

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 September 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1901/16/OL

Parish(es): Meldreth

Proposal: Outline planning permission for a mixed use development (up to 150 dwellings, public open space and new technology plant), new car park and access for Sports and Social Club and associated infrastructure. All matters reserved with the exception of the means of access

Site address: Land at Eternit UK, Whaddon Road, Meldreth SG8 5RL

Applicant(s): Mr James Munnery, Footprint Land and Property

Recommendation: Delegated approval (to complete section 106 agreement)

Key material considerations: Five year supply of housing land
Principle of development (including redevelopment of a brownfield site)
Density of development
Affordable housing (including viability considerations)
Character of the village edge and surrounding landscape
Highway safety
Residential amenity of neighbouring properties
Surface water and foul water drainage
Remediation of contaminated land
Trees
Ecology
Provision of formal and informal open space
Section 106 Contributions

Committee Site Visit: Undertaken on 04 July 2017

Departure Application: Yes (advertised 16 August 2016)

Presenting Officer: David Thompson, Principal Planning Officer

Application brought to Committee because: Approval of the planning application would represent a departure from the Local Plan and would be contrary to the recommendations of Meldreth and Whaddon Parish Councils.

Date by which decision due: 06 September 2017 (Extension of time agreed)

Executive Summary

1. The application was deferred at the July meeting of planning committee for the following work to be undertaken:
 - An independent review of the highway safety information, including an assessment of the impact of the additional traffic on the Whaddon Gap and Whaddon Road/Fenny Lane junctions
 - Additional information in relation to contaminated land
 - Further explanation of the impact of the noise associated with the commercial use to be retained on the site
2. In relation to the highway safety impact, an independent assessment has been carried out by WS Atkins. The report they produced is attached to this report as appendix 2. The findings of the assessment are discussed in detail in paragraphs 132 - 135 of this report. In relation to contaminated land, the independent assessment of the applicant's estimated remediation costs by MLM Engineering is attached to this report as Appendix 3, with additional advice to Members on how this issue relates to the assessment of the planning application provided at paragraphs 166 and 167 of this report. The Contaminated Land Officer will be present at the committee meeting to answer specific questions. The Environmental Health Officer will also be in attendance at the meeting to answer questions in relation to the noise impact concerns.
3. The proposal represents a significant scale of development on a contaminated brownfield site outside the Meldreth village framework. The proposal would also involve the loss of a large part of the site, which is proposed to be designated as an Established Employment Area under policy E/15 of the emerging Local Plan, through redevelopment for residential. However, the planning application does include the provision of a 2,500 square metre building to be used for industrial purposes, on the part of the site to be retained for commercial use. Evidence has been provided which indicates that the number of people employed at the site would substantially increase as a result of the proposal. The new industrial building would compensate for the loss of the existing buildings, which have become largely redundant following advances in manufacturing techniques.
4. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. There are no objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency. The indicative proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development. The proposal includes the provision of 25% affordable housing on site. Based on the evidence provided, this is considered to be the level at which the scheme remains financially viable, given the extent of the contamination on the site and associated remediation costs.
5. In terms of its locational sustainability, it is acknowledged that the site is further than would be considered reasonable walking distance from Meldreth railway station. However, mitigation measures include a financial contribution to extend the community transport facility secured as part of the New Road scheme in Melbourn, improvements to the cycle way as well as footway links between the site and the train station would enhance more sustainable modes of travel to the rail station. In addition, it should be noted that even if residents of the development drive from the site to Meldreth train station, the majority of the journey to Cambridge or Royston

would be via public transport, reducing the environmental harm arising from the scheme

Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the economic benefit of the additional employment that would result from the development outweigh the harm resulting from the environmental disbenefits (additional trip generation), the limited landscape harm arising from the scheme and the conflict with adopted policies DP/1(a) and DP/7 given the development is proposed on land outside the development framework for Meldreth. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Relevant Planning History

6. The below is not an exhaustive list of the planning history of the site but is considered to include the most relevant applications, explaining the development of the site and affecting this application:

S/2228/16/E1- Environmental Impact Assessment (EIA) Screening Opinion for development of mixed use development of up to 150 dwellings and associated infrastructure, and a new technology plant, along with new access and car park associated with the Sports and Social Club – not considered to be EIA development.

S/0392/07/CM (application determined by Cambridgeshire County Council as the Local Planning Authority for minerals and waste development) – final restoration of landscaping of a former closed gate landfill by the importation of inert waste materials (land to the north of the application site) - approved.

S/506/94/F – erection of Sports Club building – approved.

S/1302/91/F – extension to offices -approved

S/1113/89/F – vehicular access extension to yard area and gatehouse – approved.

SC/0052/62 - erection of building for the manufacture of asbestos cement products – approved.

National Guidance

7. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance

Development Plan Policies

The extent to which any of the following policies are out of date and the weight to be attached to them is addressed later in the report.

8. **South Cambridgeshire LDF Core Strategy DPD, 2007**

ST/2 Housing Provision

ST/3 Re-using previously developed land and buildings

ST/6 Group Villages

ST/8 Employment Provision

9. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development

DP/2 Design of New Development
 DP/3 Development Criteria
 DP/4 Infrastructure and New Developments
 DP/7 Development Frameworks
 ET/6 Loss of Rural Employment to Non-Employment Uses
 HG/1 Housing Density
 HG/2 Housing Mix
 HG/3 Affordable Housing
 HG/4 Affordable Housing Subsidy
 NE/1 Energy Efficiency
 NE/3 Renewable Energy Technologies in New Development
 NE/4 Landscape Character Areas
 NE/6 Biodiversity
 NE/8 Groundwater
 NE/9 Water and Drainage Infrastructure
 NE/11 Flood Risk
 NE/12 Water Conservation
 NE/14 Lighting Proposals
 NE/15 Noise Pollution
 NE/17 Protecting High Quality Agricultural Land
 CH/2 Archaeological Sites
 SF/10 Outdoor Playspace, Informal Open Space, and New Developments
 SF/11 Open Space Standards
 TR/1 Planning For More Sustainable Travel
 TR/2 Car and Cycle Parking Standards
 TR/3 Mitigating Travel Impact

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

Open Space in New Developments SPD - Adopted January 2009
 Affordable Housing SPD - Adopted March 2010
 Trees & Development Sites SPD - Adopted January 2009
 Landscape in New Developments SPD - Adopted March 2010
 Biodiversity SPD - Adopted July 2009
 District Design Guide SPD - Adopted March 2010
 Development Affecting Conservation Areas SPD – Adopted January 2009

11. **South Cambridgeshire Local Plan Submission - March 2014**

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/10 Group Villages
 HQ/1 Design Principles
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 NH/2 Protecting and Enhancing Landscape Character
 NH/3 Protecting Agricultural Land
 NH/4 Biodiversity
 NH/14 Heritage Assets
 E/14 Loss of Employment Land to Non Employment Uses
 E/15 Established Employment Areas
 CC/1 Mitigation and Adaptation to Climate Change

CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
SC/2 Heath Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

12. **Meldreth Parish Council** – strongly objects to the proposed development, giving the following reasons (summarised).

- There are 55 residents in Whaddon who are on the Affordable Housing Register. The under provision of affordable housing on the site is a key weakness of the scheme.
- The size of the development and the resulting increase in the housing stock in the village (equivalent to a 19% increase on the existing village) is considered to be of a scale that would have a detrimental impact on the character and appearance of Meldreth and would place an unsustainable burden on the capacity of services and facilities within the locality.
- The site is located further away from the services and facilities in the village than would normally be considered a reasonable walking distance. This ensures that occupants of the development would be reliant on the private car to make journeys to access these facilities, which would make existing problems associated with traffic congestion in Meldreth, particularly on the High Street, worse.
- There are existing congestion problems at Whaddon Gap on the A1198 and overflow parking from the railway station causes significant highway safety problems in the centre of the village. These situations would be made worse should the development be approved.
- The lack of capacity at the railway station car park is a problem that will be further exacerbated by the impact of the development of 199 houses at New Road in Melbourn. If this proposal is also approved, the problems will be further worsened.
- The decontamination of the site will involve a number of environmental risks which the application fails to fully address. Hazardous materials are likely to be encountered which could result in unacceptable health risks to nearby residents.
- The Parish Council conducted a survey of residents of Meldreth in August/September 2016. Forms were delivered to every residence in the

village and an online questionnaire was produced. There were 900 surveys delivered and 562 people responded. Of those, 80% did not support the proposals, 17% did support the proposals and 3% did not express a definitive view either way.

- The survey of residents also asked whether the facilities in the village could cope with the additional population of the proposed development. In response, 88% of residents did not think that the facilities could cope, 9% felt that they could and 3% did not express a definitive view either way. Therefore, the overwhelming view of residents is that the services and facilities within Meldreth would not be able to accommodate the additional demands placed upon them by the population of the proposed development. The main areas of concern with regard capacity were in relation to health and education provision and the capacity of the road network. The impact on the environment and transport services were also major concerns, as was the under provision of affordable housing within the development.

13. In relation to the re-consultation exercise conducted on the receipt of additional information in relation to pedestrian and cycle connectivity from the site to Meldreth train station, Meldreth parish Council re-iterated their strong objection to the development. Concerns remain in relation to the safety of the proposed access arrangements and the safety of the proposed cycle and footway routes, which are to be lit via 'runway lighting.'

14. **Whaddon Parish Council** – objects to the proposed development on the following grounds (summarised):

- The proposal would result in residential development in an unsustainable location, beyond walking distance from services and facilities.
- The proposal would be of a scale that would be harmful to the rural character of the surrounding landscape and would overwhelm the limited facilities available in Whaddon.
- There are environmental risks associated with the contamination on the site that ensure that the land is not suitable for residential development and disturbance of the ground could have an adverse impact on the health of nearby residents.
- The site is poorly served by public transport and is beyond reasonable walking distance to Meldreth railway station. The car parking facilities at Meldreth and Royston station do not have the capacity to accommodate additional development as they are already congested.
- There are existing congestion problems at Whaddon Gap on the A1198 and problems associated with speeding traffic through Whaddon village. These problems would be exacerbated by the proposed development.
- Concerns raised in relation to the safety of the proposed access arrangements. The access to the development would be on a blind bend and would present a danger to vehicles approaching the site from Meldreth and entering the development via a right turn.
- Services such as the doctors surgery in Melbourn, the primary school in Meldreth and the Village College in Melbourn would not be able to accommodate the additional demands placed upon them by the population of the proposed development.
- The scheme does not make sufficient provision for affordable housing, for which there is an identified need in this part of the District.

15. **Carter Jonas (consultants appointed to assess the applicant's viability**

appraisal) - having reviewed the initial viability report submitted with the planning application, and the assessment of anticipated costs associated with the remediation of the contamination on the site, conclude that the Council should seek a minimum of 25% affordable housing on the site, subject to a review clause. The review clause should be a fair mechanism for both parties to ensure that the maximum viable amount of affordable housing is achieved on site.

16. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment has been assessed as meeting the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
17. A noise impact assessment has been included with the planning application. An assessment of the potential noise generated by traffic on Whaddon Road and the impact that this may have on the residential amenity of the occupants of the properties in the southern part of the development is included within the survey and mitigation measures are proposed. The mitigation measures suggested in the report are considered to be acceptable in principle but further details in terms of specification of the acoustic fencing etc. are required. In addition, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.
18. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
19. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.
20. **District Council Contaminated Land Officer** – No objection. The Phase 1 and 2 surveys submitted in support of the application indicate that there are widespread sources of contamination across the site. A number of recommendations are made in relation to further works required. These include: investigation of resin stores and coating stores to explore the full extent of contamination in these areas, further assessment of petroleum hydrocarbons and potential contaminants in the water below ground level, a strategy detailing remediation methods and the management of materials being removed being produced and further investigation of the former industrial processing areas of the site being agreed. These details will be required prior to the preparation of detailed plans for the redevelopment of the site. These details can be secured by condition at the outline stage.
21. **Air Quality Officer** – No objection. To ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust

Management Plan, and an electronic vehicle charging infrastructure strategy.

22. **District Council Urban Design Officer** – no objection to the principle of development. The development of 150 houses on approx. 7.6 hectares of land equates to a density of approximately 20 dwellings per hectare. This would be an appropriately low density of development given the rural location of the site. The proposal indicates development backing on to Whaddon Road at the southern edge of the development. This would not respect the prevailing character of development along Whaddon Road, where development fronts outwards, presenting an active frontage to the highway.
23. It is acknowledged, however, that this is detail issue which could be resolved at the reserved matters stage, as the indicative internal road layout could be altered to facilitate this change in the orientation of those plots. The existing award watercourse should be enhanced as part of the development and the hedgerow which runs between the two north-south aligned hedgerows should also be retained. There is a need to develop design briefs for each of the character areas as some of the areas of space between plots and the relationships between buildings shown on the indicative layout are not acceptable. These details should be resolved at the reserved matter stage. A condition is recommended to limit the heights of buildings to two storeys, to reflect the rural character of the site.
24. **District Council Landscape Design Officer** – expresses some concerns regarding the development of the eastern section of the development (projecting north/south) which results in an extension eastwards into the open countryside. As noted in the urban design comments, the award watercourse should not be culverted and should be a positive feature of the proposed development and the adjacent hedgerow retained. The scheme has been amended to ensure that the hedgerow frontage along Whaddon Road would be retained, with the proposed pedestrian/cycle link to Fenny End now sited behind this. There is a need to carefully consider the location of structural landscaping and open space within the site at the reserved matter stage.
25. **Cambridgeshire County Council Local Highway Authority** – following the submission of additional information, the Major Developments team have no objections to the proposals, subject to the required mitigation measures being secured. The combined trip generation of the commercial and residential development would result in 157 two way trips in the morning peak period and 154 two way trips in the evening peak period. The mitigation measures will include improvements to the bus stops on Kneesworth Road, near West Way, in addition to a contribution towards a community transport facility. The additional survey information provided assesses the impact of the additional traffic on key junctions, including the Station Road/High Street junction in Meldreth. An additional 54 trips would travel through the Whitecroft Road/ High Street junction in the morning peak time, with the same number during the evening peak period. An additional 28 vehicles would use the A10 junction during the morning peak period, 26 in the evening peak period. The survey information is considered sufficient to demonstrate that the development would not result in a significant impact on the capacity of the highway network.
26. In relation to the proposed access arrangements to the development, the Local Highway Authority has removed its initial objection, following the removal of the separate access to the Sports and Social Club and the submission of a Safety Audit in relation to the proposed access to the residential development. A number of conditions are requested covering the following issues: the level and surface material of the access should prevent displacement onto the highway, the detail of the construction of the access, the closure of existing accesses that are to become

redundant, the timing of the completion of the pedestrian/cycle way link and the approval of a construction management plan prior to the commencement of development.

27. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – No objection raised. The site is considered to be in a part of the District which is of high archaeological potential. There is artefact evidence of pre-historic occupation and there is evidence of Iron Age occupation, cropmark evidence of trackways and rectangular enclosures, as well as Roman remains to the south of the site. Hoback Farm Moat and enclosure and other features listed on the Historic Environment Record (HER) are located to the west of the site. There is further evidence of moats and post-mediaeval occupation of land to the south east of the site. It is considered that a condition can be imposed at the outline stage requiring further investigative work to be undertaken to ensure that any features of archaeological significance are not harmed by the redevelopment of the site.
28. **Cambridgeshire County Council Flood & Water Team** – no objection to the revised proposals. The revised Flood Risk Assessment (FRA) indicates that surface water attenuation measures allowing for 1890 metres cubed surface water to be managed on site and discharged to adjacent watercourses at a rate of 19 litres per second would be incorporated within the development. A condition requiring full details of the attenuation measures to be adopted can be attached to the outline planning permission and details of the management and maintenance of the drainage systems can be included in the Section 106 Agreement.
29. **NHS England** - state that Melbourn surgery does not currently have capacity to accommodate the projected additional demand that will result from this development. On the basis of their calculation, NHS England have requested a sum of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase (nb. Different projection to the County Council figure in this regard).
30. **Environment Agency** – No objection to the proposed development on the basis that a condition is attached to the planning permission requiring a remediation strategy dealing with the sources of contamination on the site is submitted to and approved in writing by the Local Planning Authority. Conditions also requested in relation to the prevention of access to the adjacent landfill site, details of surface water drainage measures and measures to be undertaken if piled foundations are to be used.
31. **Anglian Water**
Wastewater treatment – The foul drainage from this development is in the catchment of Melbourn Water Recycling Centre, which currently does not have capacity to treat the flows from your development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.

Foul Sewage Network – The applicant will be required to develop a foul water drainage strategy that is acceptable to Anglian Water in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.

Surface Water Disposal – The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last resort. Anglian Water and the Lead Local Flood Authority will need to be consulted

on the detailed surface water drainage strategy for the development, which can be secured by condition at this outline stage.

There is a sewage pumping station within 15 metres of the site. Details of how the necessary 15 metre separation distance between this facility and the closest dwellings is to be achieved will need to be addressed at the reserved matter stage, otherwise there will be a need to relocate this substation.

32. **Affordable Housing Officer** – The site is located outside of the development framework of Meldreth and should therefore be considered as an exception site for the provision of 100% affordable housing to meet the local housing need in line with Policy H/10 of the proposed Local Plan. Within the context of a lack of five year housing land supply however, the position would be to require 40% of the units to be affordable dwellings, provided on site, unless viability considerations demonstrate otherwise. In this case, the proposal is for the provision of 25% (38 units) of affordable housing on site, justified on the basis of the costs of remediation resulting in 40% affordable provision being unviable. Part of the viability case, which has been verified by Carter Jonas, is that the tenure split would be 50% affordable rent and 50% shared ownership.

- There are currently 48 people on the Housing Register who live in or have a local connection to Meldreth.

- The mix and tenure split for the 38 affordable dwellings should be as follows:

- Affordable Rent (19 units):

6 x 1 bed
9 x 2 bed
2 x 3 bed
2 x 4 bed

Shared ownership (19 units):

19 x 2 bed

- 8 properties should be allocated to those with a local connection to Meldreth and the remaining 30 should be allocated on a 50/50 split basis between applicants with a local connection to Meldreth and those with a District wide connection.

- Properties should be built to DCLG technical housing standards.

33. **Section 106 Officer** – details of the specific policy compliant contributions are discussed in detail in the main body of the report. A detailed matrix summarising all of the Section 106 contributions is attached to this report as Appendix 1

34. **Cambridgeshire County Council Growth Team** – This proposal would result in an anticipated 45 children in the early years age bracket, 23 of which would qualify for free provision. There is currently insufficient capacity at Meldreth primary school (where the pre-school facility is located) to accommodate the additional pupils generated by the development. The identified project is a 26 pupil capacity early years classroom with ancillary facilities. This would form part of the project to expand the primary school capacity on the site to accommodate the additional population of the development. The overall project would result in 2 new classrooms on the school site.

35. In relation to primary aged children, the proposed development would result in an anticipated 53 additional pupils within the catchment of Meldreth Primary School. Whilst there is some capacity at the school, 30 of the pupils could not be accommodated within the confines of the existing building. The identified project to mitigate the impact of the development is an additional classroom, in addition to the classroom identified to meet the additional capacity requirement in pre-school provision.
36. A Milestone 1 Report has been produced detailing the costs of the combined project. The total cost of the project is £1,777,144 and that sum should be secured from this development via the Section 106 Agreement.
37. The County Council consider that there is currently capacity at Melbourn Village College to accommodate the 38 secondary school age children that would be anticipated to be generated by this development.
38. In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 375 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £10,845.00 (depending upon final housing mix.)
39. **Historic England** – There are a number of designated heritage assets within a 1.5km radius of the site. To the east of the site is the grade I listed Church of Holy Trinity in Meldreth and the Meldreth conservation area. To the north east of the site is Malton Farmhouse, which is grade II* listed, Rectory Farmhouse to the west is also grade II* listed. The church of St. Mary in Whaddon is grade II* listed. To the south east of the site is The Grange at Whaddon which is grade II* listed. The proposed development would not directly affect the setting or significance of any of these heritage assets. However, there is a need to respond to local character. It seems unlikely that the development would adversely affect the setting of Meldreth conservation area.
40. **District Council Ecology Officer** – No objections to the proposals. The bat survey submitted with the application demonstrates that the buildings to be demolished have limited potential for roosting. The location of the Pipistrelle roost found during the survey period has been clarified and is not within the application site. The retention of boundary habitats and the indicative location of the areas of public open space are supported. The recommendation that a badger survey be undertaken prior to the commencement of development is supported and should be secured by condition. The compensatory measures (creation of swallow nesting habitat and bat roosting habitat) are supported but should be supplemented with additional measures. Areas of wet flush and semi-improved grassland and ditches would be lost and therefore suitable replacement habitats need to be secured. Measures to protect nesting birds also need to be enhanced. However, all of these issues can be dealt with at the reserved matters stage when the layout is to be fixed. Updated mitigation strategies addressing the protection of nesting birds and badgers and ecological enhancements can be secured by condition.
41. **District Council Tree Officer** – no objections to the principle of development. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application. Details of tree protection measures should be secured by condition at this outline stage.
42. **Cambridgeshire Fire and Rescue Service** – No objection to the proposals subject

to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.

43. **County Council Definitive Map Officer** – no objections to the proposals. The right of way which runs along the eastern boundary of the the application site would be retained in the indicative layout. There is a need to ensure that the footpath remains in position and free from obstruction during or as a result of the construction process. This will need to be secured at the reserved matters stage and conditions attached as appropriate.

Representations

44. 20 letters (including representations received via the website) have been submitted in relation to the application (18 objections and 2 letters of support).
45. The responses in objection to the proposals raise the following issues (summarised):
- The proposed development is too large in the proposed location, outside of the development framework of Meldreth.
 - The site is too isolated to be considered sustainable and is not served by good transport links.
 - The development would not accord with the policies of the adopted Core Strategy as it is not in close proximity to services and facilities which would meet the day to day needs of the residents and would therefore depend on the use of the private car.
 - The services and facilities in Meldreth are 1 mile away from the site. Whilst a footpath/cycle link is proposed, the likelihood is that the majority of residents will use the car to access these facilities and the railway station in the village.
 - The local schools and health facilities do not have capacity to accommodate the additional population that would result from the proposed development.
 - The proposed development would significantly increase the volume of traffic on the road network, which is already severely impacted upon by the heavy goods vehicles accessing the Marley Eternit site.
 - The cumulative impact of this development and the development of 199 units and a care home in Melbourn would have an unacceptable impact on the capacity of the road network, the doctors surgery and the Village College in Melbourn.
 - The station car park is often full and will not be able to accommodate the additional traffic from the development.
 - It is considered that the future of the site as an employment use should not depend on the ability to develop a large part of it for residential development.
 - The proposal for no affordable homes (as originally submitted) is unacceptable.
 - The proposal to create only 25 new jobs would not be of significant benefit to the village.
 - The clean up of the contamination on the site is likely to result in air pollution that would be detrimental to the health of nearby residents.
 - The level of trips generated by the scheme and the speed at which cars currently travel along Whaddon Road ensure that the proposed development represents a highway safety hazard.
 - The cost of remediating the land is a legal obligation that would be placed on the landowner as the controller of contaminated land. The costs of remediation should not be factored in to the viability case relating to affordable housing provision and Section 106 contributions.
 - The traffic from the proposed development would add to the already significant problem of congestion on the A10 at peak travel times.
 - The proposed development would have a population the same size as the entire

village of Whaddon and must therefore be considered a disproportionately large scale of development in this isolated location.

- The proposed junction improvements to Fenny Lane do not go far enough to mitigate the impact of the development in highway safety terms.
- Support for some residential development may have been expressed during public consultation but that does not mean that development on the scale proposed would be supported.
- The applicant has overstated the practicality of using the bus service to commute to Cambridge – with only one bus to and one back on weekdays.
- The proposed development would have an adverse impact on the residential amenity of adjacent properties, particularly through the noise generated by additional traffic movements.
- The proposed development would have an adverse impact on the rural character of the surrounding landscape.
- The proposed development would have an adverse impact on the biodiversity value of the site.
- There is a screen wall associated with the brick buildings towards the front of the site which contains sculptures which reference the historic use of the site. This wall and the buildings in this part of the site should be considered non-designated heritage assets. The significance of these assets should be fully explored. There is no certainty that the sculpted features would be retained as a feature of the development as the proposal is in outline form only.

46. The letters of support make the following comments (summarised):

- The additional population would improve the vitality and viability of the village.
- The proposed development would preserve the employment use of the site
- The residents of the proposed development would benefit from the use of the facilities in the adjacent Sports and Social Club.
- The proposed pedestrian link would be a sustainability benefit of the scheme.

47. In addition to these letters and the responses to the survey undertaken by Meldreth Parish Council (referred to in paragraph 11 above), the applicant undertook 3 surveys, 1 each month in February, May and August 2016. There were 305 (17% of the village population) responses to the first survey, 77 (4% of the village population) to the second and 191 to the third (11% of the village population). Taken as a whole, 29% of respondents support the brownfield development of the site, 62% supported the development of the brownfield site and land to the east (adjacent to Fenny Lane), with 35% of respondents supporting either or both of these options. The applicant's surveys did corroborate the results of the survey undertaken by the Parish Council in that the vast majority (94%) of the respondents to the 3 surveys considered that the services and facilities in Meldreth would not be able to cope with the demands placed on them by the additional population resulting from the proposed development.

Site and Surroundings

48. The application site is part of the site operated by Marley Eternit, located approximately 1 kilometre north west of Meldreth. The application site covers the south eastern corner of the site which is occupied by redundant buildings and land to the east of that which includes a hardstanding car parking area and a section of enclosed grassland extending northwards. The site is accessed via connection to Whaddon Road in the south western corner.

Proposal

49. The applicant seeks outline planning permission for the erection of a mixed use development of up to 150 dwellings, public open space and new technology plant (2500 square metres floor area), new car park and access for the Sports and Social Club and associated infrastructure. All matters are reserved except for access.

Planning Assessment

50. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether the proposal is considered to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

Five-year housing land supply and sustainability of the proposed development:

51. The National Planning Policy Framework (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
52. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory March 2017). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
53. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
54. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely and held that the term was not to be restricted 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies in the

adopted Development Plan which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.

55. The decision of the Court of Appeal tended to confirm the approach taken by the inspector who determined the Waterbeach appeal. As such, as a result of the decision of the Court of Appeal, policies including policy ST/6 of the Core Strategy and policies DP/1 (a) and DP/7 of the Development Control Policies DPD fell to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF para 49 and therefore out of date.
56. However, the decision of the Court of Appeal has since been overturned by the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF. The term “relevant policies for the supply of housing” has been held by the Supreme Court to be limited to “housing supply policies” rather than more being interpreted more broadly so as to include any policies which “affect” the supply of housing, as was held in substance by the Court of Appeal.
57. The effect of the Supreme Court’s judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as “relevant policies for the supply of housing”. They are therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policies ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
58. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date “albeit housing supply policies” do not now include policies ST/6, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”
59. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
60. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes

(including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused.

61. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
62. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
63. The site is located outside the Meldreth village framework, in the open countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 150 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy. The proposal is not currently an Established Employment Area, although it is proposed to be identified as such under policy E/15 of the emerging Local Plan. Nevertheless, section 3 of the NPPF (entitled supporting a prosperous rural economy) gives support in principle for the development of existing employment sites to increase employment opportunities.
64. Development in Group Villages (the current and emerging status of Meldreth) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings, or in exceptional cases 15, where development would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.
65. By proposing 150 dwellings, the scheme would significantly exceed the indicative maximum of 15 on a brownfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in the recent Over appeal decision (18 January 2017) stated that ‘...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.’
66. In light of the above, it is not appropriate, in the case of all Group Villages, to attach the same weight to policy DP/7 and DP/1(a) in the ‘blanket’ way. It is necessary to consider the circumstances of each Group Village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development. Similarly, each planning application must be assessed on its own merits and the increased employment opportunities on the site would enhance the sustainability credentials of the scheme and this must be weighed in the balance with the impact of the residential element of the proposals.

67. The environmental issues, including impact on the open countryside, are assessed in the following sections of the report. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grades 1, 2 or 3a. This site is classified as grade 2 agricultural land although it is clear that it has not been used for agricultural purposes for some time and certainly the area covered by hardstanding and buildings cannot be considered as fit for purpose agricultural land.
68. The site is not allocated for development in the existing or the emerging Local Plan. However, given the brownfield status of the majority of the site, the mixed use nature of the proposed development and the fact that the Council cannot demonstrate a five year supply of housing land, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with criteria b, where sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land, of NE/17 should be afforded more weight than the conflict with criterion a where the land has not specifically allocated for development.

Previously developed land:

69. The NPPF defines previously developed land as 'land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.' It is clear that the areas covered by hardstanding and existing buildings are previously developed land. The strip of land which extends northwards on the eastern edge of the site is undeveloped. The applicant has indicated that this area was used operationally during the process of remediating the landfill site to the north of the application site.
70. The land has an undeveloped character but it is enclosed by metal fencing on its northern and eastern boundaries and so appears physically to be separated from the surrounding open agricultural land. Officers are of the view that the undeveloped character of the land itself excludes this part of the site from the definition of previously developed land although the landscape quality of the area is severely compromised by the fact that it runs along the eastern edge of the industrial site and is enclosed by metal fencing. Overall therefore, officers are of the view that significant weight should be given to the fact the majority of the development (approx. 120 of the dwellings, the commercial building and associated works) would be on land that does meet the definition of previously developed land. The environmental harm arising from the overall scheme (discussed in detail later in this report) would not be sufficient to significantly and demonstrably outweigh the benefits of the proposals.
71. Paragraph 17 of the NPPF sets out the core principles of the planning system. One of these principles is to 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value' and another is to 'promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas...' Paragraph 111, in relation to conserving the natural environment, restates the principle in support of the development of suitable brownfield sites. Officers are of the view that significant weight should be given to the mixed use nature of this development and the key environmental benefits that remediating a contaminated brownfield site would achieve.
72. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

Social Sustainability:

73. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
74. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 150 residential dwellings, 25% of which would be affordable (38 units), a level which has been independently verified as the viable level of on site provision given the costs of remediating the land (covered in detail later in this report). Ensuring that the housing mix in the market element of the scheme would accord with emerging policy H/8 is a matter to be dealt with at the reserved matters stage.
75. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 150 additional houses, including the affordable dwellings, is a social benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a demonstrable need for affordable housing in Meldreth. Alongside this is the economic benefit of increasing the number of people employed on the site through the development of the 2500 square metre commercial unit.
76. The adopted Open Space SPD requires the provision of approximately 4500 square metres of public open space for a development on the scale proposed, depending on the final mix, which is to be determined at the reserved matters stage (this figure represents an approximate amount based on a policy compliant mix). The scheme exceeds this amount by a significant margin (approximately 5000 square metres is shown on the indicative masterplan) and would include sufficient space for the inclusion of an equipped play area with land surrounding it, as required by the SPD. Given that Meldreth has an identified short fall in play space and informal open space, the fact that this amount of space can be provided at the density of development indicated is considered to be a significant social benefit of the proposals. Details of the management of the public open space can be secured in the Section 106 Agreement at this outline stage.
77. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The indicative layout plan demonstrates that the site can be developed for the number of dwellings proposed, although there are aspects which require further consideration at the reserved matters stage. The nearest property in the proposed development is some 300 metres from the nearest dwelling in the main village. Any sense of isolation in terms of creating a stand alone community is offset through the creation of a footpath and cycleway link to the junction with Whitecroft Road and the reasonable access to facilities and services discussed below.

Impact on services and facilities:

78. The proposal would significantly exceed the level of development supported by policy ST/6 and would not be within the existing framework boundary as required by policy DP/7. The site is located closer to Meldreth than Whaddon and Meldreth has a greater range of services and facilities which are more likely to be used by the occupants of the proposed development. Therefore an assessment needs to be made in relation to the impact of the development on facilities in Meldreth and whether this impact is considered to meet the definition of sustainable development.

79. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
- necessary to make the scheme acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development proposed.
80. Whilst there are bus stops within approximately 600 metres of the site on Kneesworth Road, the service to and from both Royston and Cambridge is infrequent and would not allow commuting to either of those settlements. However, Meldreth train station is located 1 mile to the south east of the site. The proposal includes the creation of a footpath and cycleway link to the junction with Whitecroft Road, from where there is a footpath which connects to the station. The train service to both Cambridge and Royston operates every 30 minutes at commuting times and hourly during the day on weekdays and hourly on Saturdays and Sundays. The journey time to Cambridge is 20 minutes (some services 15 minutes) and the journey time to Royston is 4 minutes.
81. It is acknowledged that the train station is further than 800 metres from the proposed development. However, the scheme will make provision for cycling the 1 mile journey and would provide 10 additional cycle stands at the station. This would provide an incentive to use the proposed cycleway link from the development to the eastern edge of the site, which connects to the existing footway network to the centre of Meldreth. Rail cards would also be provided as part of the Travel Plan as an incentive for residents to travel by train. In addition, the development would contribute to an expansion of the community transport scheme approved as part of the New Road development in Melbourn. This would provide a sustainable alternative means of transport to the private car, on a more regular basis within close proximity of the site, allowing access to services and facilities in larger settlements.
82. In assessing the issue of addressing a housing shortage and accounting for the rural character of the majority of the District, the Inspector deciding the Over appeal concluded that 'the level of approvals (of new dwellings across the district) are not at such a scale or rate that they are making significant in-roads into the shortfall.' In relating that situation to the merits of the Over scheme, the Inspector stated 'a concern that the location of this development would lead to journeys for shopping trips is therefore something that is potentially to be repeated in other such locations and therefore does not make this site significantly less sustainable than any other site....'
83. Over as a village has a GP surgery which Meldreth does not but otherwise the level of services and facilities in the two villages are comparable. However, Over does not have significant sources of employment or services that would go beyond meeting basic day to day needs and access to these would therefore generate trips out of the village. The bus service from Over to Cambridge is far less frequent than the train service to Royston or Cambridge from Meldreth and the journey time is longer. The train service in Meldreth is closer to this site than the Guided bus is to the Over scheme and operates on a similar frequency. The Over scheme was smaller in scale but proposed the development of a greenfield site for residential development only and did not include a contribution to a community transport scheme.
84. Whilst each application must be determined on its own merits, the distance from a development to a regular public transport service is an important element in assessing environmental sustainability. This development also incorporates an element of employment which would be accessible on foot from the residential units, which

substantially enhances the economic and environmental sustainability of this proposal.

85. Cambridgeshire County Council is the Education Authority. This proposal would result in an anticipated 45 children in the early years age bracket, 23 of which would qualify for free provision. There is currently insufficient capacity at Meldreth primary school (where the pre-school facility is located) to accommodate the additional pupils generated by the development. The identified project is a 26 pupil capacity early years classroom with ancillary facilities. This would form part of the project to expand the primary school capacity on the site to accommodate the additional population of the development. The overall project would result in 2 new classrooms on the school site
86. The County Council consider that there is insufficient capacity at the primary school to accommodate the 53 children within this age bracket anticipated to result from the population of the proposed development. Whilst there is some capacity at the school, 30 of the pupils could not be accommodated within the confines of the existing building. The identified project to mitigate the impact of the development is an additional classroom, in addition to the classroom identified to meet the additional capacity requirement in pre-school provision.
87. A Milestone 1 Report has been produced detailing the costs of the combined project. The total cost of the project is £1,777,144 and that sum should be secured from this development via the Section 106 Agreement.
88. It is considered that there is capacity at Melbourn Village College to accommodate the 38 children of secondary school age anticipated to result from the population of the proposed development.
89. In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 283 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £10,845.00 (depending upon final housing mix.)
90. The applicant has submitted a health Impact Assessment to address this concern. This Assessment confirms that the nearest doctor's surgery is located in Melbourn. Officers have contacted the GP surgery and corroborated the evidence that the surgery is still taking on patients. However, based on the number of patients per GP, the surgery is operating beyond capacity (on the basis of 1 GP to 1750 patients as per the Royal College of GP guidelines). As such, mitigation would be required to increase the capacity in healthcare provision.
91. Officers acknowledge the physically constrained nature of the Melbourn surgery site. However, as highlighted by the appeal decision in relation to the scheme for 199 units and a care home at New Road in Melbourn, there are a number of potential changes to how surgeries will be managed in the period between the granting of outline planning permission and the occupation of development. The Inspector considered it appropriate in that case to ensure that NHS England provided a specific mitigation plan prior to drawing down any money sought from the developer. This was considered to provide as much certainty as was possible at the point of determination that the contribution would be CIL compliant and spent on mitigating the impact of the development.
92. In this case, NHS England have provided a consultation response and have requested a sum of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase (nb. Different projection to the County Council figure in this regard). It is considered that the

contribution can be secured on the basis of the provision of a robust mitigation strategy being agreed prior to the money being released to ensure that a specific and deliverable project is identified. This would follow the precedent set in this regard by the appeal quoted above.

93. The fact that the developer has agreed to the principle of paying the contribution to fund the additional infrastructure required to offset the impact of the development in this regard ensures that the impact of the scheme on the capacity of these facilities could be adequately mitigated, weighing in favour of the social sustainability of the scheme.
94. In addition to the primary school and mobile library service, Meldreth has a post office and village store, a public house, community rooms, the social club adjacent to the application site, recreation ground. There is also a bowling green and a village hall in Meldreth.
95. Facilities at the recreation ground include a neighbourhood equipped area of play space, football pitches, basketball and tennis courts. Alongside the regular train service, this represents a better range of services and facilities than is evident in a number of the smaller Group Villages in the District.
96. All of these facilities are within 2km of the site. Only the sports and social club is within 800 metres. However, given that the proposal includes the provision of a pedestrian and cycleway link from the site, a contribution to the community transport scheme, the connectivity to the services and facilities in the centre of Meldreth would be improved. Nevertheless, there would be some harm arising from the distance between the site and facilities required to meet day to day needs. This environmental harm needs to be weighed against the close proximity of an employer which would be expanding as part of the overall scheme and the significant environmental benefits resulting from the reuse of a brownfield site which is heavily contaminated.

Economic sustainability:

97. Given the likely scale of the contamination and the fact that the large scale industrial manufacturing process that previously occupied the site is no longer a viable form of employment, it is considered that the proposed development of a technology plant (use class B2) as part of the mixed use development is a significant economic benefit of the proposals. This is considered to limit the harm arising from the proposal to develop part of the site for non-employment purposes and would safeguard the existing employees on the site (approximately 75) and add a further 25 jobs.
98. Given that the site is within the open countryside as opposed to within a village framework, the provisions of policy ET/6 (loss of rural employment to non-employment uses) do not strictly apply. Even if this policy did apply, the proposal is for a mixed use scheme which involves employment uses as opposed to resulting in the complete change of use of the site. The policy states that the redevelopment of employment sites to non-employment uses should be resisted unless at least one of three criteria apply. Criterion b. states that if 'the overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises,' the loss of an employment site may be justified. Emerging policy E/14 does include sites on the edge of villages in subjecting employment sites to the same requirements as under ET/6, although is considered only to be worthy of limited weight in the decision making process due to the nature of the representations received during the Local Plan consultation process, in line with the guidance within the NPPF.
99. Given that the proposal would result in an expansion of employee numbers on the site,

it is considered that the harm arising from the loss of physical space on the site would not be sufficient to outweigh the community benefits of affordable housing in a Parish and wider District where there is an identified need and the wider social benefit of boosting significantly the supply of housing, as required by national planning policy. As such, officers consider that the proposals do not conflict with existing or emerging policy in this regard.

100. The provision of up to 150 new dwellings as part of the scheme will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Density of development housing mix and affordable housing

Density:

101. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (30 dwellings per hectare) when taking the site as whole (approx. 7.1 hectares in area). The density equates to approximately 22 dwellings per hectare. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given the rural location of the site and the fact that there will need to be a grading of the density and height of development out from the core towards the edges of the development, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
102. Whilst this layout is not fixed, the illustrative masterplan is considered to demonstrate that 150 units could be accommodated on the site without resulting in a density of development that would be out of character with the edge of village location. Matters of design and landscape impact are discussed in detail in the following section of the report.

Housing mix:

103. Under the provisions of policy HG/2, the market housing element of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties. The detail of the housing mix proposed within the market element of the scheme (112 units) has not been specified.
104. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories (1 and 2 bed, 3 bed and 4 or more bed properties), with the 10% margin to be applied flexibly across the scheme. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF.
105. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme is policy compliant and would deliver a high proportion of smaller units, in a District where there is a need to increase the stock of this type of

housing.

Affordable Housing:

106. As has been highlighted by a number of the representations received to the planning application, the scheme originally proposed no affordable housing. The reasons for this original submission were based on viability grounds in relation to the cost of remediating the contaminated site and on the basis of a discount to be applied under the Vacant Building Credit (VBC). VBC was introduced through PPG as a national incentive to secure the re-use of brownfield sites and allows a developer to discount the total floor area of vacant buildings from the policy complaint level of affordable housing. The total floor area of the buildings to be demolished is 10,985 square metres. Taking guidance in H/11 of the emerging Local Plan for average plot size (85 square metres for a 3 bed house with 5 occupants), the amount of floorspace to be demolished would be the equivalent to more than the 60 units required to reach 40% affordable housing as required by adopted policy.
107. During negotiations with the developer, Officers were able to point to cases where the District Council has successfully defended appeals in relation to the wider PPG guidance relating to schemes for 10 or fewer dwellings on the basis of the evidenced need for affordable housing (1700 names on the District Housing Register) and where there is an identified need in the Parish where the application site is located. As confirmed by the Housing Officer, there is a need for 44 affordable homes in Meldreth Parish. Those appeal decisions confirmed that both the Written Ministerial Statement which announced the guidance contained within the PPG and the Local Plan are material considerations and must be given weight in the determination of planning applications.
108. Both existing LDF policy HG/4 and emerging Local Plan policy H/9 state that, where viability information justifies a lower percentage of provision, a level of on site affordable housing below the assumed position of a minimum of 40% affordable housing can be accepted. The applicant has provided viability information relating to the costs of remediating the contamination on the site. The cost of remediation has been calculated at a total of £7,025,389. Following a review of the applicant's costs by MLM, independently appointed by the District Council, this figure was reduced by £1,207,000 as it became apparent that piled foundations would not be suitable and raft foundations could be used in the construction of the development, resulting in a reduction in the overall remediation costs.
109. Paragraph 173 of the NPPF states that 'To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and a willing developer to enable the development to be deliverable.'
110. Carter Jonas has independently reviewed the overall viability of the scheme. Their report concludes that a residual land value could be achieved that would allow the developer to contribute 25% of the units on site to be affordable dwellings for the scheme to remain commercially viable, following the reduction of the remediation costs. The Housing Officer has completed a viability appraisal using the Homes and Communities Agency's approved model and has reached the conclusion that there would be a small surplus at this level, but that this would not be sufficient to increase the percentage of units over the 25% mark.
111. On that basis, the applicant has agreed to the provision of 25% affordable units on site

and for there to be a review mechanism included within the Section 106 Agreement to ensure that if the developer return is greater than anticipated in the viability assessment, a percentage of that gain is recouped by the District Council to provide additional affordable housing within the District. Following this amendment to the scheme, officers are satisfied that the level of affordable housing proposed does comply with the provisions of local and national planning policy. This has been verified as a level of provision which still allows the scheme to be financially viable following the remediation of the contaminated site.

Character of the village edge and surrounding landscape

Landscape Impact

112. The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with the application. The report assesses the anticipated impact of the proposed development on a number of view points within the site and along the southern and eastern boundaries. The appraisal highlights that there are a number of relatively tall structures, including the cement silos, the machine tower and modern buildings at the front of the site. The report highlights that the taller elements of the infrastructure within the site, although partially screened by the mature planting on the boundary of the Marley Eternit site, clearly contrast with the character of the relatively flat and expansive nature of the surrounding farmland. For these reasons, the value of the site in terms of contributing to the value of the wider landscape and the sensitivity of the impact of the proposed development are considered to be low.
113. In relation to the impact of the development on the setting of the closest villages – Meldreth and Whaddon - the report considers that modern infill development has increased the density of development in Chiswick End, Meldreth and that new houses have replaced pasture land and hedgerows on the south western edge of Meldreth. The overall sensitivity of the impact of development on the site on the character of the two neighbouring settlements is considered to be low.
114. In relation to field boundary vegetation, the report acknowledges that the open fields which characterise the wider landscape have planted hedgerow boundaries and these form important biodiversity value. These boundaries are generally locally distinctive in terms of species and therefore overall contribute positively to the amenity of the landscape. The value of the hedgerow features on the site are therefore considered to be medium in value, with the impact of the scheme (revised to retain the vast majority of the hedgerow to the front of the site) considered to be low.
115. While the Landscape Design Officer (LDO) has raised some concerns, there is no objection per se to the proposals and he considers the density of development to be acceptable in this location. The LDO has raised the issue of including the green field in the north eastern portion of the site within the development. As stated previously, officers are of the view that this part of the site does not meet the definition of brownfield land. However, it is enclosed by metal fencing and dense hedgerow planting on the northern and eastern boundaries, which clearly provide a sense of containment and indicate a visual associated with the Marley Eternit site as opposed to the wider open agricultural fields beyond the site.
116. At the density proposed, the indicate masterplan indicates addition tree planting along the eastern and western boundaries and a 'buffer' area of open space could be located in the northern part of this land to create a softer edge to the development. Each of these elements of mitigation could be secured at the reserved matters stage.

117. An Award Watercourse runs along the northern and eastern boundaries of the site and skirts the edges of the existing carpark associated with the Social Club. The LDO has stated that this should be retained as a feature within the development and this is acknowledged. The indicative masterplan suggests that a footpath would be constructed along the eastern edge of the site, which results in the need to culvert the watercourse. This footpath could easily be relocated to the western edge of the additional planting proposed along that boundary, until the point where it meets the Public Right of Way at the density proposed and is therefore a layout matter to be resolved at the reserved matters stage.
118. The Urban Design Officer (UDO) has also raised no objection to the principle of development. Comment has been made that the row of properties fronting on to Whaddon Road should present an active frontage to the road and this is acknowledged. At the density proposed, it would be possible to develop internal access roads to the rear of the hedge row which would provide access to the dwellings on the southern edge of the site. As such, this is a matter to be resolved at the reserved matters stage. There is no objection in landscape or design terms to the location of the new commercial technology building, which is indicatively sited to the north west of the existing factory units on the site.
119. The principle of having a variety of character areas across the site is supported, there is a need to consider the relationship between the buildings and how they respond to the open space within the scheme and the sensitive edges of the development. The UDO has suggested that development should be restricted to 2 storey in height and 8.5 metres across the development. Given the height of some of the existing buildings in the western part of the site, it is considered that some parts of the site could accommodate taller development than others. The applicant has agreed to a condition limiting development to two storeys in height and a maximum ridge height of 9.5 metres. The buildings on the edge of the development would need to be smaller in height and the applicant is willing to accept a condition requiring a minimum of 5% of the properties within the scheme to be bungalows. Such a condition is considered to meet the statutory tests as it would help to meet an identified need in terms of accommodation type and also soften the landscape impact of the development. Comments made by the UDO in relation to the layout of plots and car parking arrangements are details to be dealt with at the reserved matters stage.
120. As such, officers conclude that there will be no unacceptable adverse impact on landscape character or the countryside and the proposals are therefore capable of complying with policies DP/3 and NE/4 of the LDF
121. Within the context of a lack of five year housing land supply, the Inspector for the New Road, Melbourn appeal (199 dwellings and a care home) provided guidance in a case where landscape harm is identified and balancing this against the need to address the lack of housing land supply. In that case the Inspector concluded in relation to landscape harm that 'while the development of this site would cause very limited harm to the wider landscape, there would be a greater localised harm to the character of the village and its countryside setting, in conflict with development control policies. This carries fairly significant weight (in the planning balance).' In weighing this harm against the benefit of housing provision in that location, the Inspector concluded that '...while there would be some notable adverse impacts, they would not be sufficient to outweigh the very significant benefits of the proposal (i.e. the provision of additional housing in the District).'
122. Officers acknowledge that each site must be assessed on its own merits and that the number of houses proposed at Melbourn was greater than the 150 proposed in this

scheme. However, the Inspector acknowledged that there would be 'screening' of open views from the edge of the village and a detrimental impact upon the rural character of the landscape in that case. This harm applies in a similar way to this scheme and has been commented upon by local residents and reflects the concern in terms of the scale of the development.

123. In light of all of the above, it is considered that, on balance, the limited harm to the landscape arising from this proposal would not itself outweigh the benefits of providing additional housing (including 25% affordable, justified on the basis of viability), the economic benefit of the creation of additional employment on the site and the environmental benefits of the remediation and redevelopment of a site that is predominantly brownfield land and all of which is visually associated with the Marley Eternit site as opposed to the surrounding landscape.

Trees

124. The District Council Tree Officer has raised no objections to the proposals. The proposals to enhance the landscape planting on a number of the boundaries of the site and the amendments to retain more of the hedgerow along the frontage of the site are welcomed. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application. Conditions requiring a more detailed tree protection scheme and details of new landscape planting can also be secured at this outline stage.

Ecology

125. The Ecology Officer has raised no objections to the application. The bat survey submitted with the application demonstrates that the buildings to be demolished have limited potential for roosting. The location of the Pipistrelle roost found during the survey period has been clarified and is not within the application site. The retention of boundary habitats and the indicative location of the areas of public open space is supported.
126. The recommendation that a badger survey be undertaken prior to the commencement of development is supported and should be secured by condition. The compensatory measures (creation of swallow nesting habitat and bat roosting habitat) are supported but should be supplemented with additional measures. Areas of wet flush and semi-improved grassland and ditches would be lost and therefore suitable replacement habitats need to be secured.
127. Measures to protect nesting birds also need to be enhanced. However, all of these issues can be dealt with at the reserved matters stage when the layout is to be fixed. Updated mitigation strategies addressing the protection of nesting birds and badgers and ecological enhancements can be secured by condition.

Highway safety and parking

128. Following the submission of additional information, the Major Developments team have no objections to the proposals, subject to the required mitigation measures being secured. The combined trip generation of the commercial and residential development would result in 157 two way trips in the morning peak period and 154 two way trips in the evening peak period.
129. The mitigation measures will include improvements to the bus stops on Kneesworth Road, near West Way, in addition to a contribution towards a community transport

facility. The additional survey information provided assesses the impact of the additional traffic on key junctions, including the Station Road/High Street junction in Meldreth. Other measures include the provision of a cycle/pedestrian link from the edge of the development to Whitecroft Road, the provision of a subsidised railcard in the Travel Plan for occupants of the development and the provision of 10 cycle stands at Meldreth railway station. The provision of the cycleway/footway within the site to connect to the highway would improve the connectivity of the scheme to the village and help to mitigate the acknowledged distance between the site and the facilities within Meldreth. Each of these measures would enhance the environmental sustainability of the scheme and can be secured by condition or the Section 106 Agreement. A financial contribution towards community transport scheme would also be secured through the Section 106 Agreement.

130. An additional 54 trips would travel through the Whitecroft Road/ High Street junction in the morning peak time, with the same number during the evening peak period. An additional 28 vehicles would use the A10 junction during the morning peak period, 26 in the evening peak period. The survey information is considered sufficient to demonstrate that the development would not result in a significant impact on the capacity of the highway network.
131. In relation to the proposed access arrangements to the development, the Local Highway Authority has removed its initial objection, following the removal of the separate access to the Sports and Social Club and the submission of a Safety Audit in relation to the proposed access to the residential development. A number of conditions are requested covering the following issues: the level and surface material of the access should prevent displacement onto the highway, the detail of the construction of the access, the closure of existing accesses that are to become redundant, the timing of the completion of the pedestrian/cycle way link and the approval of a construction management plan prior to the commencement of development. The conditions are considered to be reasonable and necessary and can be attached to the decision notice at this outline stage.
132. Following concerns expressed by Members at the July Committee meeting about the extent of the applicant's Transport Assessment, WS Atkins consultants were appointed to independently review the information submitted by the applicant and also to consider the potential impact of the development on the capacity of the Whaddon Gap junction to the west of the site and the Whitecroft Road/Kneesworth Road crossroads to the east. Their report is attached at appendix 2. The report considers that the approach of proposing a new access for the residential element of the scheme is acceptable and that the anticipated trip generation arising from the development, based on TRICs modelling is appropriate. In terms of the type of transport used to access the site, Atkins consider that further survey work could be undertaken to establish modal splits amongst existing employees and reference to Census data. Given that Atkins consider that the overall number of anticipated trips to be robust, it is considered that there is sufficient information to conclude that the level of additional traffic would not result in a harmful impact on highway safety. Given that the proposal includes a community transport contribution as part of the mitigation measures, it is considered reasonable to conclude that there would be more opportunity to increase modal shift away from reliance on the private car to some degree, which would impact positively on the number of private car trips.
133. In relation to the additional traffic flow at peak times, the proposal would generate an additional 36 vehicles in the morning peak and 16 in the evening peak period travelling along Whitecroft Road towards Meldreth. The report concludes that the additional traffic on Whitecroft Road forecasted by 2023 added to the impact of this development still

only leads to the road operating at 35% of total capacity, indicating that there is no highway safety concern arising from the additional trips generated by the proposal in that direction. In relation to the Whaddon Gap junction to the west and the Kneesworth Roads crossroads to the east, the Atkins report makes clear that survey work should be repeated in a neutral month to verify the figures but they have used recent traffic counts from neutral months, added to the survey work that they have undertaken on the Council's instruction, to form baseline assumptions. The modelling undertaken indicates that there are some delays at the Whaddon Gap junction and that this would be increase in the AM peak in relation to traffic travelling south on the A1198. However, the increase could be accommodated within available capacity at the junction. This conclusion indicates that there could be at least 50% more traffic generated and this junction would still be within capacity limits during both AM and PM peak periods. This information would corroborate the fact that the Local Highway Authority has not considered surveying of this junction was required in order to reach the conclusion that the proposals would not result in a level of trip generation that would have an adverse impact on highway safety.

134. The same timing constraint applies to the assessment made in relation to the Kneesworth Road/Whitcroft Road/Fenny Lane/ Whaddon Road crossroads to the east of the site. Again however, the figures used to form baseline assumptions are based on recent traffic counts from neutral months, added to the survey work that Atkins have undertaken on the Council's instruction. With the development factored in, during the AM peak, additional traffic would enter the junction from Fenny Lane to Whaddon Road, Fenny Lane to Whitcroft Road and from Kneesworth Road. At the PM peak, there would be an increase in the volume of traffic from Kneesworth Road into the junction as a result of the development. This conclusion indicates that there could be significantly greater than 50% more traffic generated and this junction would still be within capacity limits during both AM and PM peak periods. This information would again corroborate the fact that the Local Highway Authority has not considered surveying of this junction was required in order to reach the conclusion that the proposals would not result in a level of trip generation that would have an adverse impact on highway safety.
135. Overall, whilst the Atkins report does recommend the need for further survey work to verify some of the assumptions made, they conclude that the assessment work undertaken by the applicant is robust. In terms of junction capacity, whilst the results may need to be verified, once data from recent months is applied, the junctions would still operate at well below capacity. Atkins have confirmed that the additional survey work would be unlikely to change these overall conclusions. On that basis, no material harm that would significantly and demonstrably outweigh the overall benefits of the scheme has been identified in highway safety terms and therefore refusal of the application on those grounds would be contrary to the advice contained within paragraph 14 of the NPPF. Officers consider that the independent assessment is sufficient to corroborate the Highway Authority's view that there would be no adverse harm to highway safety resulting from the proposals.
136. Given the relatively low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.
137. The proposals are therefore considered to comply with the requirements of policy DP/3 in terms of highway safety and the traffic generated and policy TR/1 in respect of promoting sustainable modes of travel.

Residential amenity

138. The application seeks outline planning permission and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties. The closest neighbouring properties to the south, east and west, would be a sufficient distance from the site to ensure that unreasonable overlooking and overshadowing would be avoided. Whilst the level of trips generated by the development would be significant, the proposal would also reduce the size of the commercial floor space on the site, ensuring that the volume of heavy goods vehicles visiting the site would be lower than the existing lawful situation may result in. On that basis, it is considered that the proposed development would not have an adverse impact on the residential amenity of neighbouring properties, subject to the detail of the layout and height of the development, which are to be determined at the reserved matters stage.
139. At approximately 22 dwellings per hectare within the developed area, the average plot size would be approximately 400 square metres in size (although space for the internal roads and public open space would need to be deducted from this). Having accounted for these deductions, this is considered sufficient space to achieve a dwelling size greater than the minimum residential space standards proposed in policy H/11 of the emerging Local Plan (85 square metres for a 3 bed house with 5 occupants) and allow sufficient space for 80 square metres of garden space (the upper limit of the standards within the adopted Design Guide) along with the required space for driveways etc to the front of the plots.
140. It is considered that the indicative layout demonstrates that 150 units could be located on the site, with sufficient separation distances retained between properties to preserve the residential amenity of the occupants of the development, with the minimum separation distances quoted in the Design Guide (25 metres between elevations with habitable rooms facing each other and 12 metres between blank elevations and those with habitable room windows) capable of being achieved.
141. A noise impact assessment has been included with the planning application. An assessment of the potential noise generated by traffic on Whaddon Road and the impact that this may have on the residential amenity of the occupants of the properties in the southern part of the development is included within the survey and mitigation measures are proposed. The mitigation measures suggested in the report are considered to be acceptable in principle but further details in terms of specification of the acoustic fencing etc. are required. In addition, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.
142. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of the occupants of each of the plots within the development in accordance with policy DP/3 which seeks to prevent an unacceptable impact on residential amenity.

Surface water and foul water drainage

Surface water drainage

143. The site is located within flood zone 1 (lowest risk of flooding). The Lead Local Flood Authority (LLFRA) has not raised an objection to the revised proposal.
144. The revised Flood Risk Assessment (FRA) indicates that surface water attenuation measures allowing for 1890 metres cubed surface water to be managed on site and discharged to adjacent watercourses at a rate of 19 litres per second could be achieved. A condition requiring full details of the attenuation measures to be adopted can be attached to the outline planning permission and details of the management and maintenance of the drainage systems can be included in the Section 106 agreement.
145. The details of the surface water drainage strategy can be secured by condition at the outline stage and the means of management and maintenance can be included as clauses in the Section 106 Agreement.
146. The Environment Agency and Anglian Water have also raised no objection in relation to surface water drainage on the basis that this condition is attached to the decision notice.

Waste and Foul water drainage

147. Anglian Water (AW) has raised no objections to the proposals. In relation to Wastewater treatment, AW confirm that the foul drainage from this development is in the catchment of Melbourn Water Recycling Centre, which currently does not have capacity to treat the flows from the development site. AW confirm that they are obligated to accept the foul flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission. This is a legal requirement of AW as statutory undertaker under legislation beyond the remit of the Town and Country Planning Act and therefore does not represent grounds to refuse a planning application.
148. In relation to the foul drainage network, the applicant will be required to develop a foul water drainage strategy that is acceptable to AW in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.
149. There is a sewage pumping station within 15 metres of the site. Details of how the necessary 15 metre separation distance between this facility and the closest dwellings is to be achieved will need to be addressed at the reserved matter stage, otherwise there will be a need to relocate this substation.

Section 106 contributions

150. In addition to the County Council in terms of pre-school capacity and the NHS already identified in this report, the Section 106 Officer has confirmed that the site has the capacity to achieve the 150 residential units proposed and also meet the required provision for formal and informal space on site. As none of the details are to be fixed at this stage, a legal agreement should make provision for an eventuality where equipped open space would need to be provided off site should the proposal at the reserved matters stage involved a scheme which would not meet the Open Space SPD requirement in full through on site provision.
151. A contribution of approximately £40,000 would be provided towards the expansion of the car park at the village hall, which is located opposite the primary school. This would

help to manage congestion on the High Street at peak times outside the primary school and would assist in mitigating the additional trips that would be generated by the proposed development. A contribution of approximately £42,000 towards the provision of a Multi Use Games Area at the recreation ground in addition to the onsite provision is to be secured through the Section 106 Agreement. A sum of £15,000 would be secured towards the provision of outdoor gym equipment, also at the recreation ground. These schemes would enhance the quality of recreation space within the village, in compliance with policy SF/11 of the LDF and are considered to be CIL compliant given the additional demand on the recreation ground facilities as a result of the increased population of the village. As there have been less than 5 pooled contributions made towards these projects previously, these contributions are considered to be compliant with the CIL regulations.

152. The provision of contributions towards the installation and maintenance of real time passenger information systems to enhance the environmental sustainability of the scheme, forming part of the highways mitigation package, would also be secured via the Section 106 Agreement. This contribution is considered to be CIL compliant as necessary to improve the quality of alternatives to the use of the private car, by providing a greater incentive to use public transport. Footway and bus stop improvements can be secured by condition, alongside the Travel Plan and additional cycle stands at Meldreth station. In addition, the Parish Council have identified a project relating to the renovation of the village hall, to enhance indoor community meeting space. The cost of this project is approximately £8,500 and this sum shall be secured through the Section 106 Agreement.
153. The provision of free membership to the Sports and Social Club for a period of 2 years for residents of the development would also be an environmental benefit of the proposal, providing access to a recreation facility within walking distance of the residential development. The provision of a contribution of £30,000 towards the community transport facility secured via the New Road Melbourn scheme would further enhance the environmental and social sustainability of the scheme and would be proportionate in relation to the £45,000 secured as part of the allowed appeal on that site, with details of additional routes connecting to Meldreth to be secured as part of the Section 106 Agreement.

Other matters

Archaeology and Heritage:

154. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
155. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
156. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that

outweigh that harm or loss.

157. Paragraph 134 of the NPPF says 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 securing its optimum viable use”.
158. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
159. The site is considered to be in a part of the District which is of high archaeological potential. There is artefact evidence of pre-historic occupation and there is evidence of Iron Age occupation, cropmark evidence of trackways and rectangular enclosures, as well as Roman remains to the south of the site. Hoback Farm Moat and enclosure and other features listed on the Historic Environment Record (HER) are located to the west of the site. There is further evidence of moats and post-mediaeval occupation of land to the south east of the site.
160. The County Council Archaeologist has considered the report submitted by the applicant and assessed the findings. It is considered that further investigation is considered to be necessary and any necessary mitigation implemented before development commences. This requirement can be secured by condition.
161. There are no listed buildings within close proximity of the site, the closest being in excess of 600 metres to the west. There are however a number of designated heritage assets within a 1.5km radius of the site. To the east of the site is the grade I listed Church of Holy Trinity in Meldreth and the Meldreth conservation area. To the north east of the site is Malton Farmhouse, which is grade II* listed, Rectory Farmhouse to the west is also grade II* listed. The church of St. Mary in Whaddon is grade II* listed. To the south east of the site is The Grange at Whaddon which is grade II* listed.
162. Historic England consider that the proposed development would not directly affect the setting or significance of any of these heritage assets. However, there is a need to respond to local character. Historic England conclude that the development would not adversely affect the setting of Meldreth conservation area and this can be ensured through the securing of a suitable layout, design and scale of development at the reserved matters stage. The conditions to limit the height of the development to 2 storeys and a maximum ridge height of 9.5 metres and to include a minimum of 5% bungalows would also help to reduce the impact of the scale and massing of the development on these designated heritage assets. In conclusion, given the separation distances to be retained and acknowledging the comments from Historic England, it is considered that the proposals would not result in harm to the significance or the setting of any designated heritage assets.
163. In relation to the comments received from a neighbouring resident, it is acknowledged that the brick buildings and associated screen wall which contains sculptures which reference the historic use of the site are of some architectural merit and importance. However, given the environmental benefits associated with the remediation of contamination on the site and the fact that Historic England does not consider the replacement of these buildings a constraint on the development of the site, it is considered that the benefits of the development would outweigh any harm to the non-designated assets in this case. A condition can be attached to the outline planning permission requiring the inclusion of the sculptures referencing the historic use of the

site in the boundary treatment at the entrance to the development, as part of a public art strategy.

Environmental Health:

164. The Public Health Specialist has reviewed the Health Impact Assessment and considers that it meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
165. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
166. As indicated previously, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.
167. The Phase 1 and 2 surveys submitted in support of the application indicate that there are widespread sources of contamination across the site. These investigations have confirmed that contamination is both known to be present and can be expected generally across the site. This contamination is in both the soils and the groundwater, and as such remediation will be required across the site. A number of recommendations are made in relation to further works required. These include: investigation of resin stores and coating stores to explore the full extent of contamination in these areas, further assessment of petroleum hydrocarbons and potential contaminants in the water below ground level, a strategy detailing remediation methods and the management of materials being removed being produced and further investigation of the former industrial processing areas of the site being agreed. Additionally consideration needs to be given to the neighbouring Landfill facility which is licensed by the Environment Agency.
168. The contaminated land officer has commented that it is common for the majority of these works to be dealt with by condition on an outline planning permission, because a detailed layout is not to be fixed until the reserved matters stage. As such, a sufficiently detailed remediation strategy cannot be finalised until that detail is known. The key issue at the outline stage is whether the initial investigation works are sufficient to identify whether the site is contaminated and if so, what the next steps are that need to be taken to ensure that the site can be safely remediated for a sensitive end use. In this, case, the contaminated land officer is satisfied that, subject to the further investigation works being secured by condition, this position can be reached on this site.
169. The condition requiring further investigation work is staged in order to ensure each relevant aspect is dealt with in the correct order. Submitting a preliminary investigation such as this one helps to inform the Council of what to expect, and it is always preferable to have as much information 'up front' as possible. However the contaminated land officer would still always expect to attach a contaminated land condition to sites like these to ensure works are carried out appropriately. Such a condition is recommended in this case.

170. The application site is classified as potentially contaminated land and the information submitted with the application clearly demonstrates that there is contamination on the site. However there is no evidence before the District Council at present that the contamination is presently a risk to human health in its current form, as it is contained below ground level. As a result, the applicant is not under any legal obligation to decontaminate the site. If a development is proposed that risks exposing the contamination, then a remediation strategy is required to ensure that the risk to human health of exposing sources of contamination is fully mitigated. The applicant has recognised that requirement in this case, producing an outline assessment of the potential sources of contamination of the site and suggesting remediation measures that are likely to be necessary. The report makes it clear that further assessment is required and therefore the full extent of the remediation strategy is not yet known. This is a reasonable position given the outline nature of the application where the specific number of dwellings coming forward is not known (the maximum is 150 but the number proposed at reserved matters may be less/ may be required to be lower at the reserved matters stage) and the location of the dwellings is not being fixed in this application. As a result, a condition requiring further assessment and a detailed remediation strategy can be conditioned, as per the advice of the Contaminated Land Officer.
171. As a result of the above assessment, the cost of remediating the contamination on the site is attributable to the cost of redevelopment, as it is at that point that the risk may be exposed. However, redevelopment of the site is the only viable way of securing the environmental benefit of decontaminating the site, given the likely costs to be incurred. This is therefore an abnormal cost which would affect the viability of the scheme detrimentally if the full extent of the planning obligations normally required were imposed on the development. The guidance in paragraph 173 of the NPPF is that contributions should not be sought on a development to the extent that would prevent a competitive return to allow the development to proceed. It is considered that this would be the case in this scheme due to the extent of contamination on the site, if 40% affordable housing was insisted upon.
172. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
173. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement. The developer should ensure that the highway design allows for the use of waste collection vehicles and this is a detailed matter relating to the layout of the scheme at the reserved matters stage.
174. The applicant has committed to 10% of the energy requirements generated by the development being produced by renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated. It is considered that each of these issues could be dealt with through the imposition of conditions at this outline stage.

Conclusion

175. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
176. The proposed development would provide a significant number of dwellings. 25% of which would be affordable and officers are satisfied that while this percentage is below the normally accepted minimum provision, this level of provision has been satisfactorily justified on viability grounds. This is a benefit which should be given significant weight and importance in the determination of the planning application in accordance with the advice in the NPPF. The creation of additional employment on the site through the development of a new technology facility is a significant economic benefit of the proposals. In addition, there would be significant environmental benefits achieved through the remediation of a heavily contaminated site and the re-use of a predominantly brownfield site to significantly boost the supply of housing in the District.
177. There would be some limited harm on the character of the landscape. The proposal would retain a significant proportion of the hedgerow along the frontage of the site and would supplement the landscaping on the boundaries of the site with the open countryside. Suitable conditions can be imposed to help mitigate the identified impact
178. The density of the development is considered to be acceptable, allowing for the level of public open space within the development to exceed the policy required level. It is considered that the number of units proposed could be achieved in a manner that would preserve the residential amenity of neighbouring properties and the height restriction of 9.5 metre, 2 storey buildings would prevent an overbearing impact on either the amenity of neighbouring properties or the character of the surrounding landscape.
179. It is acknowledged that this proposal would significantly exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages by the policies of the LDF. It would be outside the village framework of Meldreth within both the adopted and emerging development plan and would be in excess of 800 metres from the facilities in Meldreth. As such, there is a conflict with policies ST/6, DP/1(a) and DP/7.
180. However, in the absence of a five year housing land supply, this conflict needs to be balanced against the benefit of the proposal in terms of its contribution to the supply of housing (and affordable housing) and employment in accordance with para 14 of the NPPF. It is only where the conflict with those policies of the development is so great as to "significantly and demonstrably" outweigh the benefits of the proposal, particularly in terms of housing delivery, that planning permission should be refused.
181. An important issue is that within 1 mile of the site there is a regular public transport connection to Cambridge and Royston, both of which contain a wide range of services and facilities, as well as employment opportunities to supplement the enhanced employment on the Marley Eternit site itself.
182. In addition, the proposal would provide a contribution towards the community transport vehicle secured via the New Road Melbourn scheme, which would provide an alternative to the use of the private car for occupants of the development, reducing the environmental harm caused by the distance between the site and local facilities. This would be a significant environmental benefit of the scheme, alongside the other

mitigation measures detailed in the report, including the provision of a cycle way/pedestrian link and additional cycle stands at Meldreth rail station.

183. As such, although located outside the development framework of a group village, accessibility to services and to public transport is considered adequate and can be improved. The weight that can therefore be attached to the conflict with policies DP/1(a) and DP/7 which are intended to ensure that development is directed to the most sustainable locations in the district is limited.
184. It is considered that the scheme includes positive elements which enhance social, economic and environmental sustainability. These include:
- the positive contribution of up to 150 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector
 - the creation of additional employment on the land to be retained as part of a commercial operation, creating a mixed use development and job opportunities within close proximity of the residential units
 - providing 25% affordable housing on site which has been independently assessed as the viable level of provision given the viability constraints provided by the abnormal costs of remediating the contaminated site
 - significant public open space, including a Local Equipped Area of Play on the site and a commuted sum towards the provision of additional equipped play space elsewhere in Meldreth, a village which currently has a significant under provision in this regard.
 - The remediation of a brownfield site and redevelopment of this in a manner which retains an employment use on the site.
 - The provision of a contribution towards the operation of the community vehicle secured as part of the New Road Melbourn scheme, providing an alternative to single occupancy car journeys.
 - The provision of a cycle and pedestrian link from the site to Whitecroft Road, the provision of 10 cycle stands at Meldreth train station, subsidised train travel for residents of the development and upgrades to existing bus stops. These improvements would all enhance the environmental sustainability of the scheme.
 - potential to result in an increase in the use of local services and facilities
185. As such, although a conflict with policies DP/1(a) and DP/7 arises, given the particular circumstances of the development and the opportunity to encourage and improve the use of local services and public transport, the weight to be given to this conflict is limited. In terms of the balance required by para 14 of the NPPF, the absence of a five year housing land supply means the conflict with these policies is not considered to significantly and demonstrably outweigh the benefits of the proposal particularly in terms of the contribution which it would make to housing supply. It is therefore considered that there is no basis to seek the withholding of planning permission for the proposed development, subject to the imposition of necessary planning conditions and the securing of a planning obligation, as set out below.

Recommendation

186. Officers recommend that the Committee grants planning permission, subject to the following:

Section 106 agreement

To secure provision of onsite affordable housing (with a review mechanism in case remediation costs are lower than currently estimated), the provision of public open space, the management of the public open space and surface water drainage within the development and the community benefits and education contributions listed in the matrix is attached to this report as Appendix 1.

Draft conditions

- (a) Outline planning permission
- (b) Time limit for submission of reserved matters
- (c) Time limit for implementation (within 2 years of approval of reserved matters)
- (d) Approved plans
- (e) Landscaping details
- (f) Contaminated land assessment
- (g) Approval of measures to prevent access to adjacent landfill site
- (h) Dust, noise, vibration mitigation strategy
- (i) Details of renewable energy generation (including water efficiency/conservation measures) within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (j) Scheme to detail upgrading of bus stops on Kneesworth Road, near West Way,
- (k) Scheme for provision of additional cycle stands at Meldreth train station
- (l) Details of footway and cycle way link to Whitecroft Road
- (m) Assessment relating to impact of noise associated with commercial vehicles on the amenity of the occupants of the residential units
- (n) Foul water drainage scheme
- (o) Surface water drainage scheme (management and maintenance to be secured through Section 106)
- (p) Sustainable drainage strategy
- (q) Tree Protection measures
- (r) Retention of existing planting on site boundaries
- (s) Compliance with flood risk assessment
- (t) Detailed plans of the construction of the accesses
- (u) Pedestrian visibility splays
- (v) Ecological enhancement and habitat management plan
- (w) Site waste management plan
- (x) Restriction on the hours of power operated machinery and deliveries during construction
- (y) Phasing of construction – including timing of cycle way/pedestrian link
- (z) Compliance with ecological survey submitted
- (aa) Travel Plan (to include subsidised railcard)
- (bb) Sports Club Membership scheme for qualifying residents
- (cc) Submission of strategies to mitigate any potential impact on badgers and nesting birds
- (dd) Scheme of archaeological investigation
- (ee) Closure of existing accesses which are to become redundant
- (ff) External lighting to be agreed
- (gg) Cycle storage
- (hh) Housing mix within market element to be policy compliant
- (ii) Boundary treatments
- (jj) Waste water management plan
- (kk) Construction environment management plan
- (ll) Details of piled foundations
- (mm) Fire hydrant locations

- (nn) Screened storage for refuse
- (oo) Minimum of 5% bungalows
- (pp) Maximum height of residential development limited to 2 storey and 9.5 metres
- (qq) Vehicle Charging Infrastructure Strategy
- (rr) Details of public art – retention of sculptures within brick screen wall as part of public realm/boundary treatments within development

Informatives

- (a) Environmental health informatives
- (b) Exclusion of indicative plans from approval – indicative layout plan not to be approved at this outline stage
- (c) Regulations affecting Public Right of Way

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 Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1901/16/OL

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