

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 06 September 2017
AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/3145/16/FL

Parish(es): Willingham

Proposal: Full planning permission for the erection of 25 dwellings (including 40% affordable) along with access, car and cycle parking and associated landscaping.

Site address: Land at Belsar Farm, Willingham

Applicant(s): Greater Cambridgeshire Housing Development Agency

Recommendation: Delegated approval (to complete section 106)

Key material considerations: Five year supply of housing land
Principle of development
Sustainability of the location
Density of development and affordable housing
Character of the village edge and surrounding landscape
Highway safety
Residential amenity of neighbouring properties
Surface water and foul water drainage
Provision of formal and informal open space
Section 106 Contributions

Committee Site Visit: 05 September 2017

Departure Application: Yes, advertised on 22 March 2017

Presenting Officer: David Thompson, Principal Planning Officer

Application brought to Committee because: The officer recommendation of approval conflicts with the recommendation of Willingham Parish Council and would represent a departure from the Development Plan

Date by which decision due: 08 September 2017 (extension of time agreed)

Executive Summary

1. The application site is located outside of the Willingham village framework, the boundary of which skirts the southern boundary of the site. Residential development is located to the west (Daniels Close) and outline planning permission has been granted for 72 dwellings on land immediately to the south (on the junction of Rockmill End and Meadow Road.) The northern edge of the proposed development projects marginally further into the countryside than the existing development at Daniels Close. However,

there is an extant permission to extend that development further north. As such, it is considered that the proposal being assessed in this application would be seen alongside that adjacent development in both close and longer distance views of the contrast between the edge of the built settlement and the open Fen edge landscape. Whilst the Parish Council concern about development to the north of Meadow Road is acknowledged, the surrounding context of this application site is considered to be more developed than sites further to the east where isolated buildings are surrounded by open fields.

2. It is considered that the revised layout plan submitted with the application demonstrates that 25 units could be provided on the site, within adequately sized plots along with the required access routes, level of formal and informal open space and surface water attenuation measures. It is considered that the proposed layout would not have an adverse impact on the character of the village edge, given the proximity of the existing development on Daniels Close.
3. 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 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 presence of a bus service at commuting times in close proximity to the site and the provision of a good range of services and facilities present in Willingham are factors which are considered to render the scheme socially and environmentally sustainable.
4. 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 social benefits that would result from the development outweigh the harm resulting from the development of agricultural land and the limited landscape harm arising from the scheme. 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.

Planning History

5. There is no relevant planning history on the application site.

The following applications relate to the housing development immediately to the west of the site on Daniels Close:

S/2341/14/FL – erection of 12 semi-detached affordable dwellings – approved (26 January 2016)

S/2125/07/F – erection of 19 Affordable dwellings – approved

The following applications affect land at the Oaks, to the east of the site, the history of which is referenced in the Parish Council response to this application:

S/0121/16/FL – retrospective application for change of use of building to residential – withdrawn

S/0307/12/FL - Continued use of land as long-stay caravan site for two gypsy families (1 mobile home 1 tourer each pitch) – refused and appeal dismissed partly due to

landscape impact.

S/1621/12/VC – removal of condition 1 of planning permission S/1692/11/F to allow the permanent siting of two gypsy mobile homes – one element of the appeal was dismissed on the basis of landscape impact.

S/2065/10 – use of the land for the stationing of residential caravans for 4 gypsy and traveller pitches – refused.

National Guidance

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

Development Plan Policies

7. 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.

South Cambridgeshire LDF Core Strategy DPD, 2007

ST/2 Housing Provision

ST/5 Minor Rural Centres

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

HG/1 Housing Density

HG/2 Housing Mix

HG/3 Affordable Housing

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

CH/4 Listed Buildings

CH/5 Conservation Areas

SC/9 Protection of existing Recreation Areas, Allotments and Community Orchards

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

8. **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
Health Impact Assessment SPD– Adopted March 2011

9. **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/9 Minor Rural Centres
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
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 Health 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

10. **Willingham Parish Council** – the Parish Council recommended refusal of application for the following reasons:
- The development is outside of the village framework.
 - There has been a longstanding position that development should not occur north of Meadow Road as this marks the divide between the edge of the built environment and the open countryside.
 - The level of development in Willingham in terms of recently approved schemes and those under consideration will result in a detrimental cumulative impact on the capacity of services and infrastructure.
 - Existing permitted developments have addressed local need in terms of demand for market housing.
 - There is a greater need for affordable housing in the village.
 - The Council considers that the development would not be well served by public

transport. The site is 1.5 miles from the Guided Busway and the more local service is irregular.

- The site should only be developed for affordable housing.
 - The proposed pedestrian link to Sponge Drove would lead directly onto the highway.
 - The proposed entry to the site is outside of the 30 mph speed limit and the proximity of the access to the Sponge Drove/Rockmill End junction is considered to be a highway safety hazard due to the lack of visibility splays along Meadow Road.
 - The proposal would have an adverse impact on the character of the edge of the village on the approach from Earith.
 - Development has continually been opposed to the north of Meadow Road and this position has been supported by the Planning Inspectorate.
 - There are inconsistencies in the submissions and the Parish Council dispute the effectiveness of public consultation that has been undertaken.
11. **District Council Urban Design Officer** – The principle of development is considered to be acceptable due to the presence of existing residential development to the west and the fact that planning permission has recently been granted for development on land to the south of the site. Concerns raised in relation to the separation distances between plots and the proximity of the proposed pumping station to units within the scheme have been addressed through the submission of amended plans.
12. **Design Out Crime Officer (Cambridgeshire Constabulary)** - no objections to the application. The layout is considered to be acceptable in terms of designing out crime and the fear of crime.
13. **District Council Landscape Design Officer** – No objection to the proposals. The development of the site would form a north and eastwards extension to Willingham in a location that is visible within the wider landscape. However, the proposal would be viewed alongside the existing development to the west on the approach into the village from the north and alongside both that development and the emerging allocation site on the approach along Rockmill End from the south. Given these factors, it is considered that adverse landscape and visual impacts are likely to be limited and the provision of a robust landscaping scheme should provide adequate mitigation. These details should be secured by condition.
14. **Cambridgeshire County Council (Local Highway Authority)** – No objections to the application, subject to the widening of the adopted highway as shown on drawing no. 10 within the Transport Statement submitted with the planning application. Conditions recommended in relation to the provision of a traffic management plan and the levels and construction materials of the driveways and access road serving the development.
15. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – A site investigation has been undertaken by the applicant and there is evidence of remains of a 13-15th century medieval farm building on the site. As a result of the investigation works already submitted, no further survey work is considered necessary and it is considered that a scheme of mitigation is also not required.
16. **Cambridgeshire County Council Flood & Water Team** – no objection subject to the imposition of conditions requiring compliance with the amended Flood Risk Assessment (FRA) submitted with the planning application and details of a surface water drainage strategy (including details of Sustainable Urban Drainage Systems)

being approved.

17. **Environment Agency** - The site lies in Flood Zone 1. The Environment Agency has no objection to the scheme, highlighting the need for the LLFRA to be consulted on the contents of the drainage strategy submitted with the application. Precautionary condition relating to the actions required if sources of contamination are encountered during the construction process and conditions requiring the submission of the final surface and foul water drainage proposals are recommended.
18. **Anglian Water** - Anglian Water (AW) raised concerns relating to the original submission due to the proximity of the proposed foul and surface water pumping station (for which AW would be responsible) to dwellings within the development. The layout has been amended so that a 15 metre 'buffer' can be retained between the nearest properties (plots 1, 2 and 25) and the proposed substation. AW has confirmed that the site is within the catchment of Over Water Recycling Centre, which currently does not capacity to deal with the flows from the development. AW acknowledge that they are legally obliged to accept these flows and would be required to undertake any work required to meet these demands. A strategy addressing how foul water will be drained from the site will need to be agreed by AW. The details of this and the means of surface water drainage from the site can be secured by condition.
19. **Contaminated Land Officer** - low risk in relation to land contamination. It is considered that adherence with the recommended mitigation measures in the Phase II Geo Environmental Assessment produced by EPS would be sufficient to offset any detrimental impact in this regard. A Verification Report should be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.
20. **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.
21. **Affordable Housing Officer** - The proposed site is located outside the development framework and should therefore be considered on the basis of an exception site for the provision of 100% affordable housing only to meet the local housing need. This would be in accordance with Policy H/10 of the emerging Local Plan.

However, should this application not be determined as an exception site, then the council will seek to secure at least 40% affordable housing, which is in line with policy H/9 of the emerging Local Plan.

The developer is proposing 25 dwellings, which consists of 15 market dwellings and 10 affordable dwellings which meets the 40% requirement.

There are approximately 1,700 applicants on the housing register and our greatest demand is for 1 and 2 bedroom dwellings. There are currently 67 people on the register with a local connection to Willingham.

The district wide tenure split is 70% rented and 30% shared ownership. The mix across the 10 affordable units would be:

Rented:

2 x 1 bed house
5 x 2 bed house

Shared Ownership:

1 x 2 bed house
2 x 3 bed house

We are happy with the mix proposed as it is reflective of the needs in the district, and the tenure split is in accordance with policy. Whilst these properties should be available to all applicants registered on homelink in South Cambridgeshire, we would have no objection to 50% of the properties being available to applicants with a local connection to Willingham.

Properties should be built in accordance with the guidance from the DCLG on Technical Housing Standards.

A registered provider should be appointed to manage the affordable housing; we would like to be informed when an RP has been appointed so that we can discuss the delivery of the affordable housing with them.

The rented properties should be advertised through homelink and be open to all applicants registered in South Cambs. The shared ownership properties should be advertised through BPHA (Bedfordshire Pilgrims Housing Association) who are currently the governments appointed home buy agent in this region.

22. **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

23. **Cambridgeshire County Council Growth Team** –

The proposed development would generate 6 pupils within the pre-school age bracket, 3 of which would be entitled to free provision. The County Council has conformed that there is currently capacity within the pre-school facility in Willingham to accommodate this number of pupils and as such no contribution is required.

The proposed development would result in a projected increase of 4 primary school aged children. There is insufficient capacity at the primary school to accommodate this and therefore appropriate mitigation should be sought.

No contribution is sought in relation to secondary school provision as Cottenham Village College, the catchment area for which the site is within, has capacity to accommodate the additional 3 pupils within this age group projected to result from the proposed development.

No contribution is sought towards the upgrading/expansion of lifelong learning facilities, as Willingham library is considered to have sufficient resources to meet the requirements of the anticipated population of the development (53 is the County Council's estimate.)

No pooled strategic waste contribution can be sought despite there being insufficient capacity in the Cambridge and Northstowe Household Recycling Centre catchment area as five such contributions have already been agreed.

A monitoring fee would also be applied (£150).

24. **District Council Sustainability Officer** – no objection to the proposals. The inclusion of the specified solar PV systems appear to ensure that the development is brought up to the appropriate Distributed Energy Resources (DER) standards and confirm that a minimum of an additional 10% carbon emissions reduction can be achieved across the development. The proposal therefore meets the LDF policy requirement although further specific details are required by condition.
25. **District Council Conservation Officer** – no objections raised
26. **Old West Internal Drainage Board (IDB)** – no objections to the revised Flood Risk Assessment. A financial contribution will be required to implement mitigation measures required as a result of additional surface water flows entering the watercourses under the control of the IDB.
27. **District Council Ecology Officer** – no objection following the receipt of additional information regarding the provision of barn owl nesting boxes, subject to the attachment of conditions to the planning permission.

Details of the proposed wildflower meadow should be conditioned to ensure biodiversity enhancements are secured as part of the development, in line with the requirements of the NPPF. Compliance with the mitigation measures listed in Section 7 of the protected species survey submitted with the application can also be secured by condition.

28. **District Council Tree Officer** – no objections to the proposals following revisions to the scheme to include the retention of the hedgerow along Sponge Drove. The section of hedgerow to be removed along Meadow Road is considered to be category C and therefore of low amenity value. Supplementary landscaping and the protection of existing trees to be retained shall be secured by condition.
29. **District Council Environmental Health Officer** – 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.

Further assessment of the potential noise generated by traffic and vehicle movements on Rockmill End and the implications of this is required in terms of any sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.

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.

The applicant will be required to complete a Waste Design Toolkit in order to show

how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. This detail can be secured by condition. 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.

30. **Cambridgeshire Fire and Rescue** – 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.
31. **District Council Drainage Officer** – no objection to the proposals following the submission of a revised Flood Risk Assessment and Drainage Strategy.

Representations

32. A notice was displayed at the entrance to the site and adjacent properties on Daniels Close and Rockmill End. One letter of objection (no representations made via the Council's website) has been received which raise the following concerns:
 - The proposal would have an adverse impact on the residential amenity of the existing residential property at Belsar Farm, due to the close proximity of the proposed dwellings to that property.
 - The proposal would be detrimental to highway safety as Meadow Road is not of a suitable condition for an increased volume of traffic.

Site and Surroundings

33. The application site is located on the north eastern edge of Willingham. The land lies outside of the existing development framework which runs parallel with the southern boundary of the site. The site is currently agricultural land with a dwelling and farm buildings accessed via a gateway on the southern boundary, leading off Meadow Road. There are mature hedgerows on the western boundary of the site with Sponge Drove and along the southern boundary with Meadow Road. Residential development is located to the west (Daniels Close) and outline planning permission has been granted for up to 72 dwellings on land to the south of the site. Planning permission has been granted to extend the existing development at Daniels Close to the northern edge of the field which is located opposite the application site.

Proposal

34. The applicant seeks full planning permission for the erection of 25 dwellings, including 40% affordable housing, along with access, car and cycle parking and associated landscaping.

Planning Assessment

35. 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 Willingham generally and this site specifically allow the proposal to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the village edge and 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:

36. 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.
37. 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.
38. 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".
39. 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.
40. 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.
41. 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.

42. The effect of the Supreme Court’s judgement is that policies ST/5, 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/5, 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.
43. 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/5, 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 ...”
44. 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/5, 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/5, 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.
45. 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/5, 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. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
46. 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.
47. The site is located outside the Willingham 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 25 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.

48. Development in Minor Rural Centres (the current and emerging status of Willingham) is normally limited to schemes of up to 30 dwellings, within the village framework boundary. 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 more limited range of services to meet the needs of new residents in a sustainable manner than in Rural Centres.
49. The principal consideration however is that the NPPF requires Local Planning Authorities to boost the supply of housing and to assess development against the definition of sustainable development within that context. Specifically in relation to the size of development in or on the edge of settlements, 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.'
50. In light of the above, it is not appropriate to attach the same weight to policy DP/7 and DP/1(a) in a 'blanket' way to all settlements. Minor Rural Centres such as Willingham are amongst the larger settlements within the District. Within the context of the lack of a five year housing land supply, Officers are of the view that sites on the edges of these locations generally and Willingham specifically, can accommodate at least the indicative maximum of 30 units and still achieve the definition of sustainable development due to the level of services and facilities provided in these villages. This approach has been endorsed by Members through the recent approvals at Haden Way (64 dwellings) and land to the south of this site, on Rockmill End (72 dwellings). Whilst the site is outside of the village framework, it is below the indicative maximum number of units considered to be suitable within the defined village boundary and given the close proximity of the framework boundary, it is considered that this factor is worthy of considerable weight in assessing the sustainability credentials of the proposals.
51. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.
52. The environmental issues are assessed in the following sections of the report but specifically 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 grade 2 (in this case) agricultural land unless :
 - a. Land is allocated for development in the Local Development Framework
 - b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
53. Whilst the substantive issues are discussed in detail in the remainder of this report, it is considered that, given the sustainable location of the site for residential 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.

Social sustainability:

54. 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.
55. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 25 residential dwellings, 40% of these units will be affordable (10 units). The affordable housing can be secured through a Section 106 Agreement. This provision would enhance the social sustainability of the scheme by meeting an identified need for affordable housing in Willingham, with 67 people with a local connection to the village currently on the Housing Register.
56. Policy HG/2 of the current LDF requires the mix of market dwellings within developments to be split 40% 1 or 2 bed and approximately 25% 3 bed and the same for 4 or more bed properties. Policy H/8 of the emerging Local Plan is being given significant weight in the determination of planning applications however, due to the limited nature of the unresolved objections to the policy, in accordance with the guidance contained within paragraph 216 of the NPPF. This policy requires a minimum of 30% of each of the three size thresholds to be provided, with the remaining 10% allocated flexibly across developments.
57. This proposal would allocate the following mix to the market housing within the scheme: 46% 2 bedrooms (7), 27% 3 bedrooms (4) and 27% 4 bedrooms (4). Clearly this equates to any under provision of larger properties when assessed against either the emerging policy on housing mix. However, Willingham has a significantly lower proportion of semi-detached properties than the South Cambridgeshire District average (38% compared to 51%) and that the proportion of detached houses is significantly higher in Willingham than the District average (56% to 42%). This data was taken from the 2011 census.
58. Whilst this data is not broken down to property sizes, this evidence appears to corroborate the supporting text of emerging policy H/8 which states that '*housing stock (in the District) has traditionally been dominated by larger detached and semi-detached houses. Whilst recent developments have helped to increase the stock of smaller properties available, the overall imbalance of larger properties remains. The 2011 census for example identifies that 75% of the housing stock are detached or semi-detached houses and bungalows, with 18% terraced homes and 6% flats or maisonettes.*'
59. The number of 4 bedroom properties in this scheme does not meet the minimum requirement as set out in local policy. However, within the context of sustainable development, it is considered that there is clear evidence of an oversupply of larger properties in Willingham, the settlement upon which this development will most greatly impact and be connected to. Paragraph 50 of the NPPF also requires planning authorities to '*plan for a mix of housing based on current and future demographic trends, market trends and the needs for different groups in the community*' and to '*identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.*'
60. Whilst there is a partial conflict with the emerging Local Plan policy therefore, the

evidence provided by the 2011 Census data and the guidance contained within the NPPF are considered to ensure that the proposal would still achieve the social element of sustainable development by responding to the size of properties required in the locality.

61. Officers are of the view the provision of 25 additional houses, including the affordable dwellings, is a 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 significant need for affordable housing in Willingham.
62. The adopted Open Space SPD requires the provision of just over 630 square metres of informal and formal public on site open space for a development on the scale proposed. This proposal would provide in excess of 750 square metres of open space on site, which would include a Local Area of Play (LAP). Given that Willingham has an identified short fall in play space and informal open space, the fact the proposal would exceed the policy compliant amount of public open space is considered to be a significant social benefit of the proposals. This factor enhances the social sustainability of the scheme.
63. The proposed plans indicate that alongside the required amount of public open space the development would allow for plots that meet the minimum standards for garden sizes in this location, which the design guide suggest should be a minimum of 50 square metres for 2 bed properties and 80 square metres for larger dwellings (the 'rural' size guidance has been applied in this instance given the edge of village location of the site.)
64. 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 proposed plans are considered to demonstrate that 25 dwellings can be erected on the site in a manner which would respect the transition between the built environment and the open countryside through relatively low density of development and the overall scale and massing of the dwellings is considered to be acceptable.
65. Given that this proposal is required to meet all three elements of the definition of sustainability as set out in the NPPF, there is a need to consider the range facilities in Willingham available to the occupants of the proposed scheme and the impact of the scheme on the capacity of public services that serve the village.
66. 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.
67. There are bus stops on Wilford Furlong, approx. 220 metres to the south west of the site and approximately 400 metres to the south of the site, on Rockmill End. These bus stops would be accessible via public footpaths from the site, following the installation of the footway along Meadow Road, which is to be secured as part of this development. There are 2 morning buses and 1 evening service to Cambridge at commuting times on weekdays with 4 buses throughout the day on those days, with return services available on a similar frequency. A similar level of service operates on a Saturday, no services are available on Sundays. Given the close proximity of the site to the bus service and the frequency of the service at commuting times as well as

during the day, it is considered that the site is well served by public transport, which enhances the environmental sustainability of the scheme by reducing reliance on car travel.

68. The County Council is the relevant Authority for providing education services. The proposed development would generate 6 pupils within the pre-school age bracket, 3 of which would be entitled to free provision. The County Council has conformed that there is currently capacity within the pre-school facility in Willingham to accommodate this number of pupils and as such no contribution is required.
69. The proposed development would result in a projected increase of 4 primary school aged children. The County Council consider that there is currently insufficient capacity at the primary school to accommodate these pupils. However, financial contributions have been sought from 3 outline applications in Willingham that have recently been approved which have fully funded a single classroom extension to the school. These schemes are all in outline form and therefore the 'general multiplier' formula has been applied to calculate the respective contributions, due to the housing mix not being confirmed until the reserved matters stage. The general multiplier that the County Council use estimates an average of 30 children per 100 dwellings. On the basis of the multiplier, approximately 8 pupils would result from this scheme. Given the substantial percentage difference between the number of children generated by the multiplier approach and the actual number anticipated as a result of this development (even accounting for the overprovision of 2 bed dwellings in the market element), it is considered that there is insufficient evidence to demonstrate that a contribution is necessary from this scheme. This assessment is based on the evidence pointing towards the number of pupils being generated by the 3 approved schemes would be 31 on the basis of the multiplier but would be comfortably below 30 on the basis of a policy compliance mix scheme being advanced at the reserved matter stage (which would be required unless a suitable justification is advanced.) As a result, it is considered that the extension already funded would provide sufficient space to mitigate the impact of this development and those schemes and as such, no further contribution is required to mitigate the impact of this or the other committed developments.
70. No contribution is sought in relation to secondary school provision as Cottenham Village College, the catchment area for which the site is within, has capacity to accommodate the additional 3 pupils within this age group projected to result from the proposed development.
71. No contribution is sought towards the upgrading/expansion of lifelong learning facilities, as Willingham library is considered to have sufficient resources to meet the requirements of the anticipated population of the development (53 is the County Council's estimate.)
72. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment acknowledges that there may need to be an upgrade in public service facilities to accommodate the needs of the occupants of the development to ensure that the high standards of public health in locality are maintained.
73. Whilst NHS England have not provided a response to the planning application, (as it their protocol in relation to proposals for less than 50 dwellings) Officers have contacted the GP surgery in Willingham to ascertain whether the anticipated population of the development (approximately 53 using the Open Space SPD estimates) could be accommodated at the surgery given that the Royal College of

General Practitioners has a guideline of 1,800 patients per GP. The Practice Manager has confirmed that the extension currently underway to allow accommodation of the population of Northstowe would be sufficient to accommodate the population of this development. As such, it is considered that no additional infrastructure capacity would be required in this regard to mitigate the impacts of the development.

74. Willingham has a library, a post office, a supermarket and a good range of shops selling day to day goods including food items and a pharmacy. There is a day nursery, a hardware store and a good range of retail and professional services. There is a garage, restaurant and 3 public houses. Cumulatively, it is considered that Willingham offers a range of services beyond meeting day to day needs and this is reflected in the status of the village as a Minor Rural Centre i.e. second in the list of sustainable groups of villages in the district.
75. The village also has 3 community halls: the Ploughman Hall (171 square metres main hall with additional space and facilities), the Salvation Army Hall and the Willingham Public Hall (811 square metres main hall with additional space and facilities). The village also has a recreation ground which includes multiple sports pitches (football, hockey and cricket), bowls club, cricket nets and a basketball net.
76. Given the above assessment and the supporting evidence submitted with the planning application, it is considered that the adverse impacts of the development in terms of social sustainability could be mitigated through the contributions towards improved community facilities, to be secured via a Section 106 agreement.

Economic sustainability:

77. The provision of 25 new dwellings 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.
78. 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

79. The proposed density of the development would be 22 dwellings per hectare. Policies HG/1 of the current LDF and H/7 of the emerging Local Plan require new residential development to achieve a minimum of 30 dwellings per hectare within Minor Rural Centres and other villages within the settlement hierarchy. Policy HG/1 states that higher densities should be achieved in more sustainable locations.
80. 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 that the application site is located on the edge of the settlement and that development to the west (also beyond framework boundary) is of low density, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Character of the village edge and surrounding landscape

Landscape Impact

81. The site is considered to display the characteristics of a typical Fen Edge landscape in that it is generally flat and views from the site looking north and eastwards are of expansive countryside which only the hedgerows and trees on the field boundaries providing a consistent break in these views. It is acknowledged that this characteristic is dominant in longer distance views of the edge of Willingham when approaching the settlement from the north. However, closer views from this approach would view the proposed development within the context of the residential development on Daniels Close to the west of the site, where there is an extant planning permission to extend that development the full length (north-south) of the field.
82. The extant scheme at Daniel's Close would therefore be the first clear perception of moving from a rural village edge into the built up part of the settlement, with the dense development on Wilford Furlong south of this. Even if that extant permission was not built out, the northern edge of the development proposed in this application would project marginally further north than the existing development on Daniel's Close, but not to a significant degree. As such, the two developments would not be viewed alongside each other as the point of transition between the countryside and the built environment of the village. The fact that outline planning permission has been granted on land immediately south of the application site for residential development (which is also an emerging allocation site) is also relevant as, once built out, that development will provide the immediate context further into the settlement. This ensures that the proposed development would be seen within the context of a built up environment in these close distance views, with residential development immediately to the south and west.
83. Concern has been expressed by the Parish Council that this proposal will result in landscape harm through developing land north of Meadow Road. The Parish Council considers that this roadway marks the point beyond which development should be resisted as the prevailing character is an undeveloped rural landscape. They have cited appeal decisions where the District Council has successfully defended this position.
84. Officers consider that there are key distinctions between those appeal sites and conditions that affect the character of the site that is the subject of this planning application. The Daniel's Close development, which has extant permission to extend further north, is immediately west of this site and the land immediately south also has extant permission to be developed for housing. The Oaks, further east along Meadow Road, is surrounded by fields on all sides and is set well back from Meadow Road, which gives the site an undeveloped setting, which is clearly not the case with the site that is the subject of this application.
85. In addition the landscape setting differences, another key point is that the determined applications from 2011 and 2012 were decided prior to the identified shortfall in the supply of housing land, with the inability to identify a 5 year supply in the District confirmed in 2014. The test that has to be applied to landscape harm has become more stringent as a result, with this harm having to 'significantly and demonstrably' outweigh the benefits of the provision of housing, as set out in the NPPF. Given the change in the environment immediately surrounding the site since that point, it is considered that the degree of harm required by national policy could not be substantiated at appeal.
86. 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 that case 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).'

87. On the basis of the above, officers consider that the circumstances on this site differ from those where the harm to the Fen Edge character was considered to outweigh the benefits of those proposals to a significant degree and that there has been a material change in the weight to be attributed to any landscape harm that does arise from the development.
88. The Landscape Design Officer has raised no objections to the proposals, following revisions to the layout of the scheme, subject to the details of the landscaping scheme to be implemented, which can be secured by condition.

Design:

89. The Urban Design Officer initially expressed concerns in relation to the separation distances between some of the plots within the scheme and the relationship between plots 7 and 8 and the farm house on the land which is to be retained. To address the concerns relating to the impact on the amenity of the farm house, plots 7 and 8 have been reduced to 1 bedroom properties and the only rear windows above ground floor levels would be rooflights serving bathrooms. As these windows do not serve habitable rooms, they can reasonably be obscurely glazed and positioned on the respective roof planes to avoid unreasonable overlooking into the neighbouring property. Given this situation, the separation distances between the rear elevation of those dwellings and the farm house (approximately 18 metres at the shortest point) is considered to be acceptable in accordance with the adopted Design Guide, where 25 metres separation is only required where windows of habitable rooms directly face each other. The common boundary between the development and the retained farm house has been relocated northwards to give the farm house more amenity space.
90. The scheme has also been revised to pull the properties at plots 19 and 20 further in from the northern boundary of the site. Whilst it is acknowledged that these properties do not have 15 metre rear gardens, as considered 'preferable' in the Design Guide, each of the gardens exceed the minimum size of garden in the Design Guide and therefore the revisions are considered to be acceptable. This assessment is made within the context of the layout of the scheme on Daniel's Close and the extant scheme to extend that development, which positions properties close to the northern boundary of that site. The distance between the properties to the pumping station has been increased to 15 metres. The location and amount of public open space are considered to be positive elements of the scheme, as is the retention of the hedgerow along Sponge Drive.

Trees

91. The applicant has provided a Tree Survey in support of the planning application. The proposals have been revised to retain the vast majority of the hedgerow along the western edge of the site, which demarcates the boundary with Sponge Drive. The sections of hedgerow to be removed would be limited to specimens classified as category C i.e. not of sufficient amenity value or condition to be worthy of retention.

These would be the section of hedgerow on Meadow Road, which would be removed to facilitate the creation of the vehicular access and to pedestrian link on Sponge Drove. The District Council Tree Officer has raised no objection to the revised proposals.

92. It is considered that a condition can be added to the permission requiring tree protection measures to be agreed. Details of the species mix, number and location of new landscaping to be implemented can also be secured by condition.

Ecology

93. The application is supported by an ecological assessment and the site is generally considered to be of low biodiversity value. No suitable habitat was recorded to support reptile species and no activity/evidence of badgers was observed. None of the trees present on site were considered as potential roosts but bats would be likely to use hedgerows for feeding.
94. The survey indicated that there is evidence of previous nesting birds within the buildings and potential evidence of nesting activity in the hedgerows on the boundaries of the site. To mitigate the impact of this, no demolition or vegetation clearance works should take place during the bird breeding season. No nesting activity by barn owls was encountered on the site and the installation of bird boxes within the development is considered to be adequate mitigation.
95. Similar mitigation is considered necessary for bats as the report concluded that no evidence of bats nesting within the site were encountered during the survey period. Mitigation measures are recommended to ensure that any potential impact on badgers is mitigated during the construction of the development. In relation to Great Crested Newts, there are two ponds 140 metres to the north of the site which are considered to have some potential to support this protected species. A survey was undertaken during the breeding season and the no newts were recorded during the four visits to the two ponds. The suitability of the habitat was also considered poor in terms of the ability to support Great Crested Newts. No specific mitigation measures were recommended in the report.
96. The District Council Ecology Officer has no objection to the proposals following the receipt of additional information relating to the mitigation measures to be implemented. The proposed inclusion of wildflower planting and the installation of bat and bird boxes would be biodiversity enhancements which are considered to be a positive element of the scheme, according with paragraph 118 of the NPPF. Details of the specifications and management of these features can be secured by condition.

Highway safety and parking

97. The County Council as Local Highway Authority have raised no objections to the proposals. The scheme involves the widening of the existing adopted public highway along Meadow Road to create suitable vehicular access to the development. The northern edge of Meadow Road will be widened to ensure a sufficient width for a two lane roadway. This would ensure safe access to and from the development.
98. With regard to the access from Meadow Road into the development, a minimum carriageway width of 5.5 metres is to be provided for a minimum of the first 10 metres from the junction of the access road with Meadow Road. A 2 metre wide footway would be provided on the northern edge of Meadow Road. There is an existing footpath on the western edge of Rockmill End which connects to Wilford Furlong,

where the bus service is located and allows pedestrian access to the services and facilities in Willingham.

99. The proposal makes provision for 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. Given that 2 bedroomed properties have also been allocated 2 parking spaces, it is considered that the overall scheme would not result in a reliance for on street parking either within the development or on the wider highway network.

Residential amenity

100. The relationship between plots 7 and 8 of the proposed development and the farm house to be retained in the south western corner of the site is considered acceptable following the reduction of those units to 1 bedroom dwellings with rooflights serving bathrooms on the rear elevations. The separation distance between the rear elevation of plot 4 and the corresponding elevation of the farm house would be 24.3 metres. Given that there are no first floor windows in the gable of the farmhouse which faces the development, it is considered that this separation distance is sufficient to avoid any unreasonable overlooking (subject to suitable boundary treatment being secured by condition) or overshadowing to that property. No other neighbouring properties would be adversely affected by the proposals, given that Sponge Drove would separate the proposed scheme from the dwellings that form the Daniels Close development.
101. In terms of the amenity of the future occupiers of the development, the amended layout ensures that the 25 metre guideline separation between elevations containing habitable room windows and 12 metres between blank elevations and those with habitable room windows would be adhered to. The amount of private amenity space associated with each property is considered to meet the minimum requirements of the Design Guide.
102. Standard conditions relating to the construction phase of the development have been recommended by the EHO in relation to managing the impact on the environment and amenity of neighbouring properties during construction process and the management of waste during construction and on occupation of the development. These can be attached to the decision notice. These can all be added to the decision notice

Surface water and foul water drainage

Surface water drainage

103. The site lies in Flood Zone 1. The Lead Local Flood Authority has not raised an objection following the submission of revised surface water drainage strategy and is of the view that surface water drainage would achieve the requirement of not exceeding the existing run off rate on the site, subject to suitable conditions being included in any consent. The Environment Agency has not objected to the proposals and has not recommended any specific conditions. Old West IDB has no objection to the revised drainage proposals, subject to the completion of a legal agreement (under legislation separate from the planning system) securing a financial contribution from the development to mitigate the impact of additional surface water flowing into the network controlled by the IDB.

Foul water drainage

104. Anglian Water has commented that the site is within the catchment of the Over Water Recycling Centre, which does not currently have capacity to treat the flows from the proposed development. However, they acknowledge in their response that they are legally obliged to accommodate the demands of any development and would therefore ensure that there is sufficient capacity to deal with the flows, should planning permission be granted.
105. Officers have held a meeting with Anglian Water, in recognition of the concerns regarding the capacity of the treatment works. Anglian Water have explained that it is only at the point that there is certainty a scheme will be built i.e. planning permission has been granted, that a specific project will be identified. The required works would be identified and carried out in the time between the granting of planning permission and the occupation of the development. Anglian Water operate on the basis that this would allow sufficient time for any upgrade works to be completed and as such, the current deficit in capacity would not be a reasonable ground on which to refuse planning permission.
106. In terms of foul water, Anglian Water has confirmed that there will be a need to mitigate the impact of additional foul water entering the drainage network and that a suitable drainage strategy will be required. This can be secured by condition.

Section 106 contributions

107. The Section 106 Officer has confirmed that there is sufficient space on site to erect the number of dwellings proposed, achieve the required private garden space standards of the Design Guide and also provide the level of on site public open space required by the Open Space SPD (including the provision of a Local Area of Play.) A contribution of approximately £30,000 (made up of a tariff based contribution based on housing mix) is considered necessary to provide a contribution to the upgrading and extending of the sports pavilion at the recreation ground. A contribution of approximately £30,000 is also sought to expand the Queen Elizabeth II playfields, a project identified by Willingham Parish Council. As there have been less than five pooled contributions made towards these infrastructure projects previously, both contributions are considered to be compliant with the CIL regulations.
108. It is considered that a contribution of approximately £12,000 towards the extension of the Ploughman Hall would allow the scheme to comply with current and emerging local policies which require the impact of development on the capacity of community indoor facilities to be mitigated. This extension would facilitate the creation of an additional meeting room for community use. As there has been less than five pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations.
109. Household Waste Receptacles charged at £72.50 per dwelling and a monitoring fee of £1,500 (flat fee.) This excludes the County Council's requirements as Highway Authority which will be secured through the recommended planning conditions.

Other matters

Archaeology and Heritage

110. 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."

111. 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”.
112. 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.
113. 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”.
114. 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.
115. An investigation into the archaeological potential of the site has been undertaken by the applicant and there is evidence of remains of a 13-15th century medieval farm building on the site. As a result of the investigation works already submitted, the County Council Archaeologist is satisfied that no further investigation works are necessary and no conditions are required should planning permission be granted.
116. Given the substantial separation distance between the site and Willingham conservation area (in excess of 300 metres to the south of the site) and the fact that a substantial modern residential development lies directly north of the designated area, it is considered that the proposed development would not have an adverse impact on the character or appearance of the conservation area. There are no listed buildings within close proximity of the site and therefore the development of the site would not have an adverse affect on the setting of any heritage assets in this regard.
117. The District Council Conservation Officer has not raised any objections to the proposals.

Environmental Health

118. The Public Health Specialist has commented that the Health Impact Assessment submitted in support of the planning application meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
119. 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.

120. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on Rockmill End is required and the implications of this in terms of sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.
121. The site is considered to be a low risk in relation to land contamination and as such it is considered that a scheme of investigation into any potential harm and suitable remediation can be secured by condition, to ensure that this work is undertaken and the remediation strategy implemented prior to the commencement of development.
122. 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.
123. The applicant will be required to complete a Waste Water Design Toolkit in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. This detail can be secured by condition. 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.
124. The applicant has indicated that a minimum of 10% of the energy needs generated by the development can be secured through on site 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.

Cumulative Impact

125. Officers are aware that there have been a number of large scale proposals approved/ currently with a resolution to approve relatively recently within Willingham. Those that have required Section 106 contributions towards infrastructure capacity are land to the south of 1b Over Road (26 dwellings), land off Haden Way (64 dwellings) and land off Rockmill End (72 units). These developments alongside the proposal being considered in this application would have a cumulative impact on the level and capacity of services and facilities in Willingham.
126. In relation to this application, it is considered to be clear what the mitigation measures are, along with the associated costs of offsetting the impacts of this development on the capacity of the services and facilities in Willingham. For the reasons explained previously in this report, it is considered that the single classroom extension that has already been secured to mitigate the impact of other developments in Willingham is sufficient to ensure that the primary school can accommodate the 4 secondary age children that will result from this scheme. The local GP surgery has confirmed that the expansion that is currently planned for ensures that there will be capacity to mitigate the impact of this development, alongside the other approved schemes in Willingham.

127. As such, officers are content that the sustainability credentials of this proposal have been demonstrated satisfactorily and that approval of this application would not result in a cumulative growth in the population of the village that could not be adequately mitigated, when added to the 3 developments quoted above.

Conclusion

128. 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.
129. Given that 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/5, DP/1(a) and DP/7. The critical issue however is not whether certain policies are considered to be out of date or not, it is how much weight can be afforded to those policies within the context of a shortfall in the delivery of housing in the District. Where only limited harm is identified through non-compliance with the relevant policies, the benefits of the provision of additional housing should be afforded significant weight, as has been concluded by inspectors in recent decisions in Swavesey and Highfields Caldecote.
130. Willingham is classified as a Minor Rural Centre and is considered to have a good range of services and facilities as outlined in the main body of this report. The site is located close to existing bus services and the developer has agreed to a package of enhancements including the upgrading of the highway and provision of a public footpath to serve the development. The fact that bus services exist close to the site which would allow commuting to and from Cambridge is both a social and an environmental benefit of the scheme.
131. In addition to the ability to mitigate the harm in relation to the capacity of services and facilities, it is considered that the scheme includes positive elements which enhance social sustainability. These include the provision of 40% affordable housing within the development and the provision of public open space in a village with an identified shortfall in this regard. The package of contributions to be secured through the Section 106 towards the enhancement of offsite community facilities would be a wider benefit of the proposals, further enhancing the social sustainability of the scheme.
132. Whilst the concerns of the Parish relating to impact on the character of the landscape are noted, it is considered that the proposal would be viewed within the context of the Daniels Close development, which has an extant permission to extend further north than this scheme. That development is immediately to the west of the application site (albeit separated by Sponge Drove), ensuring that the proposal would not be viewed against a backdrop of surrounding undeveloped land – which is the case with the Oaks and other land to the east of the site. Within this context, it is considered that the harm arising from the development in terms of encroachment into the countryside would not be of an extent that could be considered to significantly and demonstrably outweigh the provision of additional housing, including a policy compliant level of affordable housing.
133. It is considered that the issues raised in relation to environmental health, trees and ecology can be dealt with by condition. It is considered that the amended proposals would preserve the residential amenity of neighbouring properties and future occupants of the development.

134. It is considered that the scheme includes positive elements which enhance social sustainability. These include:
- the positive contribution of up to 25 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 provision of 10 affordable dwellings on site, making a significant contribution to the identified need in Willingham (currently 67 people within the village currently on the Housing Register) and the wider District
 - significant public open space, including a Local Area of Play on the site, in a village which currently has an under provision in this regard.
 - potential for access to public transport, services, facilities and employment
 - employment during construction to benefit the local economy.
 - potential to result in an increase in the use of local services and facilities
135. 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

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

Section 106 Agreement

To secure provision of onsite affordable housing, the provision of public open space, the management of the public open space, the community benefits, education and health contributions listed in Appendix 1, attached to this report.

Draft conditions

- (a) Time limit for implementation
- (b) Approved plans
- (c) Landscaping details
- (d) Contaminated land assessment
- (e) Dust, noise, vibration mitigation strategy
- (f) Noise assessment relating to impact of road traffic on Rockmill End – including necessary mitigation measures
- (g) Details of renewable energy generation within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (h) Scheme to detail upgrading of highway and installation of public footpath along northern edge of Meadow Road and widening of the highway
- (i) Foul water drainage scheme
- (j) Surface water drainage scheme
- (k) Sustainable drainage strategy
- (l) Tree Protection measures

- (m) Compliance with flood risk assessment
- (n) Traffic Management Plan
- (o) Time restriction on the removal of trees
- (p) Detailed plans of the construction of the access
- (q) Pedestrian visibility splays
- (r) Ecological enhancements including bird and bat boxes
- (s) Site waste management plan
- (t) Restriction on the hours of power operated machinery during construction
- (u) Phasing of construction
- (v) Approved ecological surveys
- (w) Compliance with ecological survey submitted
- (x) External lighting to be agreed
- (y) Cycle storage
- (z) Screened storage
- (aa) Boundary treatments
- (bb) Waste water management plan
- (cc) Construction environment management plan
- (dd) Details of piled foundations
- (ee) Fire hydrant locations
- (ff) Cycle storage
- (gg) Further badger survey work
- (hh) Obscure glazing of specific windows to protect residential amenity

Informatives

- (a) Environmental health informatives
- (b) Legal agreement required to secure mitigation requested by IDB

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/3145/16/FL

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