore a contribution of £9,340 is required. A Unilateral Undertaking has been submitted dated 9 October 2023.

10.119 **Planning Balance**

10.120 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004). The Gamlingay Neighbourhood Plan has been made in November 2023 and forms part of the development plan, and therefore all decisions need to be made in accordance with the neighbourhood plan.

10.121 Summary of harm

10.122 The application site is outside the Development Framework of Gamlingay and in the countryside, where the construction of new dwellings is contrary to planning policy. The replacement buildings would encroach into countryside and have an impact on landscape character and views. Without appropriate mitigation measures there would be harm to any protected species on site.

10.123 The proposal would provide large houses in an unsustainable countryside location, rather than smaller one and two-bedroom dwellings. As such it would not meet the Gamlingay Neighbourhood Plan 2022 or local need.

10.124 The existing lane in Little Heath is unmade and unadopted. Although of low weight in the planning balance, the proposal through additional car journeys would have an impact on the safety of pedestrians and other users of the lane.

10.125 Summary of benefits

10.126 The proposal would deliver homes contributing to the housing needs of the District and provide five sustainably constructed dwellings which are designed to reduce their visual impact and for them to assimilate within their rural setting. The proposal would achieve delivery of Biodiversity Net Gain through on site and off site measures if required.

10.127 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

11 **Recommendation**

11.1 **Approve** subject to:

-The planning conditions and legal agreement as set out below with minor amendments to the conditions as drafted delegated to officers.

12.0 Planning 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 hereby permitted shall be commenced until a surface water drainage and foul water drainage scheme for the site, based on sustainable drainage principles and in accordance with South Cambridgeshire local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Details shall include:

- a) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- b) site plan identifying indicative locations for sustainable drainage features;
- c) Ground investigation to confirm infiltration rates and ground water levels
- d) Details of foul discharge location and consent from Anglian Water to discharge into public sewers

Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 4 No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation.

The BNG Plan shall include:

- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the latest appropriate DEFRA metric;
- iii) Identification of the existing habitats and their condition on-site and within receptor site(s);
- iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the latest appropriate DEFRA metric;
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with the latest DEFRA guidance and the approved monitoring period / intervals.

Reason: To add to biodiversity in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 5 No development (or phase of) shall take place, unless otherwise agreed, until:
- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination, based on the Phase 1 Desk Study, and remediation objectives have been determined through risk assessment. The resulting Phase 2 Intrusive Site Investigation Report is to be submitted to and approved in writing by the Local Planning Authority.
 - b) A Remediation Method Statement containing proposals for the removal, containment or otherwise rendering harmless any contamination, based upon the Phase 2 Intrusive Site Investigation, has been submitted to and approved in writing by the Local Planning Authority.

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

- 6 The development (or each phase of the development where phased) shall not be occupied until the works specified in the approved Remediation Method Statement are complete and a Verification Report demonstrating compliance with the approved Remediation Method Statement has been submitted to and approved in writing by the Local Planning Authority

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Policy SC/11 of the South Cambridgeshire Local Plan.

- 7 If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Policy SC/11 of the South Cambridgeshire Local Plan.

- 8 All ecological measures and/or works shall be carried out in accordance with the details contained in the Development Phase 2 Ecological Appraisal (Learn Ecology, September 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

- 9 Prior to the commencement of development above slab level a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: To add to biodiversity in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 10 Prior to occupation a "lighting design strategy for biodiversity" features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification)

so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason: To minimise disturbance, harm or potential impact upon protected species in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and their protection under the Wildlife and Countryside Act 1981).

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

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

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

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.

c) boundary treatments (including gaps for hedgehogs) indicating the type, positions, design, and materials of boundary treatments to be erected.

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

All hard and soft landscape works shall be carried out and maintained 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 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.

- 12 All hard and soft landscape works shall be carried out and maintained 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 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.

- 13 Prior to first occupation of the development, hereby permitted, full details of facilities for the covered, secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied and shall be retained in accordance with the approved details thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policies HQ/1 and T1/3 of the South Cambridgeshire Local Plan 2018.

- 14 All tree protection measures shall be carried out in accordance with the approved tree protection strategy Arboricultural Survey to BS5837:2012 Rose Villa, Little Heath, Gamlingay, Bedfordshire SG19 3LL 18 July 2023, before any works commence on site. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and South Cambridgeshire Local Plan 2018 Policy NH/4.

- 15 If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and South Cambridgeshire Local Plan 2018 Policy NH/4.

- 16 In the event of the foundations for the approved 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.

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.

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

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

- 18 No development above ground level shall proceed until an Energy Statement has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate that a minimum of 10% carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Statement to take account of this shall be submitted to and

approved in writing by the local planning authority. The revised Energy Statement shall be implemented and thereafter maintained in accordance with the approved details.

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

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

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction in accordance with Policy CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

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

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

- 21 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.

- 22 Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for one active charge point for each house. The active charge points should have a minimum power rating output of 3.5kW.

The approved electric vehicle charge points shall be installed prior to the first occupation of the dwellings and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport in accordance with policy TI/3 of the South Cambridgeshire Local Plan and the Greater Cambridge Sustainable Design and Construction SPD 2021.

- 23 The development hereby permitted shall not be occupied until a management plan for waste storage which specifies the position of the bin storage and collection areas and details how waste collection teams will access the storage areas, has been submitted to, and approved in writing by, the local planning authority. The facilities shall be provided in accordance with the approved details before the development is first occupied and shall be retained in accordance with the approved details thereafter.

Reason: To ensure appropriate waste storage and collection in accordance with policy HQ/1 of the South Cambridgeshire Local Plan.

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

Reason: In order to ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the countryside and amenities of neighbouring residents in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

Informatives

- 1 A Unilateral Undertaking dated 9th October 2023 relates to this planning permission. A contribution of £9,340 is required.
- 2 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.
- 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:

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs

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GAMLINGAY PARISH COUNCIL

The Eco Hub
Stocks Lane
Gamlingay
Beds
SG19 3JR
Telephone: 01767 650310
email: clerk@gamlingay-pc.gov.uk

28/23/KR

27th September 2023

Mary Collins
Planning Officer
Greater Cambridge Planning
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Dear Ms Collins,

Re: 23/03311/FUL-Rose Villa, Little Heath, Gamlingay SG19 3LL -5 newbuild units

The proposal is to demolish the agricultural buildings and erection of 5 dwellings and associated access and landscaping.

The Parish Council object to this planning application in the strongest terms. As a background attached in appendix 1 are the parish council's responses made to the previous applications relating to this site, detailing our previous concerns about the proposals for conversion of dwellings in this location. These previous concerns are still relevant and need to be fully considered.

The proposal is for the development of 5 newbuild properties in the open countryside. There is no mention of the Neighbourhood Plan in the planning statement, and no evidence that it complies with the neighbourhood plan policies.

The existing character of the site is severely compromised by the newbuild barns and their setting. The amenity land surrounding properties (the curtilage) is a significant altering factor of the setting. The garden enclosures, car parking prominent and visible and insufficient cycle storage facilities or garden storage is included in the current built form. Curtilage of properties will be severely impacted by modern day living, affecting the character of the location which is in the open countryside, outside of the village framework, and affecting views through the site. The bin storage and bin collection arrangements are not practical for the proposed residents. There are no visitor parking spaces, 2 parking spaces per property is not sufficient for 5 *4 bed houses, and these will be visible from the access changing the character of this location. The access road is in very poor condition, and the distance to village centre is significant (20-minute walk, with no footways).

GAM3- The proposed development is not in character with the open countryside, and more recent development in Little Heath. The proposed development does not respond positively to the character of the area and creates an urban feel in the open countryside by creating a cul de sac, effectively creating an urban 'close' in the open countryside.

GAM9- Proposed development is not safeguarding the landscape and not enhancing the natural environment features, severely altering the site with engineering works and level changes. There will be a significant impact on wildlife (lighting and increase in hard landscape features). Concern expressed about light overspill from properties, especially at night (impact on wildlife).

GAM8- contributions for footpath /cycleway improvements is formally requested as the proposal is a newbuild development.

GAM1- similar large properties are not selling within Gamlingay parish - oversupply, the Housing Needs Survey evidenced in the Neighbourhood Plan states the need for smaller 2-bedroom accommodation (previous application did provide **four** 2-bedroom properties).The revision to the mix of development by increasing floorspace by engineering beneath the current ground levels does not comply with GAM1.(the housing needs of the community)

The scheme is not a good example of design, and the parish council do not agree that the proposed scheme delivers a higher quality of development to the fallback Class Q conversion scheme, and the scheme will materially have a greater impact upon the rural character and appearance of the area.

The previous comments to all applications from 2021- present still apply- please see the appendix attached. The parish council strongly object to the application. The Council request that should the planning officer

recommend approval of the application the application be referred to Planning Committee.

Yours sincerely

Kirstin Rayner
Parish Clerk

SUMMARY OF ROSE VILLA APPLICATIONS 2021 TO PRESENT-Appendix 1

28th September 2021

46.1 Prior notification application - Agricultural buildings to 5 residential units, land adjacent to Rose Villa, Little Heath, Gamlingay SG19 3LL

21/03855/PRIOR

Object. Accept that Planning legislation permits conversion of agricultural buildings to residential dwellings, but this application is not acceptable: Agricultural buildings are very derelict, very little will be retained, this is essentially new build in the open countryside.

Location is very rural and not sustainable for starter homes – far from village facilities and public transport links

Access is via an unmade and unadopted road which cannot support additional traffic

Properties and ancillary land use (Parking/bin stores) will be very visible in this rural location and will cause harm to views

The addition of these properties will constitute overdevelopment of this rural location

Although 4 of the properties are 2 bedroom, they are unlikely to be affordable to local people wanting to get on the housing ladder.

If application was approved, this Council would like to see the developer offer a 20% discount on market value to local people wishing to purchase.

46.2 New dwelling- land adjacent to Rose Villa, Little Heath, Gamlingay SG19 3LL.

21/04014/FUL

(note: planning permission was granted in February 2018 for the same property)

Object. Council acknowledges that this a re submission of an application previously granted on appeal, but the original reasons for objection still stand: Development in the open countryside, outside the village framework, would cause harm to rural view in this location

Not a house type identified as needed locally in latest Housing Needs Survey. This Council hopes SCDC and the Planning Inspectorate would support its objections.

106.4 11th January 2022 106.4 – Bungalow to house

21/05426/FUL-Approved with comments

Concern that there is lack of a garage to contain vehicles in the open countryside. Parking and access requires reversing out onto access road to barns. Building in general conformity with others built in the area(2 storey).

22nd February 2022

136.3 Rose Villa, Little Heath, Gamlingay SG19 3LL– 3 Agricultural barns conversion to 5 dwellings

22/00498/PRIOR-Refused with comments

Concerns stated in relation to application 21/03855/PRIOR still stand. Concern about access-poor state of road , and development is at a significant distance from village amenities, limited existing structure of the barns is to be retained. Development should have footpath/cycleway link to village centre (amenities) . If the application is to be approved contributions to the footpath cycleway network is requested (GAM 9 and GAM10).

30th August 2022

34.1 Rose Villa, Little Heath, Gamlingay,SG19 3LL – conversion of barns to 5 dwellings – revised details- **No recommendation**

22/03529/PRIOR

Chair attended site and roadway almost impassable. No evidence potholes had been repaired. Size of the buildings- footprint to be enlarged? Buildings in poor state of repair and would require a total rebuild- dilapidated cladding and roof removal. Applicant advised that roof was asbestos, and cladding would need to be removed and replaced. AF- can not see current buildings being repaired, knock down and start again. Concern expressed about 5 families with no facilities, distant from village centre, no doctors or dentist available, primary transport by private car. Concerned about over development of the site, 2 bed accommodation will not be affordable for local people. Proposal- AF- abstain. No recommendation and reiterate previous comments. 3 MOP left the meeting.

11th October 2022

56.

ii) 22/00722/CONDA -Rose Villa, Little Heath, Gamlingay SG19 3LL materials, surface and foul water, boundary treatment, hard and soft landscaping, biodiversity and ecology- noted-subject to query in relation to biodiversity and hard standing areas- clerk to pursue.

END

Agenda Item 8



| | |
|---|--|
| Planning Committee Date | 17 th January 2024 |
| Report to | South Cambridgeshire District Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 23/02752/OUT |
| Site Ward / Parish | Land north of David's Lodge, Old North Road Bourn |
| Proposal | Outline application for the erection of up to 5 No. self-built dwellings with some matters reserved, except for access off Fox Road. |
| Applicant | Craig Huber |
| Presenting Officer | Laurence Moore |
| Reason Reported to Committee | Called-in by Bourn Parish Council Departure Application |
| Member Site Visit Date | 10 th January 2024 |
| Key Issues | 1. Departure Application 2. Principle of development 2. Highway Safety and Transport Impacts 3. Sustainability of Location |
| Recommendation | APPROVE subject to conditions and legal agreement. |

1.0 Executive Summary

- 1.1 This application seeks outline planning permission the erection of up to 5 No. self-build dwellings with some matters reserved, except for access off Fox Road.
- 1.2 The application site is situated outside the development framework of Bourn yet constitutes the infill of an existing residential area; and as such is not considered to constitute gradual encroachment to or harm of the countryside.
- 1.3 South Cambridgeshire District Council is a Right to Build Vanguard Authority with a statutory duty under section 2A of The Self Build and Custom Housebuilding Act 2015 which requires the Council gives suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the Authority's area. Furthermore, policy H/9 of the local plan requires a mix of housing, identifying the need for self-build/custom build plots to be provided.
- 1.4 The proposed development would be restricted to two-storeys in height and would be obscured from view of the public realm by existing dense vegetation on site, which is protected by TPOs and conditions set out within this report, and is therefore not considered to allow for any adverse harm to the character of the area, or detract from the setting of heritage assets in proximity to the site.
- 1.5 The development is in close proximity to a range of shops, services, community facilities and areas of informal and formal open space, in addition to suitable public transport links, and is considered to be situated within a sustainable location.
- 1.6 The application seeks to avoid adverse harm to the existing ecological assets on sites, including trees and bats, would allow for a 22% increase in biodiversity on site, and has been subject to formal consultation with the Council's ecologists and Natural England, who have raised no objections to the proposed development subject to conditions.
- 1.7 Subject to conditions, the development is not considered to allow for any adverse impacts on flood risk, surface/foul water drainage, highway safety or archaeological interests.
- 1.8 The development would not allow for any adverse harm to the residential amenity of neighbouring occupiers, subject to conditions.
- 1.9 An objection has been received from the Council's conservation officer, which states the proposed layout and urbanisation of the site will cause less than substantial harm to the identified heritage assets situated north of the site. This report explains that Officer's view is that given the existing

dense vegetation which surrounds the northern boundary of the site, which is protected by TPO status, the site would be primarily obscured from view of the listed buildings to the north of the site, and therefore the proposed development is seen to be appropriately obscured from the setting of the heritage assets and avoids any harm to the setting and status of the Old Fox Inn and Fox Farm.

- 1.10 Officers recommend that the Planning Committee approve this application, subject to the conditions detailed within this report.

2.0 Site Description and Context

| | | | |
|----------------------------------|---|-------------------------|---|
| Outside of Development Framework | X | Tree Preservation Order | X |
| SSSI Risk Impact Zone | X | | |

*X indicates relevance

- 2.1 The site is situated due north of David's Lodge, and sits adjacent to Old North Road and Fox Road. The site is subject to TPOs which are situated along the Western and Northern boundaries of the site.
- 2.2 The existing site consists of pastureland which currently accommodates horses. The land is not currently farmed land but is still considered to be agricultural land, and is surrounded by existing residential developments.
- 2.3 North of the site is Fox Road and residential premises fronting the highway, which includes 2no. Grade II listed buildings associated with the former Fox Farm.
- 2.4 East of the site are residential premises fronting Fox Road, whereas further east of the site consists of light industrial uses, motor repair services and storage facilities.
- 2.5 South of the site are residential properties fronting Old North Road, whereas further south of the site consists of mature woodland.
- 2.6 West of the site is Old North Road, and further west of the site consists of residential properties.

3.0 The Proposal

- 3.1 This is an outline planning application for the erection of up to 5 No. self-build dwellings with some matters reserved, except for access off Fox Road. The application seeks approval for the siting of 5no. self-builds, with a maximum internal floor space of 999sqm. The application will allow for

an access road to be created, allowing access from Fox Road via the north-east corner of the site.

- 3.2 The site is surrounded by trees which are the subject of tree preservation orders (TPOs) along the western boundary and north-west corner, which obscure the proposal site from view of the public realm. The TPOs are not to be altered as part of this proposed development.
- 3.3 The proposed development is located in close proximity to sustainable transport provision, with two bus services available within a 2-minute walk from the site. The development site is located within close proximity to the village centres of both Longstowe and Bourn.
- 3.4 The application has been amended to address representations and further consultations have been carried out as appropriate.
- 3.5 The application is accompanied by the following supporting reports and key plans which have been amended as indicated:
- Indicative Site Plan (Amended)
 - BNG Metric 4
 - BNG Assessment
 - Bat Roost Survey
 - Arboricultural Survey
 - Sustainable Transport Report
 - Topographical Survey

4.0 Relevant Site History

23/50107/PRELV3 - Development of land 5no. New 3-4 bed dwellings with associated landscaping and parking areas

S/1148/79/O – Bungalow – Refused

C/1187/73/O – Erection of one detached dwelling and garage. – Refused

C/1208/72/O – Residential Development – 1.47 acres approx. – Withdrawn

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 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/10 – Group Villages

CC/3 – Renewable and Low Carbon Energy in New Developments

CC/4 – Water Efficiency

CC/7 – Water Quality

CC/8 – Sustainable Drainage Systems

CC/9 – Managing Flood Risk

HQ/1 – Design Principles

NH/2 – Protecting and Enhancing Landscape Character

NH/4 – Biodiversity

NH/14 – Heritage Assets

H/8 – Housing Density

H/9 – Housing Mix

H/12 – Residential Space Standards

SC/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

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

5.5 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Landscape in New Developments SPD – Adopted March 2010
District Design Guide SPD – Adopted March 2010
Listed Buildings SPD – Adopted 2009
Trees and Development Sites SPD – Adopted January 2009

5.6 Other Guidance

N/A

6.0 Consultations

6.1 Bourn Parish Council – Object

6.2 The Bourn Parish Council objected for the following reasons: The application constitutes a departure from the local plan, heritage impacts, ecological impacts, archaeology, highway safety.

6.3 Longstowe Parish Council – Object

6.4 The Longstowe Parish Council objected for the following reasons: Proximity to unsafe junction, incompatibility with the village setting, lack of local amenities, highway safety.

6.5 County Highways Development Management – No Objection

6.6 No objection, subject to conditions pertaining to the need for a Traffic Management Plan, and informatives pertaining to Highways works.

6.7 Sustainable Drainage Officer – No Objection

6.8 No objection, subject to conditions pertaining to Surface and Foul Water Drainage.

6.9 Conservation Officer – Object

6.10 The outline proposals will result in harm to the setting of the farmhouse and barn due to the urbanisation of their setting to the immediate south.

6.11 The proposal would result in less than substantial harm to the significance of the designated heritage asset.

6.12 Landscape Officer – No Objection

6.13 Notwithstanding the situation of the development outside of the development framework, the landscape officer raises no objection subject to appropriate management of trees, alterations in layout orientation of plots 2 and 3 in respects to garden sizes and trees, the use of soft boundary treatments and conditions pertaining to hard and soft landscaping management.

6.14 Ecology Officer –No Objection

6.15 Initial response: “There is insufficient ecological information to determine the application.” - Consultation with Natural England required, confirmation of dead tree retention and bat roosting potential, in principle approach to BNG required.

6.16 Since the written objection provided, the applicant has provided all of the additional information requested, and Natural England were consulted.

6.17 Second response: No objection subject to conditions pertaining to the need for a CcEMP, BNG compliance, compliance with bat surveys.

6.18 Natural England – No Objection

6.19 Initial response: “Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.”- Further details on Bat roosting Potential and tree removal required.

6.20 Since the initial response, the applicant has provided all information requested, and Natural England were reconsulted on all amended details and further information.

6.21 Secondary response: No objection, subject to appropriate mitigation being secured.

6.22 Conditions have been constructed within discussions with the council’s ecologist to ensure the mitigation measures sought by Natural England are appropriately secured.

6.23 Tree Officer – No Objection

6.24 Initial response: "I have some arboricultural objections to this planning application." - Assess and alter the location of plot 4 in relation to T1, provide landscape plan that details tree planting and aftercare information.

6.25 Since the initial response, the applicant has provided the requested information, and the Tree Officer has removed their objection.

6.26 Secondary response: "I have no arboricultural concerns with this application."

6.27 No objection, no recommended conditions.

6.28 Environmental Health – No Objection

6.29 No objection, subject to conditions pertaining to reasonable construction hours, piling and noise impacts assessments, and general informatives.

6.30 S106 Officer – No Objection

6.31 "No S106 requirements for minor residential schemes with internal space below 1000sqm, provided PD rights for extensions are removed and cumulative internal floorspace is restricted to 1000sqm via condition."

6.32 S106/Unilateral Undertaking required to secure the plots for the self build register.

6.33 Archaeology – No objection

6.34 "Due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary." - Standard Archaeology condition recommended.

6.35 No objection, subject to Archaeology condition.

7.0 Third Party Representations

7.1 14 representations in objection have been received.

7.2 Those in objection have raised the following issues:

- Principle of development
- Character, appearance and scale
- Heritage impacts
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Construction impacts
- Highway safety

- Car parking and parking stress
- Loss of biodiversity
- Impact on and loss of trees

7.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8.0 Member Representations

8.1 None received

9.0 Local Interest Groups and Organisations / Petition

9.1 Not applicable

9.1 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

10.0 Assessment

10.1 Planning Background

10.2 The site has no recent planning application history. The development was subject to a formal pre-application advice request prior to the submission of this application. This pre-application response has been uploaded as part of this application by the applicant, and so can be referred to within this assessment.

10.3 The pre-application sought advice on the development of the site for 5no. 3 - 4 bed dwellings with associated landscaping and parking areas. The pre-app response was issued as unacceptable in principle, due to the proposed erection of 5no. Market dwellings on the application site which is situated outside of the development framework of Bourn.

10.4 In line with Policy s/7 (2) of the local plan, which states that forms of development supported by other policies within the local plan will be acceptable outside of development frameworks the pre-app response highlighted that by utilising the site for self-build provision the objection in principle could be overcome, due to the requirements of policy H/9 which states that a suitable mix of housing types must be delivered within given areas.

10.5 The provisions of local plan policies S/7 (2) and H/9, alongside the statutory requirements of the Local Planning Authority's under section 2A of The Self Build and Custom Housebuilding Act 2015 which requires the

Council gives suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the Authority's area, the delivery of self-build plots is deemed to have overcome the concerns relating to the development's situation outside of the development framework, and this advice was relayed to the applicant within the formal response uploaded as part of this application.

- 10.6 The applicant has also uploaded a pre-application enquiry response from the highway's authority, showing that the applicant has engaged in formal consultation with highways experts, to ensure the proposed access does not allow for any adverse implications on the safe and/or effective use of the highway.

10.7 Principle of Development

- 10.8 This outline application seeks the erection of up to 5 No. self-build dwellings with some matters reserved, except for access off Fox Road.

- 10.9 The application site is situated within the parish of Bourn, in close proximity to Longstowe, the site is situated outside of the development framework.

- 10.10 Policy S/2 of the Local Plan sets out the Plan objectives based on principles of sustainable development. Policy S/3 of the Local Plan provides a presumption in favour of sustainable development as contained in the National Planning Policy Framework.

- 10.11 Policy S/6 of the adopted Local Plan (2018) states that the need for jobs and homes will be met as far as possible in the following order of preference of on the edge of Cambridge, at new settlements, and in the rural area at Rural Centres and Minor Rural Centres. Development in the rural areas will be limited, with allocations for jobs and housing focused on Rural Centres and Minor Rural Centres and rural settlement policies providing for windfall development for difference categories of village consistent with the level of local service provision and quality of public transport access to Cambridge or a market town. The application site is not within or adjacent to any of these locations.

- 10.12 Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.

- 10.13 The supporting text to policy S/7 sets out that development frameworks define where policies for the built-up areas of settlements give way to policies for the countryside. This is necessary to ensure that the

countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations. Gradual encroachment is generally used to describe the visual harm that could result from development expanding into the open countryside and incremental growth generally refers to the impact of having additional residential users in isolated locations creating unsustainable traffic movements if they not well connected to a settlement.

- 10.14 The proposal site is located outside the development framework of Bourn and therefore within the countryside, however the development framework boundary extends along the southern edge of the site around an existing cul-de-sac development.
- 10.15 Bourn is classed as a group village as defined under Policy S/10 of the Local Plan. Group villages are generally less sustainable locations for new development than rural centres or minor rural centres, having fewer services and facilities allowing only some basic day to day requirements of their residents to be met.
- 10.16 Policy TI/2 states that development must be located and designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location.
- 10.17 The development is situated outside of the development framework for Bourn, but within close proximity to the village centres of both Bourn and Longstowe. The application site is situated along Fox Road, whilst Longstowe has limited shops, services and facilities, the village of Bourn is identified as a Group Village, and allows for access to a range of services and facilities including, but not limited to: pubs, a church, a post office, a primary school, butchers, bakers, restaurants, sports clubs, hair salon, convenience stores, a nursery, garages and other community facilities.
- 10.18 The application site is approximately a 3-minute drive from Bourn High Street, which equates to a 6-minute cycle, or 30-minute walk. The development site is therefore considered to be in close proximity to shops, services and facilities, which is welcomed.
- 10.19 Furthermore, the proposed development is located in close proximity to sustainable transport provision, with two bus services available within a 2-minute walk from the site. The Highway Safety and Sustainability Statement provided as part of this application indicate the public transport connections available, showing routes to/from Cambridge, Cambourne and St Neots, with associated connections to other villages throughout the district.

Self Build Need

- 10.20 Paragraph 63 of the National Planning Policy Framework (2023) highlights the need for different groups in the community to be assessed and reflected in planning policies, including “people wishing to commission or build their own homes”.
- 10.21 Policy H/9 of the local plan pertains to Housing Mix, and states that a wide choice of type and mix of housing needs to be provided to the meet the needs of different groups, including those seeking starter homes and people wishing to build their own homes.
- 10.22 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.
- 10.23 South Cambridgeshire District Council is a Right to Build Vanguard Authority with a statutory duty under section 2A of The Self Build and Custom Housebuilding Act 2015 which requires the Council gives suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the Authority’s area. Therefore, weight needs to be given to the delivery of self-build dwellings should the Council have a shortfall in delivery.
- 10.24 The table below shows the number of people added to the register for each base period and the number of planning permissions granted within 3 years from the end of each base period. This shows that there is currently a shortfall in the number of permissions granted compared to the number of people added to the register.

| Assessment Period | Number of people added to register (within base period) | Permissions Granted (3 years following base period) |
|---|--|--|
| Base Period 1: 01/04/16 to 30/10/16 | 69 | 69 |
| Base Period 2: 31/10/16 to 30/10/17 | 89 | 89 |

| | | |
|---|-----|----|
| Base Period 3: 31/10/17 to 30/10/18 | 135 | 14 |
| Base Period 4: 31/10/18 to 30/10/19 | 204 | 64 |
| Base Period 5: 31/10/19 to 30/10/20 | 157 | 86 |
| Base Period 6: 31/10/20 to 30/10/21 | 189 | - |
| Base Period 7: 31/10/21 to 30/10/22 | 130 | - |

- 10.25 It is recognised that strategic sites coming forward, as part of the Urban Splash at Northstowe, Waterbeach New Town and Land North of Cherry Hinton are likely to help meet the registered demand given the requirements for these plots to come forward as part of these site, however the current shortfall is recognised.
- 10.26 The demand for self-build dwellings is measured by the number of new applicants entered on the self-build register in each base period; and that number must be matched by new suitable permissions granted within 3 years of the end of each relevant base period.
- 10.27 The table above shows number of applicants on the register from up to the end of base period 5 on 30 October 2020 was 157. To comply with the Act, suitable permissions should have been granted for 157 self-build dwellings by 30 October 2023. The figures show that 86 self-build dwellings were granted permission. This would result in a shortage of 71 plots. The provision of 5 self-build dwellings would make a limited contribution to the demand identified of 189 on the council's register for the current base period.
- 10.28 Officers are mindful that a number of planning appeals have been determined in recent years which have attributed weight to the provision of self-build plots because of the shortfall in delivery of self-build dwellings. Perhaps most poignant in relation to this site is the decision by the inspector to allow 9 self-build dwellings on land to the south-west end of Caxton (APP/W0530/W/21/3282234). In this instance the provision of self-build plots was given significant material weight in the planning balance by the Inspector given the shortfall in provision. It was concluded that whilst the proposal would result in a minor level of harm to heritage assets, this was outweighed by the benefit of providing self-build house. In addition, it should be noted that as part of this appeal the inspector gave

consideration to the newly established cycleway connections at the north end of the village, close to the proposal site, and its siting adjacent to the village boundary.

- 10.29 In addition, to this decision, the inspector allowed an appeal in Gamlingay for 9 self-build dwellings (APP/W0530/W/19/3230103). In this case, the shortfall in self-build provision was given significant material weight in the planning balance. As part of the appeal, the inspector stated that whilst the proposed development would 'inevitably change the local landscape, the proposal would not be visually or spatially harmful to the appearance of the area' and therefore concluded the permission should be allowed.
- 10.30 It is recognised, that whilst these decisions have been allowed, some self-build proposals have also been dismissed. In Willingham, an appeal for 4 self build properties was dismissed in February 2022 (APP/W0530/W/21/3274489). The Inspector stated that 'by reason of the appeal site being located outside of the village framework, the appeal scheme would nevertheless undermine and fail to accord with the identified strategy for growth within the district as required by LP Policies S/6 and S/7', however in the conclusion the inspector suggested that the proposal would result in 'significant environmental harm to the character and appearance of the area and would not be an appropriate location for the development proposed'. The Inspector concluded that 'the planning policies of the development plan are broadly consistent with the Framework and they attract significant weight' 'the primary importance of the development plan as regards decision making is clearly set out within section 38(6) of the Planning and Compulsory Purchase Act 2004. The Act also refers to suitable permissions for development and this does not mean that every self-build proposal will be suitable'.
- 10.31 Whilst the need for self-build dwellings in the district is not in dispute, Officers are mindful of the decisions above to suggest that given the significant shortfall of self-build provision, the provision of 5 self-build dwellings should be given significant weight in the planning balance and this should be weighed against any harm amounting from the proposal. It has been explained as part of this report that the Local Authority has a duty to provide self-build homes in order to meet the need. As such the provision of self-build homes are supported by local planning policies.
- 10.32 The development site is situated outside of the development framework, however, is surrounded by existing residential premises on the north, east, west and south, which presents the site as suitable for the provision of homes. It is considered that the development would infill this existing development and would not result in gradual encroachment into the open countryside. Whilst it would be visible from the public realm, the proposals are considered as suitably consistent with the surrounding pattern of development along Old North Road and Fox Road. As such, it is considered that the development would not conflict with the purpose of Policy s/7.

5 Year Housing Land Supply

- 10.33 Paragraph 76 of the National Planning Policy Framework states that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 10.34 The Greater Cambridge Housing Trajectory and Five Year Housing Land Supply Report (1 April 2022) concludes that Greater Cambridge jointly has 6.5 years of housing land supply for the 2022-2027 five-year period. A five-year housing land supply for Greater Cambridge, can be demonstrated therefore the planning policies in the adopted South Cambridgeshire Local Plan 2018 will be considered when making decisions on planning applications, unless there are other material factors to take into account.

Housing Provision

Density

- 10.35 Policy H/8 requires housing density in new settlements and urban extensions to achieve a housing density of 40 dwellings per hectare (dph) and in Rural Centres, Minor Rural Centre villages and Group Villages to achieve a density of 30dph. The policy states that density may vary where justified by the character of the locality, the scale of the development, or other local circumstances.
- 10.36 The site measures approximately 0.5 hectares in area. The provision of 5no. dwellings on the site would equate to a density of approximately 10 dwellings per hectare.
- 10.37 The site lies within the village boundaries of Bourn, which is identified as a Group Village. Policy H/8 of the local plan states that housing density for group villages should not exceed 30 dwellings per hectare. The proposed density equates to 10 dwellings per hectare, and is therefore acceptable. The proposed density accords with policy H/8.

Housing Mix

- 10.38 Policy H/9 'Housing Mix' requires a wide choice, type and mix of housing to be provided to meet the needs of different groups in the community. 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 requires at least one of the five properties be constructed in compliance with M4(2) of building regulations. A condition will be applied to this affect.

- 10.39 Given that the proposal is for self-build housing it is not considered reasonable that a housing mix be required on this site. The very nature of self-build allows the user to design a home according to their individual needs, therefore, to impose a housing mix would restrict the ability of this to be fulfilled.
- 10.40 Policy H/10 of the Local Plan states that all developments of 11 dwellings or more will be required to provide 40% of homes on site to be affordable. The proposal is for 5 self-build dwellings and therefore as guided by the Local Plan (2018) policy and paragraph 65 of the NPPF (2023) no affordable provision is required.
- 10.41 The self-build plots proposed as part of the application will be secured via s106 legal agreement. The proposal would therefore accord with Policy H/9(2).
- 10.42 **Design, Layout, Scale and Landscaping**
- 10.43 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 10.44 Policies NH/2, NH/6 and SC/9 are relevant to the landscape and visual impacts of a proposal. Together they seek to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
- 10.45 Policy NH/8 states that any development on the edges of settlements which are surrounded by Green Belt must include careful landscaping and design measures of a high quality.
- 10.46 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 10.47 This outline application for the erection of up to 5 No. self-build dwellings with some matters reserved, except for access off Fox Road. In regards to encroachment into the countryside, the development site is situated outside of the development framework, however, is surrounded by existing residential development on the north, east, west and south, which presents the site as suitable for the provision of homes. It is considered that the development would form an infill site within this existing surrounding residential development and would not result in encroachment

into the open countryside. Whilst it would be visible from the public realm, the proposals are considered as suitably consistent with the surrounding pattern of development along Old North Road and Fox Road.

- 10.48 This outline application is for the erection of 5no. two-storey, Self-build dwellings and an access road with some matters reserved, which means no formal building or landscape designs have been submitted. The proposal site is surrounded by existing dense vegetation which would primarily obscure the development from views of the public realm, other than views via the proposed access road. The proposed siting of 5no. two-storey dwellings on the application site is therefore considered to have minimal impacts on the character of the area., The proposals are therefore considered to suitably retain the character of the site and are therefore considered compliant with the provisions of policy HQ/1.
- 10.49 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with South Cambridgeshire Local Plan (2018) policies NH/2, NH/6 and SC/9 and the NPPF
- 10.50 **Trees**
- 10.51 Policies NH/2, NH/4 and HQ/1 seek to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 10.52 The application is accompanied by an Arboricultural Impact Assessment, which shows the removal of several trees to allow for a 10m wide access road to be created in order to serve the proposed residential units.
- 10.53 The proposed access road is situated in the north-east corner of the development site, adjoining Fox Road. The proposed access road will measure approximately 6m wide, extending to 10m wide at the joining with Fox Road, to allow for suitable visibility splays. The new access road will be situated approximately 11.7m from the north eastern boundary and approximately 31m from the north west boundary and will require some existing trees to be felled.
- 10.54 The trees to be felled do not form part of the TPOs on site and are not considered integral to the character of the site or surrounding street scene. Whilst some trees along the northern boundary will be removed to facilitate the access road, the resulting development would only allow for a 10m break in the tree line, which is not considered to result in any adverse impacts on the character of the site or surrounding area and is considered compliant with policy HQ/1 of the local plan.

- 10.55 The Council's Tree Officer has advised that they have no arboricultural objections to the proposed development and are satisfied with the submitted information.
- 10.56 Subject to conditions as appropriate, the proposal would accord with policies NH/2, NH/4, HQ/1 of the Local Plan.
- 10.57 **Heritage Assets**
- 10.58 The application site is within the setting of Grade II listed buildings; Fox Farm and the Fox Inn, which are situated opposite the development site.
- 10.59 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 10.60 Para. 205 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 10.61 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area.
- 10.62 The Conservation Officer has advised that there are concerns that the outline proposals will result in harm to the setting of the grade II listed farmhouse and Fox Inn; by reason of the resultant urbanisation of their setting to the immediate south.
- 10.63 The comments provided have stated that the introduction of a suburban character to the site stemming from the implementation of arranged plots, driveways, boundary fencing, and domestic paraphernalia would exacerbate the impact the development would have on the existing listed buildings to the north.
- 10.64 The application seeks to retain a significant level of the dense vegetation which abuts the northern boundary of the application site. The dense

vegetation to the north, identified as being retained, obscures the development site from view of the public realm and provides limited views of the site from surrounding residential premises, including the grade II listed properties to the north.

- 10.65 This significant level of vegetation acts as a barrier between the proposal site and identified heritage assets situated north of Fox Road, and will retain the prevailing natural and green character of the Fox Road, whilst screening the development site from view.
- 10.66 A Landscape and Visual Impact assessment has been provided throughout the course of assessment, which identifies that limited views of the properties will be accessible, and promotes the development as being suitably screened from the surroundings as to retain the prevailing character of the site and adjacent street scene.
- 10.67 The landscape officer has been consulted and agrees that the development is appropriate subject to adequate screening, and that the TPO nature of the dense vegetation fronting Old North Road and Fox Road alongside the recommended conditions pertaining to boundary treatments and landscaping, will prevent any adverse tree removal in future, meaning adequate screening is secured in perpetuity.
- 10.68 For these reasons, the development site is not considered by officers to adversely affect the setting of identified heritage assets on balance, and is not considered to detract from the historic significance of the Grade II listed buildings; Fox Farm and the Fox Inn.
- 10.69 It is considered that the proposal, by virtue of its scale would not harm the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy NH/14.

10.70 Agricultural Land Quality and Soils

- 10.71 Local plan policy NH/3 'Protecting Agricultural Land' states that permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless:
- a) Land is allocated for development in the Local Plan;
 - b) Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land...'
- 10.72 Paragraph 181 of the National Planning Policy Framework states that decisions should contribute to and enhance the natural and local

environment and where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

10.73 The site is currently a pasture land field, classed as grade 3 agricultural land, however Officers consider that given the proposal would result in the loss of 0.5 hectares of Grade 3 agricultural land which is considered a small area of land, and that as the proposal would contribute towards the significant self-build need within the district, the proposal on balance is considered acceptable in regard to Policy NH/3 of the Local Plan and Paragraph 181 of the National Planning Policy Framework.

10.74 Subject to conditions as appropriate, the proposal is compliant with policy NH/3 and NPPF advice.

10.75 Carbon Reduction and Sustainable Design

10.76 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change as required by policy CC/1.

10.77 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m² or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.

10.78 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 157 – 158 of the NPPF are relevant.

10.79 The application seeks outline permission and as such has not been submitted with information regarding the sustainability aspects of the development. As the application is at outline stage and the aspects above can be controlled by appropriate conditions, this approach is considered to be acceptable.

10.80 Subject to conditions relating to carbon reduction technologies and water efficiency, the development is considered acceptable.

10.81 Subject to conditions the proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

10.82 **Biodiversity**

- 10.83 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.84 The application is accompanied by BNG Assessment and Biodiversity Metric, these documents indicate that the development will be able to secure approximately 22% BNG on site, with the siting of biodiversity enhancements including woodland enhancements and hedgerow enhancements within the redline of the site. The area allocated for BNG enhancements, as outlined in yellow on the indicative site plan provided, will not form part of any residential curtilage, and is within the boundaries of the application site, and for these reasons, the use of conditions for securing the Biodiversity Net Gain enhancements as set out within the submitted information are considered acceptable.

Other Ecological Matters

- 10.85 This proposal triggers the 'All Consultations' Impact Risk Zone (IRZ) for Eversden and Wimpole Woods Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) as it is less than 3km from the protected site, and is connected by hedgerows. The SAC is an ancient woodland which supports a nationally important maternity roost of Barbastelle bats (*Barbastella barbastellus*).
- 10.86 These bats rely on supporting habitat outside of the SAC, so the IRZ requires applications 'affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures' to consider potential impacts.
- 10.87 The application has been amended throughout the course of assessment to address concerns raised by the Council's Ecology Officer and Natural England. The concerns related to potential bat roosting and the removal of trees on site.
- 10.88 Following the comments provided, the applicant has addressed the concerns of ecological consultees and Natural England through the provision of ecological assessments and confirmation that trees of ecological potential for the roosting of bats will not be removed.
- 10.89 Furthermore, Natural England have been formally re-consulted on the submitted information and the Habitats Regulations Appropriate Assessment prepared by the Council's ecologist, and have provided their

support for the application subject to the mitigation measures outlined below:

- Retention of all trees other than those required to be removed to create the access road (area GI), or if removal on safety grounds is subsequently required (only applicable to tree T2 under the current proposals);
- Inspection of trees immediately prior to felling (including those in G 1) by a Natural England Level 2 bat licenced surveyor;
- If trees are considered higher than 'low' potential for bats, an appropriate number of emergence surveys will be undertaken; and Section/Soft felling undertaken if necessary;
- Felling activities will stop if a bat roost is found, until a European Protected Species Mitigation Licence is issued by Natural England;
- Submission of a Construction Ecological Management Plan (CEcMP), as specified in the LPA Ecologist's letter of 7 December 2023;
- Wildlife sensitive lighting scheme to be produced and implemented for the entire construction phase;
- Wildlife sensitive lighting strategy to be submitted prior to occupation, and consistently adhered to unless prior consent is obtained from the LPA, to maintain the woodland and hedgerows as a dark corridor.

10.90 The above mitigation measures shall be incorporated within conditions to be applied to any permission granted.

10.91 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

10.92 **Water Management and Flood Risk**

10.93 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

- 10.94 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 10.95 The applicants have not submitted drainage details yet given the nature of the scheme as an outline application for a minor development, on a site which has a low risk of flooding, conditions may be used for securing the drainage details required. This has been deemed acceptable by the Council's Drainage Officer, subject to conditions.
- 10.96 The Council's Sustainable Drainage Engineer has advised that subject to conditions pertaining to surface and foul water drainage, that the development is in compliance with policies CC/7, CC/8 and CC/9 of the local plan, and is acceptable.
- 10.97 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.
- 10.98 **Highway Safety and Transport Impacts**
- 10.99 Concerns have been raised from neighbouring occupiers with regards to the highway safety implications that would result from the proposed development. These concerns will be addressed below.
- 10.100 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 10.101 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 10.102 Para. 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.103 The application is supported by a Sustainability and Transport Safety Assessment, which outlines suitable access to/from the site by walking, cycling, private vehicles and construction/delivery vehicles.

- 10.104 Access to the site would be via a 10 wide access road shown on the submitted plans. The 10m wide access entails the provision of visibility splays, to ensure safe access to and from the site on to Fox Road.
- 10.105 Given the concerns raised regarding highway safety implications, the application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection to the proposal subject to conditions. Therefore, given the support provided by technical highway experts, the development is not considered to allow for adverse impacts on the safe and effective use of the highway, and is considered acceptable.
- 10.106 Subject to conditions, the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

10.107 **Cycle and Car Parking Provision**

- 10.108 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.

Cycle Parking

- 10.109 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or garage, for flats either individual lockers or cycle stands within a lockable, covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.
- 10.110 The details cycle parking will need to be submitted with the reserved matters application to comply with the requirements above. A condition will be added to secure this.

Car Parking

- 10.111 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. At reserved matters stage the applicant will need to demonstrate that car parking can be provided in accordance with the policy requirements.
- 10.112 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD

10.113 Residential Amenity

- 10.114 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.
- 10.115 The District Design Guide 2010 advises 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 25m should be provided between rear or side building faces containing habitable rooms, which should be increased to 30m for 3 storey residential properties. It advises that a 12-metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.
- 10.116 Whilst design and layout are reserved matters for later approval, the indicative site plan demonstrates that 5 dwellings could be accommodated within the site with acceptable distances between dwellings and respective boundaries.

Neighbouring Properties

- 10.117 Several representations in objection have been received. Several of the comments mention general concerns such as highway safety, heritage impacts, ecological/environmental impacts, archaeological constraints and the use of green field sites. These concerns are addressed within other sections of this report, and this section shall focus solely on the residential amenity concerns raised within consultation, noting that details such as design and site layout will form a reserved matters application at a later stage.

Impact on No.s 28 & 30 Old North Road

- 10.118 Concerns have been raised by the occupiers of no.28 Old North Road, with regards to potential adverse harm to outlook from their property. The comments have advised that the occupiers of No.28 Old North Road will have a direct view of the site and associated access from the potential loss of trees. No.s 28 & 30 Old North Road is situated due west of the site, 50m west of the closest residential plot proposed, on the opposite side of Old North Road. The west boundary of the site is subject to dense vegetation, obscuring the proposed development from views of Old North Road and associated residences. The vegetation in this area of the site is subject to a Tree Preservation Order, meaning the vegetated screening will be retained, and cannot be removed for the sake of development or by future inhabitants without suitable reports and replanting strategies. The

development will therefore not be visible from No. 28 Old North Road, and the views/outlook from No.28 Old North Road will not be compromised and shall remain as existing.

- 10.119 It must be noted that a right to a view is not a material planning consideration, and the development is situated at some distance from the identified receptor, conditions are recommended to ensure the site will allow for a two-storey built form only, and so will not allow for any overbearing or enclosure to the outlook of no.28 Old North Road.

Impact on Fox Farm, Old North Road

- 10.120 Concerns have been raised by the occupiers of Fox Farm, Old North Road, with regards to potential impacts on Highway Safety, sustainable futures, ecological/environmental impact. These concerns are discussed elsewhere within this report, and the development is not considered to allow for any adverse impacts on the amenity of occupiers of Fox Farm with regards to overbearing, loss of light, sense of enclosure or other environmental impacts.

Impact on Old Fox Inn, Old North Road and The Dene, Old North Road

- 10.121 Concerns have been raised by the occupiers with regards to potential impacts on the rural setting of the area, highway safety, heritage impacts, loss of greenfield site. These concerns are discussed elsewhere within this report, and the development is not considered to allow for any adverse impacts on the amenity of occupiers of Fox Farm with regards to overbearing, loss of light, sense of enclosure or other environmental impacts.

Impact on Whippetree Barn, Fox Road

- 10.122 Concerns have been raised by the occupiers of Whippetree Barn, Fox Road, with regards to potential impacts stemming from construction impacts, views, heritage impacts, impacts on rural setting, highway safety, environmental impacts, archaeology, limited infrastructure. The majority of these concerns are discussed elsewhere within this report; however, the construction impacts will be considered below.

- 10.123 The development is for the construction of 5no. self-build dwellings and associated access. The application has been subject to formal consultation with the Council's Environmental Health team, who have raised no concerns for impacts on the amenity of neighbouring occupiers. Conditions have been recommended, pertaining to reasonable construction hours, piling and general informatives for the benefit of protecting the residential amenity of neighbouring occupiers from adverse impacts throughout the construction period.

- 10.124 The development is not considered to allow for any adverse impacts on the amenity of occupiers of Fox Farm with regards to overbearing, loss of light, sense of enclosure or other environmental impacts.
- 10.125 The development is therefore considered to avoid any harm to the amenity of occupiers of Whippletree Barn, subject to conditions and is therefore acceptable.

Impact on Meadowcroft, Fox Road

- 10.126 Meadowcroft is situated due north of the site, directly opposite the proposed access road for the application site. As discussed within this report, the development is not considered to allow for any adverse impacts on highway safety. Meadowcroft is situated approximately 40m north of the closest proposed residential property, and so is not considered to be subject to any amenity harm with regards to overbearing, loss of light, sense of enclosure or other environmental impacts.

Impact on No.3 (Fox Cottage) Fox Road

- 10.127 Concerns have been raised by the occupiers of Fox Cottage, No.3 Fox Road, with regards to potential impacts on Highway Safety, Archaeology, privacy, and the need for self-builds. These concerns are discussed elsewhere within this report, and the development is not considered to allow for any adverse impacts on the amenity of occupiers of Fox Cottage with regards to overbearing, loss of light, sense of enclosure or other environmental impacts.

Impact on Stowe Cottage, Fox Road

- 10.128 Concerns have been raised by the occupiers of Stowe Cottage, Fox Road, with regards to potential impacts on privacy and highway safety. The concerns regarding highway safety are addressed elsewhere in this report, but the privacy concerns shall be discussed below.
- 10.129 Stowe Cottage is situated immediately east of the application site, abutting the eastern boundary of the site. Site layout will be the subject of a further application at reserved matters stage; however, the indicative site plan submitted shows proposed dwellings along the west and southern area of the site, avoiding the siting of new residential units in proximity to Stowe Cottage. The proposed plot closest to Stowe Cottage, Plot 01, is sited approximately 32m west of the western elevation of Stowe Cottage, and so is considered to be suitably distanced to avoid any adverse impacts on the privacy of occupiers residing at Stowe Cottage. However, such matters would be assessed as part of any siting and layout reserved matters application.
- 10.130 The development is not considered to allow for any adverse impacts on the amenity of occupiers of Stowe Cottage with regards to overbearing, loss of light, sense of enclosure or other environmental impacts.

Future Occupants

- 10.131 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.
- 10.132 The gross internal floor space measurements for units in this application have not been provided, as this is an outline application for the erection of 5no. self-build plots and associated access, with other matters reserved.
- 10.133 It must be noted that the applicant has agreed to conditions which prevent the internal arrangement of the 5no. dwellings sought for approval to collectively exceed 999sqm. This would mean, on average, that each of the 5no. proposed units would have a maximum internal arrangement of <200sqm, which surpasses the requirements of policy H/12 with regards to minimum space standards, and the development is therefore deemed compliant with policy H/12 and will allow for a surpassed optimum level of internal space for future occupiers of the site.

Garden Size(s)

- 10.134 The District Design Guide 2010 advises that 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. Ground floor apartments should have a minimum of 10m² private amenity space immediately outside their living accommodation, or use of a communal garden, where 25m² is allowed for each apartment. Upper floor apartments should have use of a private balcony, of a minimum of 3m², plus use of a communal garden, where 25m² is allowed for each apartment.
- 10.135 Each property would benefit from a private garden area or communal amenity space which would meet or exceed the recommendations of the Council's District Design Guide.

10.136 **Construction and Environmental Health Impacts**

- 10.137 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.

10.138 The Council's Environmental Health Team have assessed the application and recommended approval subject to conditions pertaining to reasonable construction hours, piling and general informatives associated with air source heat pumps and good practice.

10.139 Summary

10.140 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.

10.141 **Third Party Representations**

10.142 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

| Third Party Comment | Officer Response |
|-------------------------------|---|
| Heritage Assets | The concerns over potential impacts on heritage assets in proximity to the site have been addressed within the Heritage Assets section of this report. |
| Highway Safety | The concerns over potential impacts on highway safety have been addressed within the Highway Safety section of this report. |
| Ecological Impacts | The concerns over potential impacts on ecology in proximity to the site have been addressed within the Ecology section of this report. |
| Archaeological Considerations | The concerns over archaeological considerations have been addressed below within the other matters section of this report. |
| Lack of Consultation | Concerns have been raised regarding the lack of consultation opportunities presented to residents of the Longstowe parish. The application site formally sits within the parish of Bourn. However, consultation with |

| | |
|--------------------|---|
| | <p>Longstowe Parish council has taken place, and a site notice was erected outside of the site along Fox Road, to ensure all necessary stakeholders were appropriately consulted.</p> <p>The consultation procedures undertaken as part of this application are in accordance with the council's policies and processes.</p> |
| Time of Submission | <p>Concerns have been raised by neighbouring occupiers regarding the time of submission of the application being discordant with the consultation led approach encouraged by the NPPF.</p> <p>The council cannot comment on the time applications are submitted. This is not a material planning consideration and so will hold no weight as part of this assessment.</p> |

10.143 **Open Space and Recreation**

10.144 Policy SC/7 requires all housing developments to contribute towards outdoor play space in attempts to secure informal open space and formal play space in proximity to residential developments for the benefit of future occupiers.

10.145 The application site is situated within walking distance of Longstowe Sports ground a formally allocated play space, which is situated north-west of the site along School Lane. Furthermore, the site is within close proximity to a woodland subject to TPOs which is situated due south of the site along Old North Road, which is considered to constitute informal open space.

10.146 For these reasons, the development is considered to be appropriately sited in proximity to several high quality formal and informal open spaces, and so is not considered to require any contributions to ensure future inhabitants have adequate access to parks and open spaces.

10.147 The proposal accords with policy SC/7 of the Local Plan.

10.148 **Planning Obligations (S106)**

10.149 Regulation 122 of the Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the

planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (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.

10.150 Policy TI/8 'Infrastructure and New Developments' states that Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy (CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area.

10.151 The application entails a residential development below 10no. dwellings, and will be subject to conditions preventing the internal arrangements of the 5no. dwellings from collectively exceeding 1000sqm. The size of the development is therefore too small to require s106 contributions.

10.152 A s106/Unilateral Undertaking will be required to ensure the self-build plots proposed are secured in line with the requirements of The Self Build and Custom Housebuilding Act 2015.

10.153 **Other Matters**

10.154 Waste

10.155 The application does not provide details on waste storage or management for the site. This outline application is for the erection of 5no. self-build plots and access, with matters reserved, and therefore the details of waste management and storage are not required as part of this assessment.

10.156 In light of the above, conditions will be applied to any permission granted requiring the waste storage and management arrangements to be agreed in writing prior to the occupation of any dwellings on site.

10.157 Broadband

10.158 LP policy TI/10 'Broadband' requires new development to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the District. A condition is proposed to ensure this provision.

10.159 Archaeology

10.160 Concerns have been raised by neighbouring occupiers with regards to the potential archaeological importance of the application site, and the lack of archaeological details provided as part of this application. These concerns will be addressed below.

10.161 The application has been subject to formal consultation with the County Archaeology Officer, who has provided no objection, subject to conditions pertaining to a programme of archaeological works, including the need for a WSI, and therefore the development is not considered to have any adverse impacts on the potential archaeological merits of the site, subject to conditions.

10.162 Contamination

10.163 The contamination officer has been consulted, the site history provides no indication of harmful uses on site in the past, and none of the existing uses on site pose risk of contamination.

10.164 In light of the above, the proposed use of the site for 5no. residential units is considered as highly sensitive, and in the interest of protecting future occupiers from the health risks associated with contaminated land, a condition will be added to any permission granted requiring the provision of reports and mitigation processes in the event that Unexpected Contamination is revealed. The development is therefore not considered to allow for any adverse impacts associated with contaminated land, subject to conditions.

10.165 **Planning Balance**

10.166 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

10.167 This outline application seeks the erection of up to 5 No. self-build dwellings with some matters reserved, except for access off Fox Road.

10.168 The application site is situated outside the development framework of Bourn, yet constitutes the infill of an existing residential area and as such is not considered to constitute gradual encroachment to or harm of the countryside.

10.169 South Cambridgeshire District Council is a Right to Build Vanguard Authority with a statutory duty under section 2A of The Self Build and Custom Housebuilding Act 2015 which requires the Council gives suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the

Authority's area. Furthermore, policy H/9 of the local plan requires a mix of housing, identifying the need for self build/custom build plots to be provided.

Summary of Harm

- 10.170 The proposal is located outside of the development framework of Bourn which is a group village, in which 8 dwellings inside the framework would usually be permitted. It is acknowledged that the proposal would be located outside the development framework boundary yet does not exceed 8no. dwellings, and the development would consist of infilling due to the residential premises surrounding the site, and so is not considered to result in harm usually associated with gradual encroachment, with the proposals avoiding visual harm and incidental growth. The proposal would not result in any other harm to any of the matters outlined in the planning report subject to appropriate conditions and Section 106 agreement.
- 10.171 The proposed development will entail the loss of some trees along Fox Road, to allow for the proposed access road. The access road will require a 10m wide allocation, as shown on the site plan, which will require a small number of trees to be felled. The trees to be removed are not considered integral to the character of the area, and the dense vegetation to be retained as part of this application will ensure the green and natural character along the south side of fox road is retained, and the proposed felling of trees is not considered to allow for adverse impacts on Arboricultural assets or harm the character of the site.

Summary of Benefits

- 10.172 The development would allow for 5no. self-build plots to contribute towards the current under supply of self-build plots available across the district. The development is therefore seen as compliant with policies H/9 and S/7 (2), and shall assist the local planning authority in delivering on their statutory duty for the provision of self build plots, in line with the requirements of section 2A of The Self Build and Custom Housebuilding Act 2015.
- 10.173 The proposed development would be restricted to two-storeys in height, and shall be obscured from view of the public realm by existing dense vegetation on site, which is protected by TPOs and conditions set out within this report, and is therefore not considered to allow for any adverse harm to the character of the area, or detract from the setting of heritage assets in proximity to the site. The development is deemed compliant with policy HQ/1 of the local plan.
- 10.174 The development is in close proximity to a range of shops, services, community facilities and areas of informal and formal open space, in addition to suitable public transport links, and is considered to be situated

within a sustainable location. The development is considered compliant with policy TI/2.

- 10.175 The application seeks to avoid adverse harm to the existing ecological assets on sites, including trees and bats, and would allow for a 22% increase in biodiversity on site, and has been subject to formal consultation with the council's ecologists and Natural England, who have issued their support for the proposed development subject to conditions. The development is seen as compliant with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.
- 10.176 Subject to conditions, the development is not considered to allow for any adverse impacts on flood risk, surface/foul water drainage, highway safety or archaeological interests. The development is therefore seen as compliant with policies TI/2, TI/3, CC/7, CC/8, CC/9 and NH/14, subject to conditions as appropriate.
- 10.177 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the statutory requirements of section 2A of The Self Build and Custom Housebuilding Act 2015, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to conditions.

11.0 Recommendation

Approve subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

-Satisfactory completion of a Section 106 Agreement for the provision of the self-build properties proposed.

- 1 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).

- 2 No development shall commence until details of the appearance, means of landscaping, layout and scale for each plot on the site, (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.

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

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

- 4 Any dwelling(s) submitted for consideration as part of a reserved matters application shall be limited to two storeys in height, and shall be no higher.

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

- 5 Prior to the submission of any reserved matters application, details of the layout of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include the layout and size of the housing plots proposed on the site.

The layout to be provided shall not allow for any residential curtilage to infringe on the allocated BNG land identified on the Indicative Site Plan submitted as part of this application.

Reason: To ensure that the layout of the site is appropriate to ensure that the proposed development would not detract from the character and appearance of the area and would not adversely impact neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 6 Prior to the submission of any reserved matters application, details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

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

manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

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

c) boundary treatments (including gaps for hedgehogs) indicating the type, positions, design, and materials of boundary treatments to be erected.

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

All hard and soft landscape works shall be carried out and maintained 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 as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation. This shall include details of the retention or improvement of the existing tree belts on the north, east and southern boundaries.

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.

- 7 No development above ground level shall proceed on any dwelling approved as part of a reserved matters application, until an Energy Statement has been submitted to and approved in writing by the local planning authority for the approved dwelling. The Statement shall demonstrate that a minimum of 10% carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Statement to take account of this shall be submitted to and approved in writing by the local planning authority. The revised Energy Statement shall be implemented and thereafter maintained in accordance with the approved details.

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

- 8 Any dwelling approved as part of a reserved matters application shall not be occupied until a water efficiency specification for the dwelling, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction in accordance with Policy CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 9 The approved information within the submitted Biodiversity Metric 4, Biodiversity Net Gain Assessment shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.

The allocated BNG identified on the submitted Indicative Layout plan, shall at no point form part of a residential plot, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 10 No demolition or construction works shall commence on site until a traffic management plan has been agreed with the 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 (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: In the interests of highway safety

- 11 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.

The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage and surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 12 All ecological measures and/or works shall be carried out in accordance with the details contained the POTENTIAL BAT ROOST Assessment dated November 2023, BAT ROOST ASSESSMENT PLAN dated November 2023.

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

- 13 Any dwelling(s) submitted for consideration as part of a reserved matters application shall be limited to 200sqm of internal space per dwelling, and shall not exceed 999sqm collectively.

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

- 14 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

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

- 15 The access, hereby approved, shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: For the safe and effective operation of the highway, in accordance with South Cambridgeshire Local Plan (2018) Policy HQ/1.

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (2023).

- 17 No dwelling approved as part of any reserved matters application shall be occupied until details to show that car and cycle parking can be provided for the approved dwelling in accordance with the following have been submitted and approved in writing by the Local Planning Authority:

- (i) two car parking spaces per dwelling, at least one to be allocated within the curtilage of the site
- (ii) one cycle parking space per bedroom located in a covered, lockable enclosure.

Reason: To ensure that sufficient provision is given for car and cycle parking, in accordance with South Cambridgeshire Local Plan (2018) policy TI/3.

- 18 Any dwelling submitted as part of a reserved matters application, shall comply with the residential space standards set out in South Cambridgeshire Local Plan (2018) policy H/12 and the recommended garden sizes set of in the South Cambridgeshire District Design Guide (2010).

Reason: To ensure high quality amenity for future occupiers, in accordance with South Cambridgeshire Local Plan (2018) policies H/12 and HQ/1, and the District Design Guide (2010).

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

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

- 20 No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the period of development:

- a) full details of any piling technique to be employed, if relevant
- b) contact details for site manager, including how these details will be displayed on site.

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

- 21 No development, except demolition or site clearance, shall commence until a scheme for the on-site storage facilities for waste, including waste for recycling, has been submitted to and approved in writing by the local planning authority. The scheme shall identify:
- a) the specific positions of where wheeled bins will be stationed for use by the resident.
 - b) The quantity and capacity of the bins per property.
 - c) The walk distances for residents to the kerbside including the specific arrangements to enable collection from the kerbside or within 5m of the adopted highway/ refuse collection vehicle access point.
 - d) Any designated Bin Collection Points, if practically needed.
 - e) Details of the management arrangements if bins need to be moved to one designated collection points

No residential unit shall be occupied until the approved arrangements for that particular unit have been provided and shall be retained as such unless alternative arrangements are agreed in writing by the local planning authority.

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

- 22 No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of biodiversity protection zones.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timings of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure that before any development commences appropriate construction ecological management plan has been agreed to fully conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 23 Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwelling house(s) shall not be allowed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity.

- 24 Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity.

- 25 Notwithstanding the provisions of Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the erection or construction of a porch outside the external

door of the dwelling house(s) shall not be allowed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity.

- 26 Prior to the felling of any trees on site, an Inspection of trees immediately prior to felling (including those in G1) by a Natural England Level 2 bat licenced surveyor shall be carried out in full.

In the event that trees are considered higher than 'low' potential for bats, an appropriate number of emergence surveys will be undertaken; and Section/Soft felling undertaken if necessary.

All felling activities will stop if a bat roost is found, until a European Protected Species Mitigation Licence is issued by Natural England.

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

- 27 Prior to the first occupation of the/any dwelling approved, infrastructure to enable the delivery of broadband services, to industry standards, shall be provided for that dwelling.

Reason: To contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband across the district, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

- 28 Prior to the commencement of development above slab level a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

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

- 29 Piling

In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites.

Development shall be carried out in accordance with the approved statement.

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

30 Unexpected contamination

If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Policy SC/11 of the South Cambridgeshire Local Plan.

31 M4(2) compliance

Any dwelling submitted as part of a reserved matters application on plot(s) 1-5 hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To ensure the units are accessible and adaptable in accordance with policy H/9 of the adopted Local Plan 2018.

32 Prior to occupation a "lighting design strategy for biodiversity" features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

Informatives:

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level.

To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features. In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactorily and any defects remedied to ensure that the noise levels do not increase over time.

3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environment Planning Team.
4. This application is subject to a S106 planning obligation.
5. To satisfy the noise insulation scheme condition for the residential building envelope and rail noise, the applicant / developer must ensure that the residential units at are acoustically protected by a noise insulation scheme, to ensure the internal noise levels within the habitable rooms, and

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

6. Any noise / vibration assessment and or noise insulation scheme should have due regard to current government / industry standards, best practice and guidance and Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, Adopted Jan 2020: Section 3.6 Pollution downloadable from: Greater Cambridge Sustainable Design and Construction Supplementary Planning Document (<https://www.scambs.gov.uk/media/14406/final-greater-cambridge-sus-dcspd.pdf>)
7. Partial discharge of condition 16 can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI

Background Papers:

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs

In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development.

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Agenda Item 9



| | |
|---|---|
| Planning Committee Date | 17 th January 2024 |
| Report to | South Cambridgeshire District Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | N/A |
| Site | 29 Station Road, Shepreth SG8 6GB |
| Ward / Parish | Shepreth |
| Proposal | Permission to serve a provisional Tree Preservation Order at the request of Shepreth Parish Council. |
| Applicant | N/A |
| Presenting Officer | Planning Trees Officer (in their absence, Assistant to the Tree Officer) |
| Reason Reported to Committee | Non-emergency TPOs must be brought to committee for permission to serve provisional and confirmed Orders |
| Member Site Visit Date | N/A |
| Key Issues | Is it expedient in the interests of amenity to make provision for the preservation of the trees or woodlands in their area? |
| Recommendation | APPROVE the issuing of a non-emergency provisional TPO |

1.0 Executive Summary

- 1.1 The proposal is to serve a provisional Tree Preservation Order (TPO) for the protection of one (1) early-mature Oak (*Quercus* spp) situated on private land.
- 1.2 Local planning authorities can issue a TPO where it appears to them “expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area”. TPO’s can be initiated either by the local authority or by request of another party. The Oak tree have been reviewed at the request of another party.
- 1.3 In accordance with the Council’s Constitution, the request to serve a non-emergency provisional TPO comes before Planning Committee.

2.0 Site Description and Context

| | | | |
|--|---|-------------------------|---|
| None relevant | x | Tree Preservation Order | x |
| Conservation Area | | Local Nature Reserve | |
| Listed Building | | Flood Zone 1, 2, 3# | |
| Building of Local Interest | | Green Belt | |
| Historic Park and Garden | | Protected Open Space | |
| Scheduled Ancient Monument | | Controlled Parking Zone | |
| Local Neighbourhood and District Centre | | Article 4 Direction | |
| Check Forward Planning Constraints in Uniform. Put X in box if relevant. Delete constraints that aren’t relevant | | | |

*X indicates relevance

- 2.1 The Oak tree is located on the frontage of a private factory site situated along Station Road opposite the village train station carpark and entrance to Shepreth Wildlife Park. Station Road is the main through road from the north of the village which has heavy footfall to and from the train station and main traffic through the village leading to the Wildlife Park.
- 2.2 Shepreth is a small, historic, rural village lying roughly 8 miles south-west of Cambridge, tree cover across the parish of Shepreth is formed by historic estate and agricultural land, roadside verges, private property, also open spaces such as the village recreation area and churchyard all of which contribute to a well tree’d village.
- 2.3 There is one trees of interest. T1 Oak (*Quercus*) tree. The tree is early-mature, considered to be of good overall health and vitality for its age.

Photographs and individual assessments can be found on accompanying TPO Evaluation Report.

3.0 The Proposal

- 3.1 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.
- 3.2 Should the decision be taken to confirm the Order, it will return to the Planning Committee to request that the Order be confirmed (or not confirmed).

4.0 Relevant Site History

- 4.1 There is no relevant site history, this is a provisional TPO request from Shepreth Parish Council for the preservation of one Oak tree.

5.0 Relevant Legislation

5.1 National

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

6.0 Consultations

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

7.0 Assessment

- 7.1 The key consideration is, is it 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.
- 7.2 Amenity is not defined in law and therefore it is left for local authorities to exercise their judgement. The trees must have reasonable health, visibility and individual, collective or wider impact. Other factors may be considered, such as importance to nature conservation or response to climate change, but only if the trees achieve the basic qualifying factors.
- 7.3 The Oak tree contributes positively to the local streetscene, prominent along Station Road visible from all directions including the train station carpark and entrance to Shepreth Wildlife Park opposite to the tree.

- 7.4 Travelling northwards on Station Road heading out of the village, the trees canopy is prominent within the landscape and can be seen for a reasonable distance, estimated 145m. on the approach to the village waiting at the level crossing, the tree is dappled by trees on the same section of land.
- 7.5 It is believed the Oak tree is the original Winston Churchill commemorative tree as evidence by Shepreth Parish Council as part of their TPO request, information suggests that the tree was planted in 1975. The tree therefore has historical and cultural importance to the village.
- 7.6 Photographs and individual assessments can be found on accompanying TPO Evaluation Report – Appendix 1.

8.0 Recommendation

- 8.1 Approve** the issuing of a non emergency provisional TPO.

Background Papers:

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

- 29 Station Road, Shepreth tree provisional TPO evaluation report 14/11/23

Provisional Tree Preservation Order evaluation and report form

Introduction

Non-urgent TPO requests firstly must go through a validation stage to ensure all necessary information has been provided and that the tree(s) are eligible for consideration. Once this has been completed, the Council Officer will evaluate the tree(s) requested for a TPO by visiting the site and undertake a series of assessments set out within the *TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)* form, once this has been completed a summary report will be created to record the outcome.

If the evaluation supports the consideration of a TPO, it will be arranged to take the request to the Councils Planning Committee for approval to create a Provisional TPO

Notify interested parties: outcomes of evaluation process:

The Tree Officer will endeavour to update relevant persons, Parish Council, Cllrs as and when requires.

Consideration of Urgency:

If the Tree Officer believes that the tree(s) are of significance and there is an imminent or perceived threat to the tree(s), the Tree Officer may move towards serving an (emergency) Provisional TPO by following the agreed process linked to the Scheme of Delegation.

Provisional TPO guidance

Once a Provisional TPO is served the tree(s) are under statutory protection for 6 months to allow for the Local Planning Authority to undertake further assessment and consideration if the tree(s) are suitable for a permanent TPO, also to consider representations from the landowner and interested parties.

Information collected during this time may be in the form of:

- Tree(s) condition
- Tree Species
- Location
- Historical
- Environmental
- Further site visits
- Engaging with the landowner
- Engaging with the Parish Council
- Seeking professional opinions from the LPAs Ecology, Landscape, and Conservation Officers

Following the Scheme of Delegation, within the 6-month period a TPO report will be created based on collated information and taken to the LPAs Planning Committee for support of the recommended outcome presented by the LPAs Tree Officer or/and Tree Officer Assistant. During this period, Senior Management of the LPAs planning department will be updated for approval before taking to Planning Committee.

The decided outcome will be managed, recorded, filed by the LPAs Tree Planning Team which will include further land checks and legal documents associated to a TPO assisted by the Technical Support Team. All interested parties will be updated.

Site visit: tree identification & evaluation

Provisional TPO title: Station Road, Shepreth – Winston Churchill ‘Oak’

Reference: TPO request SMXHKLWH

Site: 29 Station Road Shepreth Royston Cambridgeshire SG8 6GB

| |
|--|
| Case information |
| Shepreth Parish Council have requested for one Oak tree to be considered for a TPO, the tree is located on private factory land along Station Road opposite the village train station and wildlife park. Reasons for the TPO request extracted from the TPO application form: <i>The Oak tree is locally known as the Churchill Oak. It was grown from an acorn from the Oak tree planted by Winston Churchill at Churchill Collage Cambridge, and was presented to the village. The Factory is now up for sale.</i> |

Images of the tree & description

| Image | Image description |
|---|--|
|  | Taken along Station Road outside Shepreth train station. |



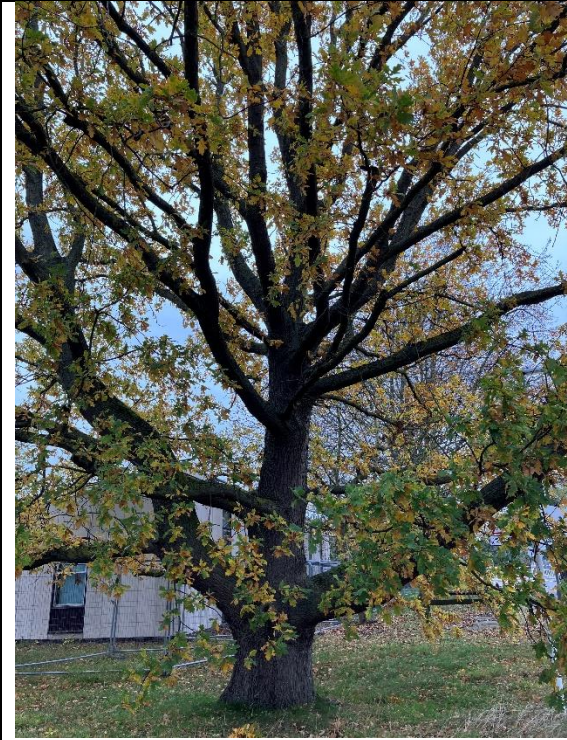
Taken from Shepreth train station carpark



Taken from the sheared access to Shepreth wildlife park and train station.

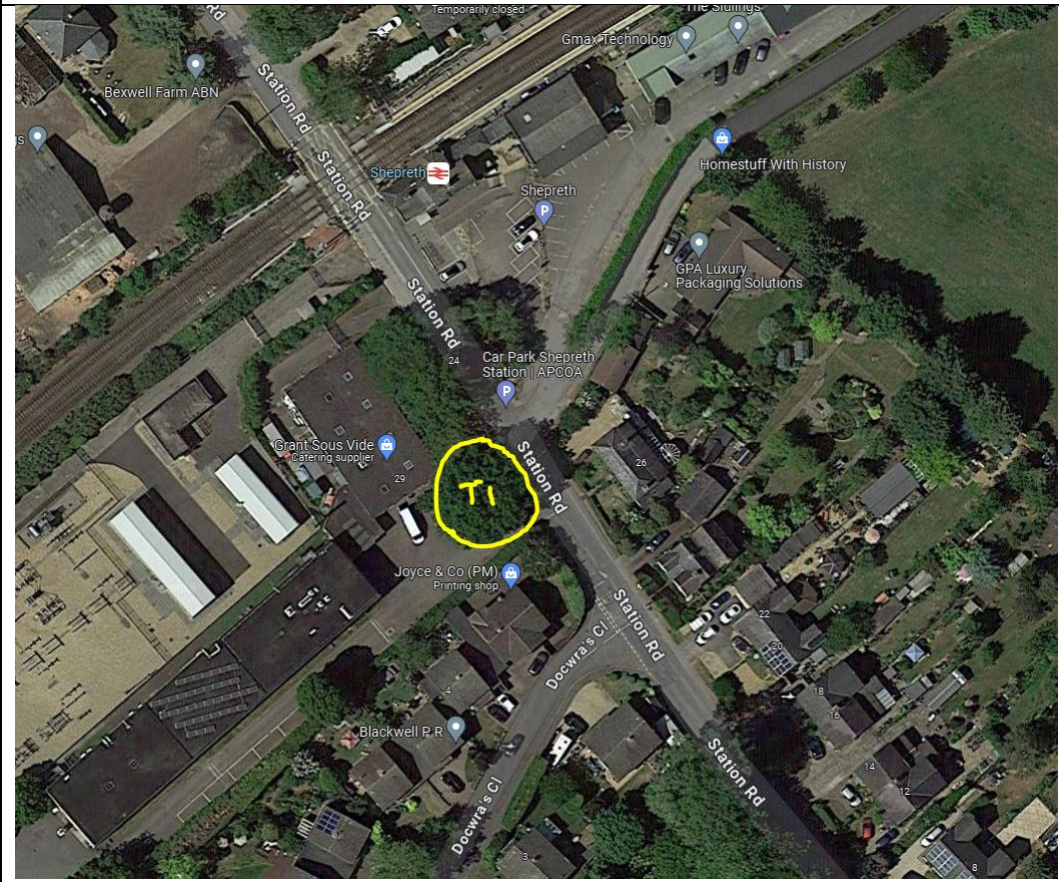


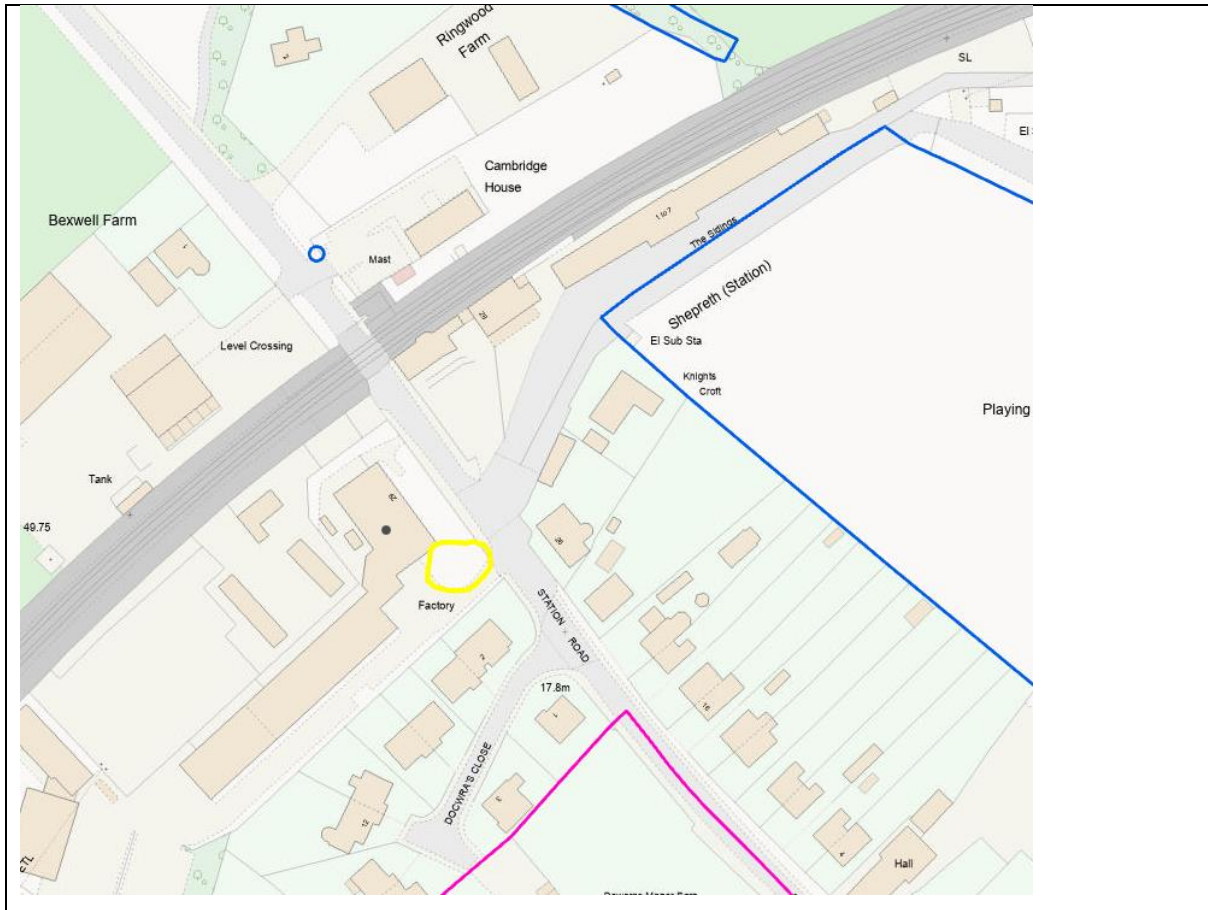
Looking north towards the train station along the main through road – Station Rd.



A closer image of the trees form and structure.

Site map & tree location





Landownership checks and historical mapping

MapSearch

Postcode Title number
 Postcode:
 or
 Street name only:
 Town or Locality:

Titles (1 of 1 loaded)

| Title number | Estate information | Address |
|--------------|--------------------|--|
| CB2596 | Freehold | 29 STATION ROAD, SHEPRETH, ROYSTON SG8 5GB |

Historical & Cultural information

Provided by Shepreth Parish Council –



Churchill's Oak Tree. Feb.1975.

February 1975 - Shepreth Parish Council planting the "Churchill Oak" outside the factory. The tree was grown from the first acorn of an oak planted by Sir Winston Churchill at Churchill College

South Cambridgeshire District Council (2022)
TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

**South Cambridgeshire District Council (2022)
TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):**

Refer to the guidance notes before starting.

SURVEY DATA SHEET & DECISION GUIDE

| | |
|--|---|
| Date: 14/11/23 Surveyor: A. Sargeant | |
| Tree & Site details | |
| Tree Ref: 001 | Owner (if known): |
| Tree/Group No: 01 | Location: 29 Station Road Shepreth Royston Cambridgeshire SG8 6GB |
| Tree Species: Oak (<i>Quercus</i>) | |

Part 1: Amenity assessment

a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsafe Unsuitable |

A) Score & Notes: 5 - Good.
The Oak tree is of early-mature age with no obvious signs of decline or structural defects at the time of the site visit.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Remaining longevity (in years) & suitability for TPO:

Refer to 'Species Guide' section in Guidance Note

- | | |
|-----------|-----------------|
| 5) 100+ | highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

B) Score & Notes 5 – Highly suitable.
Given the species and general appearance, the tree has the potential to live beyond 100 years.

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO:

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- | | |
|--|-------------------------|
| 5) Very large trees, or large trees that are prominent landscape features | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or larger trees with limited view only | Just suitable |
| 2) Small trees, or larger trees visible only with difficulty | Unlikely to be suitable |
| 1) Young, v. small, or trees not visible to the public, regardless of size | Probably unsuitable |

C) Score & Notes. 5 – very large tree
Situated on the main through road of Shepreth and a short distance from the village train station, it is prominent within the landscape and highly visible from Station Rd.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Members of groups of trees that are important for their cohesion
- 3) Trees with significant historical or commemorative importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features

D) Score & Notes 3-historical importance. The Oak tree is considered to be a commemorative tree planted by the Parish Council linked to Winston Churchill.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- 5) Known threat to tree inc.s,211
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only
- 0) Tree known to be an actionable nuisance

Score & Notes 1 precautionary only. There is no knowing strong evidence to suggest that the tree is under immediate threat.

Part 3: Decision guide

| | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16 + | Definitely merits TPO |

**Add Scores for
Total:**

19

Decision:

Definitely merits TPO

Part 4

Conclusions & Recommendations

At the time of the site visit to undertake a TPO evaluation, the Oak tree along Station Road, Shepreth appeared to have good levels of vitality given its density and vibrant crown for the time of year. The tree appeared to be free of physiological and structural defects and no evidence of historic pruning. The overall crown is fully formed, filling the immediate space with its low growing limbs creating a strong presence along Station Road.

It has been proved by Shepreth Parish Council as part of their TPO application request that the Oak tree is a commemorative tree having links to Winston Churchill, planted by the Parish Council and the community in 1975, estimated to be 50yrs young. The importance of which is connected to historical and cultural importance, not just to Shepreth but also to the wider Cambridgeshire area in respect to connections with Churchill Collage Cambridge. Furthermore, given the trees location and stature, it is of high amenity value contributing to the streetscene and wider character of Shepreth.

In consideration of "what is the threat" to the Oak tree, there is no known immediate or perceived threat and therefor this is only a provisional TPO request.

The Oak tree sits outside of the local Conservation Area and therefore has no protection, the tree overall has high amenity value in respect to its location, the tree can be fully seen along the main through road of Shepreth with immediate links to the wildlife park and train station on the opposite side of the road. The tree provides seasonal interest, with its lush green foliage forming in early summer and light orange-browns come autumn. The tree is considered to be early-mature, given the species, the tree will contribute to the area for many years to come becoming a lasting historical connection for the village.

I therefore recommend that the Oak tree is approved for a provisional TPO through support by the Councils Planning Committee to give temporary protection for consideration for confirmation of a full Tree Preservation Order.

SCDC Planning Tree Officer

Appendices

- Making & confirming (Emergency) Provisional TPOs check list.
- Legislation guidelines
- Tree Evaluation Method for Provisional Orders (TEMPO)

Non-urgent TPO requests check list.

Parish/Ward:

Location:

Ref Number:

| Preparation for serving an (Emergency) Provisional TPO | | |
|---|--|--|
| 0.5 | Check for planning applications | |
| 1 | Create folder for TPO in: SharePoint – Arboriculture – TPO request | |
| 2 | Desktop Validation | |
| 3 | Update customer either way within reasonable timeframe | |
| 4 | Undertake site visit evaluation – TEMPO & photo | |
| 5 | Create summery report | |
| 6 | Update customer & consider: PC, Cllr, Ward Member | |
| 7 | Save to file: correspondence and summery report | |
| 8 | Arrange taking to Planning Committee for approval of Provisional TPO | |
| 9 | Create Provisional TPO | |
| 10 | 6-months to determine | |
| 11 | | |

| Representations / Objections | | |
|-------------------------------------|------------------------------------|--|
| 12 | 28 days hiatus final date is _____ | |

| Objections | | |
|-------------------|---|--|
| 13 | Seek manager's advice on how to deal with the objections. Previous cases have been to Planning Committee but there has been discussion that the meeting is usually too busy to deal with TPO objections and that there might be a sub-committee to discuss the matter of whether to confirm a TPO in the light of valid objections. | |

| No objections | | |
|----------------------|--|--|
| 14 | Confirm TPO: take back to Plannning Committee for approval | |

| Confirming TPOs | | |
|------------------------|---|--|
| 15 | Sign and date TPO | |
| 16 | Sign and date the notice of confirmation | |
| 17 | Post the notice of confirmation and covering letter to the tree owner by RECORDED DELIVERY. | |
| 18 | Create new folder on PC called 'Confirmation' inside the TPO folder you have already created. | |
| 19 | Scan the completed confirmed / signed TPO & map and the completed signed notice of confirmation | |
| 20 | File the documents in the physical file folder and put away. | |

| | | |
|----|--|--|
| 21 | Update stakeholders with scanned copy of notice of confirmation. Note: There is no need to send physical copies of the confirmed TPO to tree owner / stakeholders; the confirmation notice is sufficient. | |
|----|--|--|

Legislation guidelines

[Tree Preservation Orders and trees in conservation areas - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Who makes Tree Preservation Orders and why?

Local planning authorities can make a [Tree Preservation Order](#) if it appears to them to be '[expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area](#)'.

Authorities can either initiate [this process](#) themselves or in response to a request made by any other party. When deciding whether an Order is appropriate, authorities are advised to take into consideration [what 'amenity' means in practice](#), what to take into account when assessing [amenity value](#), [what 'expedient' means in practice](#), [what trees can be protected](#) and [how they can be identified](#).

What might a local authority take into account when assessing amenity value?

When considering whether trees should be protected by an Order, authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria:

Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

Individual, collective and wider impact

Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form;
- future potential as an amenity;
- rarity, cultural or historic value;
- contribution to, and relationship with, the landscape; and
- contribution to the character or appearance of a conservation area.

Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

What does ‘amenity’ mean in practice?

‘Amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.

Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.

What does ‘expedient’ mean in practice?

Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.

It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

What trees can be protected?

An Order can be used to protect individual trees, trees within an area, groups of trees or whole woodlands. Protected trees can be of [any size or species](#).

Orders covering a woodland protect the trees and saplings of whatever size within the identified area, including those planted or growing naturally after the Order was made. This is because the purpose of the Order is to safeguard the woodland as a whole, which depends on regeneration or new planting.

Tree Evaluation Method for Preservation Orders

Prior to seeking consent to raise a Tree Preservation Order the Council's Planning Trees Officer and/or Tree Officer Assistant visits the site and completes a Tree Evaluation Method for Preservation Orders assessment (TEMPO).

The method, developed by an Registered Consultant of the Arboricultural Association, is a systematised assessment tool and has been widely used across the arboricultural profession since its introduction in 2009.

The TEMPO methodology is open, to a degree, to the interpretation and judgement of the assessor but invites consideration of amenity and expediency; each criterion is given a score of between 0 and 5 and there are guidance notes for the assessor to help provide a consistent level of assessment.

Following overview and guidance is from the original developer and author.

Overview

TEMPO is designed as a field guide to decision-making, and is presented on a single side of A4 as an easily completed pro forma. As such, it stands as a record that a systematic assessment has been undertaken.

TEMPO considers all of the relevant factors in the TPO decision-making chain. In this connection, it is helpful to revisit the wording of central government advice¹ :

'Although a tree may merit protection on amenity grounds it may not be expedient to make it the subject of a TPO'

From this, it becomes apparent that most existing methods are inadequate, seeking as they do solely to consider the tree rather than any known threats to its retention.

TEMPO corrects this omission by including an expediency assessment within the framework of the method.

Excluding the first section, which is simply the survey record and is thus self-explanatory, TEMPO is a three-part system:

- Part 1 is the Amenity Assessment
- Part 2 is the Expediency Assessment
- Part 3 is the Decision Guide

These parts are set out and function as follows:

Part 1: Amenity Assessment

This part of TEMPO is broken down into four sections, each of which are related to suitability for TPO:

- a) Condition
- b) Retention span
- c) Relative public visibility
- d) Other factors

The first three sections form an initial assessment, with trees that 'pass' this going on to the fourth section.

Looking at the sections in more detail:

A) Condition

This is expressed by five terms, which are defined as follows:

GOOD Trees that are generally free of defects, showing good health and likely to reach normal longevity and size for species, or they may have already done so.

FAIR Trees which have defects that are likely to adversely affect their prospects; their health is satisfactory, though intervention is likely to be required. It is not expected that such trees will reach their full age and size potential or, if they have already done so, their condition is likely to decline. However, they can be retained for the time being without disproportionate expenditure of resources or foreseeable risk of collapse

POOR Trees in obvious decline, or with significant structural defects requiring major intervention to allow their retention, though with the outcome of this uncertain. Health and/or structural integrity are significantly impaired, and are likely to deteriorate. Life expectancy is curtailed and retention is difficult

DEAD Tree with no indication of life

DYING/ DANGEROUS Trees showing very little signs of life or remaining vitality, or with severe, irremediable structural defects, including advanced decay and insecure roothold. Death or catastrophic structural failure likely in the immediate future, retention therefore impossible as something worthy of protection

The scores are weighted towards trees in good condition. It is accepted that trees in fair and poor condition should also get credit, though for the latter this is limited to only one point.

Dead, dying or dangerous trees should not be placed under a TPO, hence the zero score for these categories, due to exemptions within the primary legislation. A note on the pro forma emphasizes that 'dangerous' should only be selected in relation to the tree's existing context: a future danger arising, for example, as a result of development, would not apply. Thus, a tree can be in a state of collapse but not be dangerous due to the absence of targets at risk.

Where a group of trees is being assessed under this section, it is important to score the condition of those principle trees without which the group would lose its aerodynamic or visual cohesion. If the group cannot be 'split' in this way, then its average condition should be considered.

Each of the condition categories is related to TPO suitability.

B) Remaining longevity

The reason that this is included as a separate category to 'condition' is chiefly to mitigate the difficulty of justifying TPO protection for veteran trees.

For example, it is necessary to award a low score for trees in 'poor condition', though many veteran trees that could be so described might have several decades' potential retention span. This factor has been divided into ranges, which are designed to reflect two considerations:

- It has long been established good practice that trees incapable of retention for more than ten years are not worthy of a TPO (hence the zero score for this category); this also ties in with the U category criteria set out in Table 1 of BS5837:2012
- The further ahead one looks into the future, the more difficult it becomes to predict tree condition: hence the width of the bands increases over time Scores are weighted towards the two higher longevities (40-100 and 100+), which follow the two higher ranges given by Helliwell2 .

The Arboricultural Association (AA) publishes a guide³ to the life expectancy of common trees, which includes the following data:

300 years or more Yew 200-300 Common [pedunculate] oak, sweet chestnut, London plane, sycamore, limes
50-200 Cedar of Lebanon, Scots pine, hornbeam, beech, tulip tree, Norway maple
100-150 Common ash, Norway spruce, walnut, red oak, horse chestnut, field maple, monkey puzzle, mulberry, pear
70-100 Rowan, whitebeam, apple, wild cherry, Catalpa, Robinia, tree of heaven 50-70
Most poplars, willows, cherries, alders and birches

The above should be considered neither prescriptive nor exclusive, and it is certainly not comprehensive. However, it should assist with determining the overall lifespan of most trees, in light of their current age, health and context as found on inspection.

It is important to note that this assessment should be made based on the assumption that the tree or trees concerned will be maintained in accordance with good practice, and will not, for example, be subjected to construction damage or inappropriate pruning. This is because if the subject tree is 'successful' under TEMPO, it will shortly enjoy TPO protection (assuming that it doesn't already).

If a group of trees is being assessed, then the mean retention span of the feature as a whole should be evaluated. It would not be acceptable, for example, to score a group of mature birches based on the presence of a single young pedunculate oak.

A note on the pro forma identifies for inclusion in the less than ten years band trees which are assessed being an existing or near future nuisance, including those clearly outgrowing their context, or which are having an adverse effect on adjacent trees of better quality.

The nuisance element is introduced to cover situations where, for example, a Section 211 Notice has been received by the LPA for removal of a tree causing subsidence damage. In relation to outgrowing context, some common sense is needed here: if the trees are being considered for TPO protection prior to development, and if it is apparent that demolition of existing structures will be a component of this process, then a tree should not be marked down simply because it is standing hard up against one of the existing structures.

As with condition, the chosen category is related to a summary of TPO suitability.

C) Relative public visibility

The first thing to note in this section is the prompt, which reminds the surveyor to consider the 'realistic potential for future visibility with changed land use'. This is designed to address the commonplace circumstance where trees that are currently difficult to see are located on sites for future development, with this likely to result in enhanced visibility.

The common situation of backland development is one such example. The categories each contain two considerations: size of tree and degree of visibility.

I (the author) have not attempted to be too prescriptive here, as TEMPO is supposed to function as a guide and not as a substitute for the surveyor's judgement. However, I have found that reference to the square metre crown size guide within the Helliwell System4 can be helpful in reaching a decision. Reference is made to 'young' trees: this is intended to refer to juvenile trees with a stem diameter less than 75mm at 1.5m above ground level.

The reasoning behind this is twofold: this size threshold mirrors that given for trees in Conservation Areas, and trees up to (and indeed beyond) this size may readily be replaced by new planting. In general, it is important to note that, when choosing the appropriate category, the assessment in each case should be based on the minimum criterion.

Whilst the scores are obviously weighted towards greater visibility, we take the view that it is reasonable to give some credit to trees that are not visible (and/or whose visibility is not expected to change: it is accepted that, in exceptional circumstances, such trees may justify TPO protection.

Where groups of trees are being assessed, the size category chosen should be one category higher than the size of the individual trees or the degree of visibility, whichever is the lesser. Thus a group of medium trees would rate four points (rather than three for individuals) if clearly visible, or three points (rather than two) if visible only with difficulty.

Once again, the categories relate to a summary of TPO suitability.

Sub-total 1 At this point, there is a pause within the decision-making process: as the prompt under 'other factors' states, trees only qualify for consideration within that section providing that they have accrued at least seven points. Additionally, they must not have collected any zero scores.

The total of seven has been arrived at by combining various possible outcomes from sections a-c.

The scores from the first three sections should be added together, before proceeding to section d, or to part 3 as appropriate (i.e. depending on the accrued score). Under the latter scenario, there are two possible outcomes:

- 'Any 0' equating to 'do not apply TPO'
- '1-6' equating to 'TPO indefensible'

D) Other factors

Assuming that the tree or group qualifies for consideration under this section, further points are available for four sets of criteria, however only one score should be applied per tree (or group):

- 'Principle components of arboricultural features, or veteran trees' – The latter is hopefully self-explanatory (if not, refer to Read 2000). The former is designed to refer to trees within parklands, avenues, collections, and formal screens, and may equally apply to individuals and groups
- 'Members of groups of trees that are important for their cohesion' – This should also be self-explanatory, though it is stressed that 'cohesion' may equally refer either to visual or to aerodynamic contribution. Included within this definition are informal screens. In all relevant cases, trees may be assessed either as individuals or as groups
- 'Trees with significant historical or commemorative importance' – The term 'significant' has been added to weed out trivia, but we would stress that significance may apply to even one person's perspective. For example, the author knows of one tree placed under a TPO for little other reason than it was planted to commemorate the life of the tree planter's dead child. Thus whilst it is likely that this category will be used infrequently, its inclusion is nevertheless important. Once again, individual or group assessment may apply
- 'Trees of particularly good form, especially if rare or unusual' – 'Good form' is designed to identify trees that are fine examples of their kind and should not be used unless this description can be justified. However, trees which do not merit this description should not, by implication, be assumed to have poor form (see below).

The wording of the second part of this has been kept deliberately vague: 'rare or unusual' may apply equally to the form of the tree or to its species. This recognises that certain trees may merit protection precisely because they have 'poor' form, where this gives the tree an interesting and perhaps unique character. Clearly, rare species merit additional points, hence the inclusion of this criterion.

As with the other categories in this section, either individual or group assessment may apply. With groups, however, it should be the case either that the group has a good overall form, or that the principle individuals are good examples of their species

Where none of the above apply, the tree still scores one point, in order to avoid a zero score disqualification (under part 3).

Sub-total 2

This completes the amenity assessment and, once again, there is a pause in the method: the scores should be added up to determine whether or not the tree (or group) has sufficient amenity to merit the expediency assessment.

The threshold for this is nine points, arrived at via a minimum qualification calculated simply from the seven-point threshold under sections a-c, plus at least two extra points under section d. Thus trees that only just scrape through to qualify for the 'other factor' score, need to genuinely improve in this section in order to rate an expediency assessment. This recognises two important functions of TPOs:

- TPOs can serve as a useful control on overall tree losses by securing and protecting replacement planting
- Where trees of minimal (though, it must be stressed, adequate) amenity are under threat, typically on development sites, it may be appropriate to protect them allowing the widest range of options for negotiated tree retention.

Part 2: Expediency assessment

This section is designed to award points based on three levels of identified threat to the trees concerned. Examples and notes for each category are:

- 'Immediate threat to tree' – for example, Tree Officer receives Conservation Area notification to fell
- 'Foreseeable threat to tree' – for example, planning department receives application for outline planning consent on the site where the tree stands
- 'Perceived threat to tree' – for example, survey identifies tree standing on a potential infill plot.

However, central government advice⁷ is clear that, even where there is no expedient reason to make a TPO, this is still an option. Accordingly, and in order to avoid a disqualifying zero score, 'precautionary only' still scores one point. This latter category might apply, rarely for example, to a garden tree under good management.

Clearly, other reasons apply that might prevent/usually obviate the need for the making of a TPO. However, it is not felt necessary to incorporate such considerations into the method, as it is chiefly intended for field use: these other considerations are most suitably addressed as part of a desk study.

As a final note on this point, it should be stressed that the method is not prescriptive except in relation to zero scores: TEMPO merely recommends a course of action. Thus a tree scoring, say, 15, and so 'definitely meriting' a TPO, might not be included for protection for reasons unconnected with its attributes.

Part 3: Decision Guide

This section is based on the accumulated scores derived in Parts 1 & 2, and identifies four outcomes, as follows:

- Any 0 Do not apply TPO Where a tree has attracted a zero score, there is a clearly identifiable reason not to protect it, and indeed to seek to do so is simply bad practice
- 1-6 TPO indefensible This covers trees that have failed to score enough points in sections 1a-c to qualify for an 'other factors' score under 1d. Such trees have little to offer their locality and should not be protected

- 7-10 Does not merit TPO This covers trees which have qualified for a 1d score, though they may not have qualified for Part 2. However, even if they have made it to Part 2, they have failed to pick up significant additional points. This would apply, for example, to a borderline tree in amenity terms that also lacked the protection imperative of a clear threat to its retention
- 11-14 Possibly merits TPO This applies to trees that have qualified under all sections, but have failed to do so convincingly. For these trees, the issue of applying a TPO is likely to devolve to other considerations, such as public pressure, resources and 'gut feeling'
- 15+ Definitely merits TPO Trees scoring 15 or more are those that have passed both the amenity and expediency assessments, where the application of a TPO is fully justified based on the field assessment exercise

Notation boxes

Throughout the method, notation space is provided to record relevant observations under each section. For local authorities using TEMPO, it may even be helpful to include a copy of the TEMPO assessment in with the TPO decision letter to relevant parties, as this will serve to underline the transparency of the decision-making process.

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Agenda Item 10



| | |
|---|---|
| Planning Committee Date | 17 th January 2024 |
| Report to | South Cambridgeshire District Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | N/A |
| Site | Hall Close (adjacent to 57 Station Road Foxton CB22 6SA) |
| Ward / Parish | Foxton |
| Proposal | Permission to serve a provisional Tree Preservation Order at the request of Foxton Parish Council. |
| Applicant | N/A |
| Presenting Officer | Planning Trees Officer (in their absence, Assistant to the Tree Officer) |
| Reason Reported to Committee | Non-emergency TPOs must be bought to committee for permission to serve provisional and confirmed Orders |
| Member Site Visit Date | N/A |
| Key Issues | Is it expedient in the interests of amenity to make provision for the preservation of the trees or woodlands in their area? |
| Recommendation | APPROVE the issuing of a non-emergency provisional TPO |

1.0 Executive Summary

- 1.1 The proposal is to serve a provisional Tree Preservation Order (TPO) for the protection of one (1) mature Oak (*Quercus* spp) standing outside of private property (located on a grass verge along Hall Close, Foxton).
- 1.2 Local planning authorities can issue a TPO where it appears to them “expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area”. TPO’s can be initiated either by the local authority or by request of another party. The Oak tree have been reviewed at the request of another party.
- 1.3 In accordance with the Council’s Constitution, the request to serve a non-emergency provisional TPO comes before Planning Committee.

2.0 Site Description and Context

| | | | |
|--|---|-------------------------|---|
| None relevant | x | Tree Preservation Order | x |
| Conservation Area | | Local Nature Reserve | |
| Listed Building | | Flood Zone 1, 2, 3# | |
| Building of Local Interest | | Green Belt | |
| Historic Park and Garden | | Protected Open Space | |
| Scheduled Ancient Monument | | Controlled Parking Zone | |
| Local Neighbourhood and District Centre | | Article 4 Direction | |
| Check Forward Planning Constraints in Uniform. Put X in box if relevant. Delete constraints that aren’t relevant | | | |

*X indicates relevance

- 2.1 The Oak tree is located on the left side verge seen when entering Hall Close from Station Road, this section of the road has residential properties either side. Hall Road is a none through road consisting of eight (8) properties that have direct visibility of the tree.
- 2.2 Foxton is a small, historic, rural village lying seven miles south-west of Cambridge, tree cover across the parish of Foxton is formed by historic estate and agricultural land, roadside verges, private property, also open spaces such as Foxton Dovecot and Meadow, including the village recreation area and churchyard all of which contribute to a well tree’d village, promoted through the passionate of the Parish Council reflected in Foxton Neighbourhood Plan 2020-2031.
- 2.3 There is one trees of interest. T1 Oak (*Quercus*) tree. The tree is late mature, exhibiting typical characteristics for its age and to be in reasonable

health and vitality. Photographs and individual assessments can be found on accompanying TPO Evaluation Report.

3.0 The Proposal

- 3.1 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.
- 3.2 Should the decision be taken to confirm the Order, it will return to the Planning Committee to request that the Order be confirmed (or not confirmed).

4.0 Relevant Site History

- 4.1 There is no relevant site history, this is a request to serve a provisional TPO as requested by Foxton Parish Council for the perseveration of one Oak tree.

5.0 Relevant Legislation

5.1 National

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

6.0 Consultations

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

7.0 Assessment

- 7.1 The key consideration is, is it 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.
- 7.2 Amenity is not defined in law and therefore it is left for local authorities to exercise their judgement. The trees must have reasonable health, visibility and individual, collective or wider impact. Other factors may be considered, such as importance to nature conservation or response to climate change, but only if the trees achieve the basic qualifying factors.
- 7.3 The Oak tree contributes positively to the local streetscene, prominent within Hall Close and visible from the B road 'Station Rd', the tree is hard to

miss when walking to and from Foxton train station north of Station Rd due to the trees size and position within Hall Close.

- 7.4 Travelling northwards on Station Road, the trees canopy is prominent within the landscape and can be seen for a reasonable distance, estimated 120m, due to the single-story bungalows that line the section of Station Rd.
- 7.5 It is believed the Oak tree is recorded on an 1886 OS map as an individual field tree, this is evidenced within the TPO Evaluation Report, concluding that it has historical and cultural value to Foxton. Given the trees species and age classification, it is viewed that the tree also has ecology and landscape importance providing habitat to native species and contributes to the character of the immediate landscape providing seasonal interest.
- 7.6 Photographs and individual assessments can be found on accompanying TPO Evaluation Report – Appendix 1.

8.0 Recommendation

- 8.1 Approve** the issuing of a non emergency provisional TPO.

Background Papers:

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

- Hall Close Foxton Oak tree provisional TPO evaluation report 02/11/23

Provisional Tree Preservation Order evaluation and report form

Introduction

Non-urgent TPO requests firstly must go through a validation stage to ensure all necessary information has been provided and that the tree(s) are eligible for consideration. Once this has been completed, the Council Officer will evaluate the tree(s) requested for a TPO by visiting the site and undertake a series of assessments set out within the *TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)* form, once this has been completed a summary report will be created to record the outcome.

If the evaluation supports the consideration of a TPO, it will be arranged to take the request to the Council's Planning Committee for approval to create a Provisional TPO

Notify interested parties: outcomes of evaluation process:

The Tree Officer will endeavour to update relevant persons, Parish Council, Cllrs as and when required.

Consideration of Urgency:

If the Tree Officer believes that the tree(s) are of significance and there is an imminent or perceived threat to the tree(s), the Tree Officer may move towards serving an (emergency) Provisional TPO by following the agreed process linked to the Scheme of Delegation.

Provisional TPO guidance

Once a Provisional TPO is served the tree(s) are under statutory protection for 6 months to allow for the Local Planning Authority to undertake further assessment and consideration if the tree(s) are suitable for a permanent TPO, also to consider representations from the landowner and interested parties.

Information collected during this time may be in the form of:

- Tree(s) condition
- Tree Species
- Location
- Historical
- Environmental
- Further site visits
- Engaging with the landowner
- Engaging with the Parish Council
- Seeking professional opinions from the LPAs Ecology, Landscape, and Conservation Officers

Following the Scheme of Delegation, within the 6-month period a TPO report will be created based on collated information and taken to the LPAs Planning Committee for support of the recommended outcome presented by the LPAs Tree Officer or/and Tree Officer Assistant. During this period, Senior Management of the LPAs planning department will be updated for approval before taking to Planning Committee.

The decided outcome will be managed, recorded, filed by the LPAs Tree Planning Team which will include further land checks and legal documents associated to a TPO assisted by the Technical Support Team. All interested parties will be updated.

Site visit: tree identification & evaluation

Provisional TPO title: Hall Close, Foxton Oak tree


Reference: ZGHDTZHV

Site: Hall Close, Foxton

| |
|------------------|
| Case information |
|------------------|

| |
|---|
| <p>Foxton Parish Council have requested for one mature Oak tree to be considered for a TPO located on the south verge of Hall Close, adjacent to 57 Station Rd. reasons for the TPO request extracted from the TPO application form: <i>Correct maintenance of the due to its age and potential root damage due to development. The oak trees is considered to be part of local history or lore, it is also mentioned that this is the only ancient Oak tree within the Foxton development zone</i></p> |
|---|

Images of the tree & description

| Image | Image description |
|---|--|
|  | taken east from the top of Hall Close near to the main junction to Station Rd. |



Taken central to hall

Close

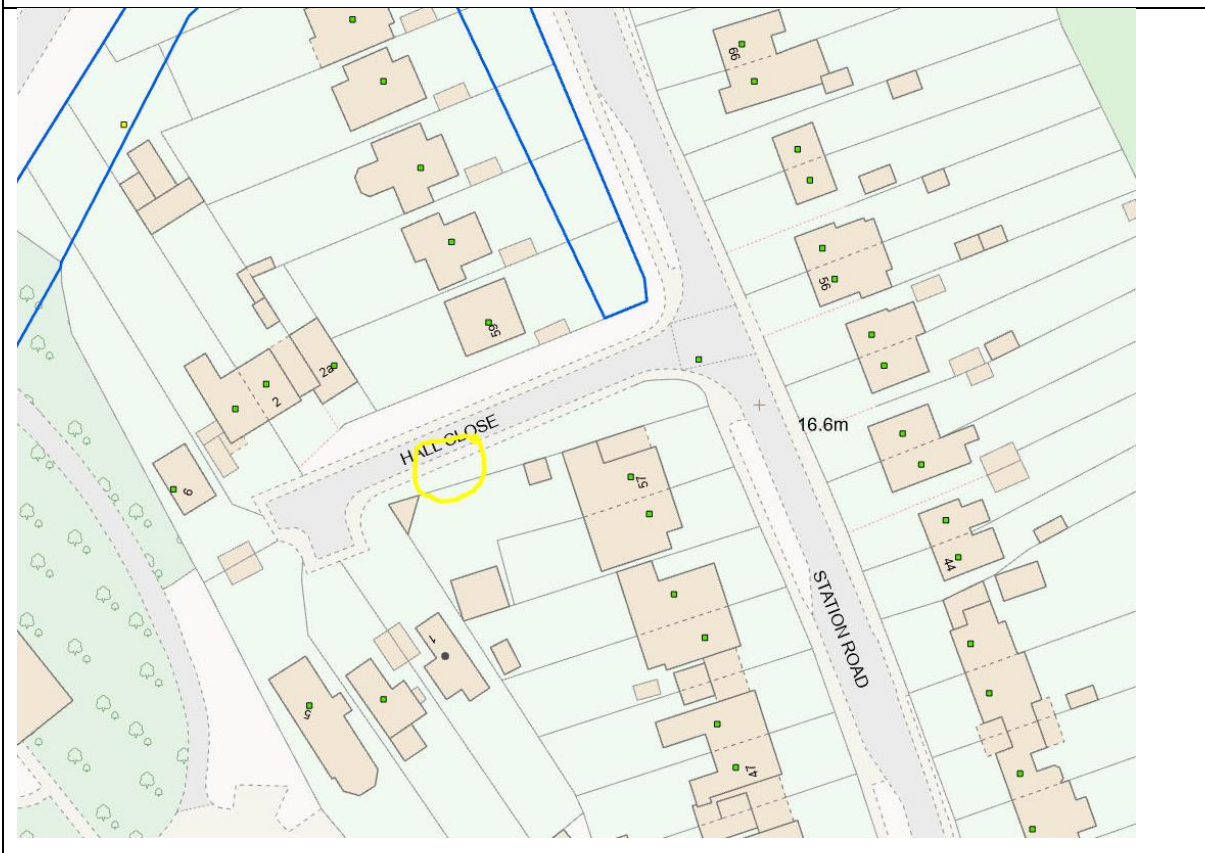


Taken west of Hall
Close looking back
towards the main
entrance from Station
Rd.



A close image of the
upper main trunk and
connecting main limb.
Possible cavity on the
main trunk and clear
observation of an old
wound.

Site map & tree location




Landownership checks and historical mapping

[View map: Ordnance Survey, Cambridgeshire LIII.SE \(includes: Fowlmere; Foxton; Melbourn; Meldreth; Shepreth.\) - Ordnance Survey Six-inch England and Wales, 1842-1952 \(nls.uk\)](#) the Oak tree appears to be shown on a 1886 survey



Land Register check suggests there are no records associated with the land, however, it may be managed by Cambridge Highways but this is not proven –

MapSearch 

Postcode Title number

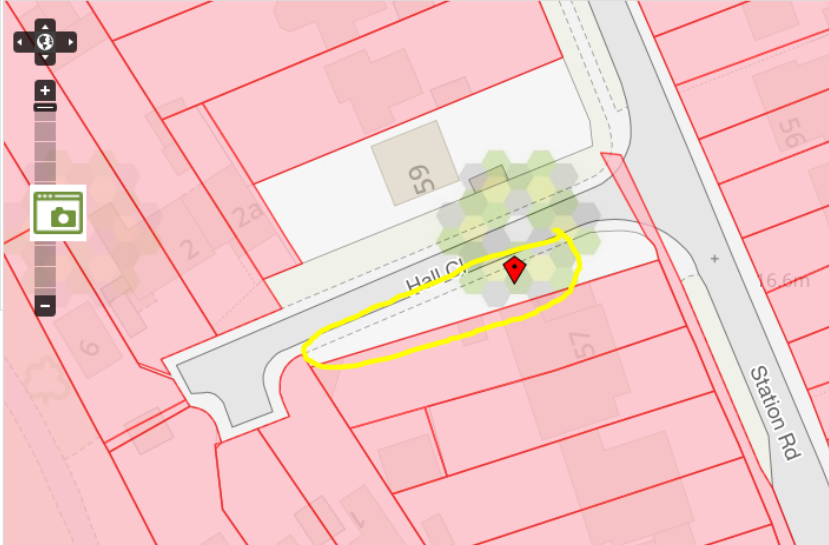
Postcode

or

Street name only

FOXTON

| Title number | Estate information | Address |
|------------------------|--------------------|---------|
| No registrations found | | |

A screenshot of the MapSearch website interface. On the left, there are search fields for Postcode, Street name only, and a search button. Below the search fields is a table titled 'Titles' with columns for Title number, Estate information, and Address. The table shows 'No registrations found'. On the right, there is a map showing a street layout with a yellow circle highlighting a specific location. The map includes labels for 'Hall Ct' and 'Station Rd'.

**South Cambridgeshire District Council (2022)
TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):**

**South Cambridgeshire District Council (2022)
TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):**

Refer to the guidance notes before starting.

SURVEY DATA SHEET & DECISION GUIDE

| | |
|--|-------------------------------------|
| Date: 02/11/23 Surveyor: A. Sargeant | |
| Tree & Site details | |
| Tree Ref: 001 | Owner (if known): |
| Tree/Group No: 01 | Location: Hall Close, Foxton |
| Tree Species: Oak (<i>Quercus</i>) | |

Part 1: Amenity assessment

a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsafe Unsuitable |

A) Score & Notes: 3- Fair.
The Oak tree is within its later stage of its life cycle, with obvious trunk and lower limb cavity and woundings.

** Relates to existing context and is intended to apply to severe irremediable defects only*

b) Remaining longevity (in years) & suitability for TPO:

Refer to 'Species Guide' section in Guidance Note

- | | |
|-----------|-----------------|
| 5) 100+ | highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

B) Score & Notes 4 – very suitable.
Given the species and general appearance, the tree has the potential to live beyond 40yrs

**Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality*

c) Relative public visibility & suitability for TPO:

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- | | |
|--|-------------------------|
| 5) Very large trees, or large trees that are prominent landscape features | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or larger trees with limited view only | Just suitable |
| 2) Small trees, or larger trees visible only with difficulty | Unlikely to be suitable |
| 1) Young, v. small, or trees not visible to the public, regardless of size | Probably unsuitable |

C) Score & Notes. 5 – very large tree
Although the Oak tree is located within a residential dead-end road, it is prominent within the landscape and visible for the entrance junction from Station Rd.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Members of groups of trees that are important for their cohesion
- 3) Trees with significant historical or commemorative importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features

D) Score & Notes 3-
historical importance. The
Oak tree is considered to
be part of Foxton village
history considering its
age and size.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- 5) Known threat to tree inc.s,211
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only
- 0) Tree known to be an actionable nuisance

Score & Notes 1 precautionary only.
There is no knowing strong evidence to suggest
that the tree is under immediate threat.

Part 3: Decision guide

| | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16 + | Definitely merits TPO |

Add Scores for
Total:

 16

Decision:

 Definitely merits TPO

Part 4

Conclusions & Recommendations

The Oak tree within Hall Close, Foxton appears to have reasonable vitality given its density and vibrant crown for the time of year. The tree exhibits an entry to a possible cavity at the top of the main trunk and old woundwood scaring on the lower section of the limb growing over hall Close. The overall crown is dominant encroaching over neighbouring land also across Hall close road, the size of the crown and girth of the trunk suggest that the tree is of some age giving a grand presents when entering Hall Close.

The Oak tree is recorded on an 1886 OS map as an individual field tree but now a street, which demonstrates that the tree has historical connection to the village of Foxton. Furthermore, given the trees location and stature, it is of high amenity value contributing to the street and wider character of Foxton.

In consideration to the trees; species, age, also physiological condition there is an environmental importance associated to the tree possible supporting a wide variety of wildlife however no ecological survey has been undertaken to support this.

It is viewed by members of Foxton Parish Council who originally requested for the Oak tree to be TPO'd, and confirmed by SCDC Tree Officer through a series of assessments that the Oak tree is fundamental to the character of Hall Close, Foxton and a good example of its species and age.

In consideration of "what is the threat" to the Oak tree, there is no known immediate or perceived threat and therefor this is only a provisional TPO request.

I therefore recommend that the Oak tree is approved for a Provisional TPO through support by the Councils Planning Committee to give temporary protection for consideration for confirmation of a full Tree Preservation Order.

SCDC Planning Tree Officer

Appendices

- Making & confirming (Emergency) Provisional TPOs check list.
- Legislation guidelines
- Tree Evaluation Method for Provisional Orders (TEMPO)

Non-urgent TPO requests check list.

Parish/Ward:

Location:

Ref Number:

| Preparation for serving an (Emergency) Provisional TPO | | |
|---|--|--|
| 0.5 | Check for planning applications | |
| 1 | Create folder for TPO in: SharePoint – Arboriculture – TPO request | |
| 2 | Desktop Validation | |
| 3 | Update customer either way within reasonable timeframe | |
| 4 | Undertake site visit evaluation – TEMPO & photo | |
| 5 | Create summery report | |
| 6 | Update customer & consider: PC, Cllr, Ward Member | |
| 7 | Save to file: correspondence and summery report | |
| 8 | Arrange taking to Planning Committee for approval of Provisional TPO | |
| 9 | Create Provisional TPO | |
| 10 | 6-months to determine | |
| 11 | | |

| Representations / Objections | | |
|-------------------------------------|------------------------------------|--|
| 12 | 28 days hiatus final date is _____ | |

| Objections | | |
|-------------------|---|--|
| 13 | Seek manager's advice on how to deal with the objections. Previous cases have been to Planning Committee but there has been discussion that the meeting is usually too busy to deal with TPO objections and that there might be a sub-committee to discuss the matter of whether to confirm a TPO in the light of valid objections. | |

| No objections | | |
|----------------------|--|--|
| 14 | Confirm TPO: take back to Plannning Committee for approval | |

| Confirming TPOs | | |
|------------------------|---|--|
| 15 | Sign and date TPO | |
| 16 | Sign and date the notice of confirmation | |
| 17 | Post the notice of confirmation and covering letter to the tree owner by RECORDED DELIVERY. | |
| 18 | Create new folder on PC called 'Confirmation' inside the TPO folder you have already created. | |
| 19 | Scan the completed confirmed / signed TPO & map and the completed signed notice of confirmation | |
| 20 | File the documents in the physical file folder and put away. | |

| | | |
|----|--|--|
| 21 | Update stakeholders with scanned copy of notice of confirmation. Note: There is no need to send physical copies of the confirmed TPO to tree owner / stakeholders; the confirmation notice is sufficient. | |
|----|--|--|

Legislation guidelines

[Tree Preservation Orders and trees in conservation areas - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Who makes Tree Preservation Orders and why?

Local planning authorities can make a [Tree Preservation Order](#) if it appears to them to be '[expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area](#)'.

Authorities can either initiate [this process](#) themselves or in response to a request made by any other party. When deciding whether an Order is appropriate, authorities are advised to take into consideration [what 'amenity' means in practice](#), what to take into account when assessing [amenity value](#), [what 'expedient' means in practice](#), [what trees can be protected](#) and [how they can be identified](#).

What might a local authority take into account when assessing amenity value?

When considering whether trees should be protected by an Order, authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria:

Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

Individual, collective and wider impact

Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form;
- future potential as an amenity;
- rarity, cultural or historic value;
- contribution to, and relationship with, the landscape; and
- contribution to the character or appearance of a conservation area.

Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

What does ‘amenity’ mean in practice?

‘Amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.

Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.

What does ‘expedient’ mean in practice?

Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.

It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

What trees can be protected?

An Order can be used to protect individual trees, trees within an area, groups of trees or whole woodlands. Protected trees can be of [any size or species](#).

Orders covering a woodland protect the trees and saplings of whatever size within the identified area, including those planted or growing naturally after the Order was made. This is because the purpose of the Order is to safeguard the woodland as a whole, which depends on regeneration or new planting.

Tree Evaluation Method for Preservation Orders

Prior to seeking consent to raise a Tree Preservation Order the Council's Planning Trees Officer and/or Tree Officer Assistant visits the site and completes a Tree Evaluation Method for Preservation Orders assessment (TEMPO).

The method, developed by an Registered Consultant of the Arboricultural Association, is a systematised assessment tool and has been widely used across the arboricultural profession since its introduction in 2009.

The TEMPO methodology is open, to a degree, to the interpretation and judgement of the assessor but invites consideration of amenity and expediency; each criterion is given a score of between 0 and 5 and there are guidance notes for the assessor to help provide a consistent level of assessment.

Following overview and guidance is from the original developer and author.

Overview

TEMPO is designed as a field guide to decision-making, and is presented on a single side of A4 as an easily completed pro forma. As such, it stands as a record that a systematic assessment has been undertaken.

TEMPO considers all of the relevant factors in the TPO decision-making chain. In this connection, it is helpful to revisit the wording of central government advice¹ :

'Although a tree may merit protection on amenity grounds it may not be expedient to make it the subject of a TPO'

From this, it becomes apparent that most existing methods are inadequate, seeking as they do solely to consider the tree rather than any known threats to its retention.

TEMPO corrects this omission by including an expediency assessment within the framework of the method.

Excluding the first section, which is simply the survey record and is thus self-explanatory, TEMPO is a three-part system:

- Part 1 is the Amenity Assessment
- Part 2 is the Expediency Assessment
- Part 3 is the Decision Guide

These parts are set out and function as follows:

Part 1: Amenity Assessment

This part of TEMPO is broken down into four sections, each of which are related to suitability for TPO:

- a) Condition
- b) Retention span
- c) Relative public visibility
- d) Other factors

The first three sections form an initial assessment, with trees that 'pass' this going on to the fourth section.

Looking at the sections in more detail:

A) Condition

This is expressed by five terms, which are defined as follows:

GOOD Trees that are generally free of defects, showing good health and likely to reach normal longevity and size for species, or they may have already done so.

FAIR Trees which have defects that are likely to adversely affect their prospects; their health is satisfactory, though intervention is likely to be required. It is not expected that such trees will reach their full age and size potential or, if they have already done so, their condition is likely to decline. However, they can be retained for the time being without disproportionate expenditure of resources or foreseeable risk of collapse

POOR Trees in obvious decline, or with significant structural defects requiring major intervention to allow their retention, though with the outcome of this uncertain. Health and/or structural integrity are significantly impaired, and are likely to deteriorate. Life expectancy is curtailed and retention is difficult

DEAD Tree with no indication of life

DYING/ DANGEROUS Trees showing very little signs of life or remaining vitality, or with severe, irremediable structural defects, including advanced decay and insecure roothold. Death or catastrophic structural failure likely in the immediate future, retention therefore impossible as something worthy of protection

The scores are weighted towards trees in good condition. It is accepted that trees in fair and poor condition should also get credit, though for the latter this is limited to only one point.

Dead, dying or dangerous trees should not be placed under a TPO, hence the zero score for these categories, due to exemptions within the primary legislation. A note on the pro forma emphasizes that 'dangerous' should only be selected in relation to the tree's existing context: a future danger arising, for example, as a result of development, would not apply. Thus, a tree can be in a state of collapse but not be dangerous due to the absence of targets at risk.

Where a group of trees is being assessed under this section, it is important to score the condition of those principle trees without which the group would lose its aerodynamic or visual cohesion. If the group cannot be 'split' in this way, then its average condition should be considered.

Each of the condition categories is related to TPO suitability.

B) Remaining longevity

The reason that this is included as a separate category to 'condition' is chiefly to mitigate the difficulty of justifying TPO protection for veteran trees.

For example, it is necessary to award a low score for trees in 'poor condition', though many veteran trees that could be so described might have several decades' potential retention span. This factor has been divided into ranges, which are designed to reflect two considerations:

- It has long been established good practice that trees incapable of retention for more than ten years are not worthy of a TPO (hence the zero score for this category); this also ties in with the U category criteria set out in Table 1 of BS5837:2012
- The further ahead one looks into the future, the more difficult it becomes to predict tree condition: hence the width of the bands increases over time Scores are weighted towards the two higher longevities (40-100 and 100+), which follow the two higher ranges given by Helliwell2 .

The Arboricultural Association (AA) publishes a guide³ to the life expectancy of common trees, which includes the following data:

300 years or more Yew 200-300 Common [pedunculate] oak, sweet chestnut, London plane, sycamore, limes
50-200 Cedar of Lebanon, Scots pine, hornbeam, beech, tulip tree, Norway maple
100-150 Common ash, Norway spruce, walnut, red oak, horse chestnut, field maple, monkey puzzle, mulberry, pear
70-100 Rowan, whitebeam, apple, wild cherry, Catalpa, Robinia, tree of heaven 50-70
Most poplars, willows, cherries, alders and birches

The above should be considered neither prescriptive nor exclusive, and it is certainly not comprehensive. However, it should assist with determining the overall lifespan of most trees, in light of their current age, health and context as found on inspection.

It is important to note that this assessment should be made based on the assumption that the tree or trees concerned will be maintained in accordance with good practice, and will not, for example, be subjected to construction damage or inappropriate pruning. This is because if the subject tree is 'successful' under TEMPO, it will shortly enjoy TPO protection (assuming that it doesn't already).

If a group of trees is being assessed, then the mean retention span of the feature as a whole should be evaluated. It would not be acceptable, for example, to score a group of mature birches based on the presence of a single young pedunculate oak.

A note on the pro forma identifies for inclusion in the less than ten years band trees which are assessed being an existing or near future nuisance, including those clearly outgrowing their context, or which are having an adverse effect on adjacent trees of better quality.

The nuisance element is introduced to cover situations where, for example, a Section 211 Notice has been received by the LPA for removal of a tree causing subsidence damage. In relation to outgrowing context, some common sense is needed here: if the trees are being considered for TPO protection prior to development, and if it is apparent that demolition of existing structures will be a component of this process, then a tree should not be marked down simply because it is standing hard up against one of the existing structures.

As with condition, the chosen category is related to a summary of TPO suitability.

C) Relative public visibility

The first thing to note in this section is the prompt, which reminds the surveyor to consider the 'realistic potential for future visibility with changed land use'. This is designed to address the commonplace circumstance where trees that are currently difficult to see are located on sites for future development, with this likely to result in enhanced visibility.

The common situation of backland development is one such example. The categories each contain two considerations: size of tree and degree of visibility.

I (the author) have not attempted to be too prescriptive here, as TEMPO is supposed to function as a guide and not as a substitute for the surveyor's judgement. However, I have found that reference to the square metre crown size guide within the Helliwell System4 can be helpful in reaching a decision. Reference is made to 'young' trees: this is intended to refer to juvenile trees with a stem diameter less than 75mm at 1.5m above ground level.

The reasoning behind this is twofold: this size threshold mirrors that given for trees in Conservation Areas, and trees up to (and indeed beyond) this size may readily be replaced by new planting. In general, it is important to note that, when choosing the appropriate category, the assessment in each case should be based on the minimum criterion.

Whilst the scores are obviously weighted towards greater visibility, we take the view that it is reasonable to give some credit to trees that are not visible (and/or whose visibility is not expected to change: it is accepted that, in exceptional circumstances, such trees may justify TPO protection.

Where groups of trees are being assessed, the size category chosen should be one category higher than the size of the individual trees or the degree of visibility, whichever is the lesser. Thus a group of medium trees would rate four points (rather than three for individuals) if clearly visible, or three points (rather than two) if visible only with difficulty.

Once again, the categories relate to a summary of TPO suitability.

Sub-total 1 At this point, there is a pause within the decision-making process: as the prompt under 'other factors' states, trees only qualify for consideration within that section providing that they have accrued at least seven points. Additionally, they must not have collected any zero scores.

The total of seven has been arrived at by combining various possible outcomes from sections a-c.

The scores from the first three sections should be added together, before proceeding to section d, or to part 3 as appropriate (i.e. depending on the accrued score). Under the latter scenario, there are two possible outcomes:

- 'Any 0' equating to 'do not apply TPO'
- '1-6' equating to 'TPO indefensible'

D) Other factors

Assuming that the tree or group qualifies for consideration under this section, further points are available for four sets of criteria, however only one score should be applied per tree (or group):

- 'Principle components of arboricultural features, or veteran trees' – The latter is hopefully self-explanatory (if not, refer to Read 2000). The former is designed to refer to trees within parklands, avenues, collections, and formal screens, and may equally apply to individuals and groups
- 'Members of groups of trees that are important for their cohesion' – This should also be self-explanatory, though it is stressed that 'cohesion' may equally refer either to visual or to aerodynamic contribution. Included within this definition are informal screens. In all relevant cases, trees may be assessed either as individuals or as groups
- 'Trees with significant historical or commemorative importance' – The term 'significant' has been added to weed out trivia, but we would stress that significance may apply to even one person's perspective. For example, the author knows of one tree placed under a TPO for little other reason than it was planted to commemorate the life of the tree planter's dead child. Thus whilst it is likely that this category will be used infrequently, its inclusion is nevertheless important. Once again, individual or group assessment may apply
- 'Trees of particularly good form, especially if rare or unusual' – 'Good form' is designed to identify trees that are fine examples of their kind and should not be used unless this description can be justified. However, trees which do not merit this description should not, by implication, be assumed to have poor form (see below).

The wording of the second part of this has been kept deliberately vague: 'rare or unusual' may apply equally to the form of the tree or to its species. This recognises that certain trees may merit protection precisely because they have 'poor' form, where this gives the tree an interesting and perhaps unique character. Clearly, rare species merit additional points, hence the inclusion of this criterion.

As with the other categories in this section, either individual or group assessment may apply. With groups, however, it should be the case either that the group has a good overall form, or that the principle individuals are good examples of their species

Where none of the above apply, the tree still scores one point, in order to avoid a zero score disqualification (under part 3).

Sub-total 2

This completes the amenity assessment and, once again, there is a pause in the method: the scores should be added up to determine whether or not the tree (or group) has sufficient amenity to merit the expediency assessment.

The threshold for this is nine points, arrived at via a minimum qualification calculated simply from the seven-point threshold under sections a-c, plus at least two extra points under section d. Thus trees that only just scrape through to qualify for the 'other factor' score, need to genuinely improve in this section in order to rate an expediency assessment. This recognises two important functions of TPOs:

- TPOs can serve as a useful control on overall tree losses by securing and protecting replacement planting
- Where trees of minimal (though, it must be stressed, adequate) amenity are under threat, typically on development sites, it may be appropriate to protect them allowing the widest range of options for negotiated tree retention.

Part 2: Expediency assessment

This section is designed to award points based on three levels of identified threat to the trees concerned. Examples and notes for each category are:

- 'Immediate threat to tree' – for example, Tree Officer receives Conservation Area notification to fell
- 'Foreseeable threat to tree' – for example, planning department receives application for outline planning consent on the site where the tree stands
- 'Perceived threat to tree' – for example, survey identifies tree standing on a potential infill plot.

However, central government advice⁷ is clear that, even where there is no expedient reason to make a TPO, this is still an option. Accordingly, and in order to avoid a disqualifying zero score, 'precautionary only' still scores one point. This latter category might apply, rarely for example, to a garden tree under good management.

Clearly, other reasons apply that might prevent/usually obviate the need for the making of a TPO. However, it is not felt necessary to incorporate such considerations into the method, as it is chiefly intended for field use: these other considerations are most suitably addressed as part of a desk study.

As a final note on this point, it should be stressed that the method is not prescriptive except in relation to zero scores: TEMPO merely recommends a course of action. Thus a tree scoring, say, 15, and so 'definitely meriting' a TPO, might not be included for protection for reasons unconnected with its attributes.

Part 3: Decision Guide

This section is based on the accumulated scores derived in Parts 1 & 2, and identifies four outcomes, as follows:

- Any 0 Do not apply TPO Where a tree has attracted a zero score, there is a clearly identifiable reason not to protect it, and indeed to seek to do so is simply bad practice
- 1-6 TPO indefensible This covers trees that have failed to score enough points in sections 1a-c to qualify for an 'other factors' score under 1d. Such trees have little to offer their locality and should not be protected

- 7-10 Does not merit TPO This covers trees which have qualified for a 1d score, though they may not have qualified for Part 2. However, even if they have made it to Part 2, they have failed to pick up significant additional points. This would apply, for example, to a borderline tree in amenity terms that also lacked the protection imperative of a clear threat to its retention
- 11-14 Possibly merits TPO This applies to trees that have qualified under all sections, but have failed to do so convincingly. For these trees, the issue of applying a TPO is likely to devolve to other considerations, such as public pressure, resources and 'gut feeling'
- 15+ Definitely merits TPO Trees scoring 15 or more are those that have passed both the amenity and expediency assessments, where the application of a TPO is fully justified based on the field assessment exercise

Notation boxes

Throughout the method, notation space is provided to record relevant observations under each section. For local authorities using TEMPO, it may even be helpful to include a copy of the TEMPO assessment in with the TPO decision letter to relevant parties, as this will serve to underline the transparency of the decision-making process.

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Agenda Item 11

REPORT TO:

Planning Committee January 2024

LEAD OFFICER:

Joint Director of Planning and Economic Development

Compliance Report

Executive Summary

1. On 5 January there were 595 open cases in South Cambridgeshire and Cambridge City. There are currently 263 identifiable open cases in South Cambridgeshire.
2. From 1 January 2023 to December 31 2023, the compliance team have received at total of 798 compliance referrals across both South Cambridgeshire and Cambridge City.
3. Details of all compliance investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1 and 2 attached to this report.
5. Data contained in the appendices relates to the end of December 2023 statistical information.

Updates to Service Delivery

The Planning Compliance Team is part of the Development Management service of the Greater Cambridge Shared Planning Service.

Rebecca Smith
Delivery Manager (Development Management and Compliance)

Chris Braybrooke
Principal Planning Compliance Manager

Alistair Funge
Senior Planning Compliance Officer

Nick Smith
Senior Planning Compliance Officer

Tony Wallis
Senior Planning Compliance Officer

George Mynehan
Senior Planning Compliance Officer

Robert Bird
Planning Compliance Officer

Updates on significant cases

Should Members wish for specific updates on cases they have involvement in, or have been made aware of then please feel free to contact the Principal Planning Compliance Manager who will be able to update you or advise you of the case officer and request that the officer contacts you.

Performance Management and new reporting update

Following the previous committee update, the new reporting programme continues to be improved to assist with producing reports for this committee, and providing the additional information requested by committee members.

Details of open cases older and newer than 6 months are provided for at Appendix 3 of this report, as well as the priorities of open cases since the new priority recording came into effect.

The case priorities are as follows.

- **High priority (Priority A)** cases are for work which is irreversible or irreplaceable and these will be immediately investigated within 5 working days of receipt. Examples include damage or loss of Listed Buildings or protected trees.
- **Medium priority (Priority B)** cases are for activities have or can cause harm, such as adverse effects on conservation areas or breaches of conditions. Our aim is to instigate the investigation and assess whether a breach of planning control within 10 working days of the site visit.
- **Low priority (Priority C)** cases are for a development which may cause some harm but could be made acceptable by way of implementing conditions or simple correction action. Our aim is to instigate the investigation and

assess whether a breach of planning control within 20 working days of the site visit.

The figures at Appendix 3 currently reflect the cases for all enforcement cases within GCSP, and not just South Cambridgeshire. Further reporting enhancements will allow for separate reporting of these figures in the future.

Further updates on performance management will be provided when they are available.

Background Papers

Planning Enforcement Register.

Statistical Analysis of Uniform Planning Enforcement Software Program.

Appendices

Appendix 1: Compliance Cases Received and Closed.

Appendix 2: Notices Served.

Appendix 3: Caseload Statistics.

Report Author:

Chris Braybrooke – Principal Planning Compliance Manager Date: 05/01/2024

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Appendix 1

Enforcement Cases Received and Closed.

| Month | South Cambridgeshire | | | | | | | LPA Total |
|---------------|----------------------|-----------|----------|---------------|----------------------|-------|----|-----------|
| | Received | No Breach | Resolved | Not Expedient | Application Approved | Other | | |
| December 2023 | 19 | 4 | 0 | 2 | 3 | 3 | 12 | |
| November 2023 | 22 | 2 | 0 | 0 | 0 | 0 | 2 | |
| October 2023 | 23 | 13 | 0 | 1 | 0 | 9 | 23 | |

Quarterly Totals for Past 2 Years

| Quarter | South Cambridgeshire | | | | | | | LPA Total |
|-------------|----------------------|-----------|----------|---------------|----------------------|-------|----|-----------|
| | Received | No Breach | Resolved | Not Expedient | Application Approved | Other | | |
| Qtr, 1 2023 | 82 | 18 | 0 | 9 | 2 | 15 | 44 | |
| Qtr, 2 2023 | 64 | 16 | 0 | 6 | 9 | 25 | 56 | |
| Qtr 3 2023 | 61 | 4 | 0 | 2 | 3 | 3 | 12 | |
| Qtr 1 2022 | 85 | 26 | 0 | 19 | 1 | 21 | 67 | |
| Qtr 2 2022 | 42 | 33 | 0 | 12 | 3 | 18 | 66 | |
| Qtr 3 2022 | 59 | 22 | 0 | 9 | 7 | 6 | 44 | |
| Qtr 4 2022 | 94 | 41 | 0 | 7 | 3 | 36 | 87 | |

Appendix 2

Public Enforcement Notices served

December 2023

| Reference | Ward | Parish | Address | Notice Issued |
|---------------------------|------|--------|---------|---------------|
| *** No Notices Issued *** | | | | |

November 2023

| Reference | Ward | Parish | Address | Notice Issued |
|-------------|-------------------|-----------------|--|---|
| EN/00392/22 | Milton (Detached) | Milton CP (DET) | Grassy Corner Caravan Park Chesterton Fen Road Milton Cambridgeshire | Material Change of use Enforcement Notice |

October 2023

| Reference | Ward | Parish | Address | Notice Issued |
|---------------------------|------|--------|---------|---------------|
| *** No Notices Issued *** | | | | |

September 2023

| Reference | Ward | Parish | Address | Notice Issued |
|-------------|-------------------|---------------------|--|--------------------------------|
| EN/00304/23 | Caxton & Papworth | Papworth Everard CP | 34 Cheere Way Papworth Everard Cambridgeshire CB23 3NZ | Operational Development Notice |

Appendix 3

Caseload statistics

These statistics relate to both South Cambridgeshire District Council and Cambridge City Council. Further reporting enhancements will allow for separate reporting of South Cambridgeshire figures in the future.

| | |
|-----------------------------------|-----|
| Open cases less than 6 months old | 232 |
|-----------------------------------|-----|

Open Cases by priority.

| | |
|------------|----|
| Priority A | 1 |
| Priority B | 12 |
| Priority C | 88 |

| | |
|-----------------------------------|-----|
| Open cases more than 6 months old | 363 |
|-----------------------------------|-----|

Statistical data for priorities of cases more than 6 months old is not available as the case priority system has been implemented less than 6 months ago.

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Agenda Item 12

Greater Cambridge Shared Planning

South Cambridgeshire District Council - Appeals for Committee



GREATER CAMBRIDGE
SHARED PLANNING

Appendix 1: Decisions Notified By The Secretary of State

| REFERENCE | SITE ADDRESS | DETAILS | DECISION | DECISION DATE | PLANNING DECISION |
|---|--|---|--------------------|---------------|--|
| 23/00682/HFUL (APP/Q0505/D/23/3334647) | 24 Teversham Way Sawston Cambridgeshire CB22 3DF | Single storey attached annex to front and side. | Appeal Turned Away | 12/12/2023 | Refusal of planning permission (Delegated Decision) |
| 22/03753/FUL (APP/W0530/W/23/3319987) | Land R/O 33 Church Street Gamlingay Cambridgeshire SG19 3JH | Demolition of existing commercial buildings and erection of 5 new dwellings with associated parking, amenity space and landscaping | Appeal Dismissed | 15/12/2023 | Non-determination within statutory period (Delegated Decision) |
| 22/03950/HFUL (APP/W0530/W/23/3317702) | 30 Meadow Lane Over Cambridgeshire CB24 5NF | Detached double garage and carport with office/playroom above. | Appeal Dismissed | 19/12/2023 | Refusal of planning permission (Delegated Decision) |
| 22/01131/S73 (APP/W0530/W/23/3315204) | Avalon Eco Farm Meadow Road Willingham Cambridgeshire CB24 5JL | S73 removal of condition 8 (Passing place) of prior approval application 21/01820/PRI03Q (Prior approval for change of use of agricultural building to 2 No. dwellinghouses (Class C3)) | Appeal Allowed | 20/12/2023 | Non-determination within statutory period |
| 22/03193/FUL (APP/W0530/W/23/3317656) | College Farm House Common Road Weston Colville Cambridge Cambridgeshire CB21 5NS | Change of use of agricultural land to residential and the retrospective replacement of an existing shed and construction of a cartlodge. | Split Decision | 21/12/2023 | Refusal of planning permission (Delegated Decision) |

Appendix 2: Appeals received

| REFERENCE | SITE ADDRESS | DETAILS | DATE LODGED |
|---|---|---|-------------|
| 23/00682/HFUL (APP/Q0505/D/23/3334647) | 24 Teversham Way Sawston Cambridgeshire CB22 3DF | Single storey attached annex to front and side. | 07/12/2023 |

Appendix 3a: Local Inquiry dates scheduled

| REFERENCE | SITE ADDRESS | APPELLANT | EVENT DATE |
|--|--|--|------------|
| 22/02528/OUT (APP/W0530/W/23/3328390) | Darwin Green Phases Two And Three Development Site Cambridge Road Impington Cambridgeshire | Barratt David Wilson Homes And The North West Cambridge Cons | 16/01/2024 |

Appendix 3b: Informal Hearing dates scheduled

| REFERENCE | SITE ADDRESS | APPELLANT | EVENT DATE |
|--|---|--------------------|------------|
| 21/01172/FUL (APP/W0530/W/23/3322185) | Land To The East Of 5 Moor Drove Histon Cambridgeshire | Mr Bill Price | 09/01/2024 |
| 21/01173/FUL (APP/W0530/W/23/3322128) | Land To The East Of 2 Moor Drove Histon Cambridgeshire | Mr Chasey Price | 09/01/2024 |
| 20/04299/FUL (APP/W0530/W/23/3318845) | Plot F6 Moor Drove Histon Cambridgeshire | Mr Tony Price | 10/01/2024 |
| 20/04858/FUL (APP/W0530/W/23/3318840) | Plot B2 Moor Drove Histon Cambridgeshire | Miss Jolene Gentle | 10/01/2024 |
| 20/04264/FUL (APP/W0530/W/23/3318842) | Plot C3 Moor Drove Histon Cambridgeshire CB24 9AN | Mr Joshua Price | 10/01/2024 |
| 20/04298/FUL (APP/W0530/W/23/3318844) | Plot E5 Moor Drove Histon Cambridgeshire | Ms Sarah Price | 10/01/2024 |
| 20/04297/FUL (APP/W0530/W/23/3318843) | Plot D4 Moor Drove Histon Cambridgeshire | Ms Jessie Price | 10/01/2024 |
| 20/04263/FUL (APP/W0530/W/23/3318839) | Plot A1 Moor Drove Histon Cambridgeshire | Mr Arram Price | 10/01/2024 |

Appendix 4: Appeals Awaiting Decision from Inspectorate

| REFERENCE | SITE ADDRESS | DETAILS | REASON |
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| EN/00394/21A (APP/W0530/C/22/3307285) | Land adjoining 16 Chalky Road Great Abington Cambridge Cambridgeshire CB21 6AT | Without planning permission, the erection of a building (edged in black on attached plan for identification purposes only). | Appeal against enforcement notice |
| 22/01574/CL2PD (APP/W0530/X/22/3308443) | Land To The South Of Chear Fen Boat Club Twentypence Road Cottenham Cambridgeshire | Certificate of lawfulness under S192 for the stationing of 2 mobile homes for residential purposes. | Refusal of planning permission (Delegated Decision) |
| 22/01703/FUL (APP/W0530/W/22/3308444) | Land To The South Of Chear Fen Boat Club Twentypence Road Cottenham Cambridgeshire | Change of use of land through intensification to the stationing of caravans for residential purposes, nine dayrooms and the formation of hardstanding ancillary to that use. | Refusal of planning permission (Delegated Decision) |
| 21/05641/OUT (APP/W0530/W/22/3300245) | Land To The South Of 86 Chrishall Road Fowlmere Cambridgeshire | Outline planning application for 15no self-build dwellings, with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval. | Refusal of planning permission (Delegated Decision) |
| (APP/W0530/C/22/3312215) | Land At Acre Orwell Road Barrington Cambridgeshire CB22 7SF | Alleged change of use of the land from agricultural to living in a caravan without permission | Appeal against enforcement notice |
| 22/02870/OUT (APP/W0530/W/22/3311183) | Land To The South Of 86 Chrishall Road Fowlmere Cambridgeshire | Outline planning application for 15 No. self-build dwellings, with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval. | Refusal of planning permission (Delegated Decision) |
| EN/00492/21 (APP/W0530/C/23/3314203) | Moat Farmhouse Moat Farm Park Lane Castle Camps Cambridge Cambridgeshire CB21 4SR | Without planning permission, an engineering operation comprising the excavation and formation of two lakes and the creation of earth bunds associated with the excavation of a lakes | Appeal against enforcement notice |
| 22/02771/OUT (APP/W0530/W/23/3315611) | Land North Of Cambridge North Station Milton Avenue Cambridge Cambridgeshire | A hybrid planning application for: a) An outline application (all matters reserved apart from access and landscaping) for the construction of: three new residential blocks providing for up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i(offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)),together with the construction of basements for parking and building | Non- determination within statutory period (Joint Development Control committee) |

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| | | services, car and cycle parking and infrastructure works. b) A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)) with associated car and cycle parking, the construction of a multi storey car and cycle park building, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures. | |
| 22/01126/HFUL (APP/W0530/D/23/3316046) | Byeways Station Road Harston CB22 7NY | part single, part two storey rear extensions including erection of a front boundary wall and gated entrance (part retrospective) - variation to planning permission 21/02100/HFUL. | Refusal of planning permission (Delegated Decision) |
| SCD-EN-00004-23 (APP/W0530/C/23/3316049) | Byeways Station Road Harston Cambridgeshire CB22 7NY | Unauthorised operational development following refusal of retrospective planning application ref 22/01126/HFUL | Appeal against enforcement notice |
| 20/04263/FUL (APP/W0530/W/23/3318839) | Plot A1 Moor Drove Histon Cambridgeshire | Change of use from disused land to single site for one static caravan, day room and parking | Refusal of planning permission (Delegated Decision) |
| (APP/W0530/C/23/3320908) | Bridgefoot Farm Kennels Barley Road Flint Cross Great And Little Chishill Royston Cambridgeshire SG8 7PU | Extension of agricultural buildings, laying of hardstanding, widening of access, siting and occupation of mobile home on site and change of use to a warehouse and distribution centre. | Appeal against enforcement notice |
| 21/02476/REM (APP/W0530/W/23/3314131) | 39A And Lion Works Station Road (west) Whittlesford Cambridge Cambridgeshire CB22 4NL | Approval of matters reserved for access, appearance, landscaping, layout and scale following outline planning permission S/0746/15/OL to provide 67 residential units following demolition of 39a Station Road West and the formation of a new access road. (Re-submission of 20/03755/REM) | Refusal of planning permission (Committee Decision (Area/Main)) |
| 21/01172/FUL (APP/W0530/W/23/3322185) | Land To The East Of 5 Moor Drove Histon Cambridgeshire | Retrospective change of use of land to use as a residential caravan site for 6 caravans including no more than 1 static caravan/mobile home, together with erection of 3no. amenity buildings and laying of hardstanding | Refusal of planning permission (Delegated Decision) |

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| 21/01173/FUL (APP/W0530/W/23/3322128) | Land To The East Of 2 Moor Drove Histon Cambridgeshire | Retrospective change of use of land to use as a residential caravan site for 12 caravans including erection of 6no. amenity buildings and laying of hardstanding | Refusal of planning permission (Delegated Decision) |
| 22/04845/FUL (APP/W0530/W/23/3315524) | 3, 5, 7 And 9 Milton Road Impington Cambridgeshire CB24 9NF | Demolition of 4 No. existing buildings and the construction of 5 No. new dwellings and associated landscaping. (Resubmission of 22/02281/FUL) | Refusal of planning permission (Delegated Decision) |
| 22/03877/LBC (APP/W0530/Y/23/3315154) | Barn Adjacent To 19 Main Street Stow Cum Quy Cambridgeshire CB25 9AB | Conversion of a Timber-Framed Barn into dwelling (Re-submission of 22/02091/LBC) | Refusal of planning permission (Delegated Decision) |
| 22/03876/FUL (APP/W0530/W/23/3315158) | Barn Adjacent To 19 Main Street Stow Cum Quy Cambridgeshire CB25 9AB | Conversion of a Timber-Framed Barn into dwelling (Re-submission of 22/02090/FUL). | Refusal of planning permission (Delegated Decision) |
| 22/05031/PRIOR (APP/W0530/W/23/3314190) | Moat Farm Park Lane Castle Camps Cambridgeshire CB21 4SR | Creation of 2 No. irrigation reservoirs | Refusal of planning permission (Delegated Decision) |
| 22/04908/PRIOR (APP/W0530/W/23/3320897) | Network House St Neots Road Caldecote Cambridgeshire CB23 8AY | Erection of a 2.5 storey block of 8 No. flats following the demolition of the existing office block. | Refusal of planning permission (Delegated Decision) |
| 22/05367/FUL (APP/W0530/W/23/3320880) | Land South Off Horseheath Green Horseheath Cambridgeshire | Conversion of existing buildings to 2 No. residential dwellings. (Resubmission of 22/02566/FUL) | Refusal of planning permission (Delegated Decision) |
| 23/00471/PRIOR (APP/W0530/W/23/3320943) | Network House St Neots Road Caldecote Cambridgeshire CB23 8AY | Demolition of buildings and construction of 7 No. new dwellinghouses | Refusal of planning permission (Delegated Decision) |
| EN/00335/23 (APP/W0530/F/23/3327225) | The Navigator 63 High Street Little Shelford Cambridgeshire CB22 5ES | Extraction Unit doesn't have Planning Permission 21/05343/FUL and 21/05344/LBC refused | Appeal against enforcement notice |
| EN/00335/23 (APP/W0530/C/23/3327223) | The Navigator 63 High Street Little Shelford Cambridgeshire CB22 5ES | Extraction Unit doesn't have Planning Permission 21/05343/FUL and 21/05344/LBC refused | Appeal against enforcement notice |
| 22/03497/OUT (APP/W0530/W/23/3322599) | Land South Of Willingham Green Willingham Green Road Carlton Newmarket Cambridgeshire CB8 0SW | Outline application for the erection of 1 no. dwelling together with access | Refusal of planning permission (Delegated Decision) |

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| SCD-EN-00362-21 (APP/W0530/C/23/3324256) | Cherry Trees Priest Lane Willingham CB24 5HZ | Malanois Dog rescue kennels operating from site without planning permission. | Appeal against enforcement notice |
| SCD-EN-00362-21 (APP/W0530/C/23/3324257) | Cherry Trees Priest Lane Willingham CB24 5HZ | Malanois Dog rescue kennels operating from site without planning permission. | Appeal against enforcement notice |
| SCD-EN-00362-21 (APP/W0530/C/23/3324258) | Cherry Trees Priest Lane Willingham CB24 5HZ | Malanois Dog rescue kennels operating from site without planning permission. | Appeal against enforcement notice |
| SCD-EN-00362-21 (APP/W0530/C/23/3324260) | Cherry Trees Priest Lane Willingham CB24 5HZ | Malanois Dog rescue kennels operating from site without planning permission. | Appeal against enforcement notice |
| 20/04299/FUL (APP/W0530/W/23/3318845) | Plot F6 Moor Drove Histon Cambridgeshire | Change of use from disused land to single site for one static caravan, laundry/shower room and parking | Refusal of planning permission (Delegated Decision) |
| 20/04858/FUL (APP/W0530/W/23/3318840) | Plot B2 Moor Drove Histon Cambridgeshire | Change of use from disused land to single site for one static caravan, day room and parking | Refusal of planning permission (Delegated Decision) |
| 20/04298/FUL (APP/W0530/W/23/3318844) | Plot E5 Moor Drove Histon Cambridgeshire | Change of use from disused land to single site for one static caravan, day room and parking | Refusal of planning permission (Delegated Decision) |
| 20/04297/FUL (APP/W0530/W/23/3318843) | Plot D4 Moor Drove Histon Cambridgeshire | Change of use from disused land to single site for one static caravan, day room and parking | Refusal of planning permission (Delegated Decision) |
| 20/04264/FUL (APP/W0530/W/23/3318842) | Plot C3 Moor Drove Histon Cambridgeshire CB24 9AN | Change of use from disused land to single site for two static caravans, day room and parking | Refusal of planning permission (Delegated Decision) |
| 23/00926/FUL (APP/W0530/W/23/3323399) | 69 Cambridge Road Milton Cambridgeshire CB24 6AW | Erection of new single storey dwelling | Refusal of planning permission (Delegated Decision) |
| 22/02528/OUT (APP/W0530/W/23/3328390) | Darwin Green Phases Two And Three Development Site Cambridge Road Impington Cambridgeshire | Outline planning permission (all matters reserved except for means of access) for up to 1,000 residential dwellings, secondary school, primary school, community facilities, retail uses, open space and landscaped areas, associated engineering, demolition and infrastructure works | Non- determination within statutory period (Joint Development Control committee) |

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| 21/01197/FUL (APP/W0530/W/23/3318514) | Land Adjacent To The Barn Fen Road Milton Cambridge Cambridgeshire | Erection of barn | Refusal of planning permission (Delegated Decision) |
| 22/02354/FUL (APP/W0530/W/23/3319121) | The Old Stables Cambridge Road Wimpole Cambridgeshire SG8 5QB | Construction of a 3 Bedroom detached dwelling with detached open bay garage. | Refusal of planning permission (Delegated Decision) |
| 22/02437/FUL (APP/W0530/W/23/3319255) | Land Off Ashwell Road Steeple Morden Cambridgeshire | Erection of four detached earth sheltered Paragraph 80 dwellings with associated hard and soft landscaping, formation of two new ponds and re- wilding of land. | Refusal of planning permission (Delegated Decision) |
| 23/01510/FUL (APP/W0530/W/23/3324898) | Land South Off Horseheath Green Horseheath Cambridgeshire | Conversion of existing buildings to 2 No. residential dwellings. (Resubmission of 22/02566/FUL) | Refusal of planning permission (Delegated Decision) |
| 21/03058/FUL (APP/W0530/W/23/3323769) | 339 St Neots Road Hardwick CB23 7QL | Erection of 2no 3bed dwellings (further variation to S/2665/17/FL, S/0884/19/VC and S/3206/19/VC) | Refusal of planning permission (Delegated Decision) |
| SCD-EN-00019-22 (APP/W0530/C/23/3328025) | 34A South Road Great Abington Cambridge Cambridgeshire CB21 6AU | dwelling erected without planning permission. | Appeal against enforcement notice |
| 23/01065/FUL (APP/W0530/W/23/3324121) | Land Adjacent To 74 Station Road Willingham Cambridgeshire | Development of 2 detached passive 4 bedroom dwellings on land on the west side of Station Road, Willingham | Refusal of planning permission (Delegated Decision) |
| 23/00356/FUL (APP/W0530/W/23/3326675) | 76 Station Road Fulbourn Cambridgeshire CB21 5ES | Demolition of existing dwelling and erection of two five- bedroom detached dwellings (Use Class C3) accessed from Station Road, with associated parking and landscaping. | Refusal of planning permission (Delegated Decision) |
| 22/04039/FUL (APP/W0530/W/23/3322245) | Quy Hall Station Road Stow Cum Quy Cambridgeshire CB25 9AJ | Use of the grounds of Quy Hall for the provision of private events (including wedding use) and the associated erection of a marquee, on a temporary basis for up to 12 weekends per year (allowing one event per weekend) | Refusal of planning permission (Delegated Decision) |
| 22/04018/OUT (APP/W0530/W/23/3325284) | Fenny Lane Farm Fenny Lane Meldreth Cambridgeshire SG8 6NN | Outline Application with all matters reserved other than access for the erection of nine self-build dwellings at Land at Fenny Lane Farm, Meldreth. | Refusal of planning permission (Committee Decision (Area/Main)) |

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| 22/05316/FUL (APP/W0530/W/23/3323398) | 1 New Road Guilden Morden Cambridgeshire SG8 0JN | Erection of Two Cottages and Associated Works | Refusal of planning permission (Delegated Decision) |
| 23/01730/PRIOR (APP/W0530/W/23/3328558) | 78-80 Flittons Farm Station Road Steeple Morden Cambridgeshire SG8 0NS | Conversion of an agricultural building to 1 no. residential dwelling (Class C3). | Refusal of planning permission (Delegated Decision) |

Appendix 5: Appeals Pending Statement

| REFERENCE | SITE ADDRESS | DETAILS | STATEMENT DUE |
|--|---|--|---------------|
| 23/02876/FUL (APP/W0530/W/23/3330672) | 44 Broad Lane Haslingfield Cambridgeshire CB23 1JF | Demolition of dwelling and erection of 5 No. dwellings with associated garaging, formation of private driveway, and landscaping. Resubmission of 22/04371/FUL | 02/02/2024 |

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