

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

08 July 2020

AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: 20/01138/OUT

Parish(es): Waterbeach

Proposal: Outline planning permission with all matters reserved except for access for the demolition of the existing house and the erection of five dwellings

Site address: 95 Bannold Road Waterbeach Cambridge

Applicant(s): Mr Sanders

Recommendation: Delegated Approval

Key material considerations: Principle of Development
Housing Provision
Access, Highway Safety and Parking Provision
Character / Visual Amenity
Residential Amenity
Biodiversity
Trees / Landscaping
Flood Risk and Drainage
Contamination
Renewables / Climate Change
Agricultural Occupancy Condition
Developer Contributions
Other matters

Committee Site Visit: No

Departure Application: Yes (advertised 25 March 2020)

Presenting Officer: Michael Sexton, Principal Planner

Application brought to Committee because: Departure from the adopted Local Plan and the officer recommendation of approval conflicts with the recommendation of Waterbeach Parish Council

Date by which decision due: 31 July 2020 (extension of time agreed)

Executive Summary

1. The application seeks outline planning permission with all matters reserved except for access for the demolition of the existing house and the erection of five dwellings.
2. In terms of the principle of development, the proposal would not comply with the Local Plan, being for residential development outside of a development framework boundary which is not supported by a Neighbourhood Plan or another policy in the Local Plan. The proposal is therefore contrary to policy S/7 of the Local Plan as a matter of principle. However, there are unique circumstances around the site context that had led officers to further assess the proposed development despite this departure.
3. Since the adoption of the Local Plan, residential developments to the north, east and west of the site, which are also outside of the development framework boundary, have been completed and are occupied. These permissions were approved when the Council could not demonstrate a five-year housing land supply. Together they have introduced new homes on what was previously agricultural land. As a result, the area has significantly changed both physically and functionally.
4. The application site is surrounded by residential development which effectively separates the site from the open countryside beyond, aside from the vacant field to the west of the site which is currently the subject of an application for residential development (20/02460/FUL). Therefore in visual terms, the site would be self-contained and would not be viewed from a valued or designated landscape. The proposal would not therefore harm the wider character and appearance of the countryside and it is the view of officers that the site and its immediate surroundings cannot be categorised as being 'countryside' to which the proposal would 'encroach into'.
5. In terms of suitability, Policy S/9 of the Local Plan designates Waterbeach as a Minor Rural Centre. The policy details that residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the development frameworks of Minor Rural Centres, as defined on the Policies Map. Whilst the application site is located outside of the development framework boundary and therefore technically policy S/9 would not apply, the scale of the development (5 dwellings, net gain of 4) would be aligned with the quantum of development which would normally be permitted in this type of location.
6. Officers consider that a departure from policy S/7 of the Local Plan would be justified in this instance as the proposed development would not conflict with the overarching aims and objectives of the Local Plan housing strategy which the policy seeks to protect. Officers consider that there would be no harm caused to the main aims of this policy or the settlement hierarchy in terms of encroachment into the countryside or being able to conclude that it is an unsustainable form of development.
7. Furthermore, there are no other technical issues (such as drainage or highways) that would render this development unacceptable when taken individually or cumulatively.
8. Officers therefore recommend that the Committee grants planning permission for the proposed development.

Site History

9. S/0747/05/F – Double garage – Approved.
10. S/1364/83/F – Erection of one house – Approved.
11. S/1107/80/D – Farmhouse – Approved.
12. S/0557/79/O – Erection of farmhouse and garage – Approved.

Adjacent Site History

Western Boundary of Application Site

13. 20/02460/FUL – Residential development for 21 dwellings including affordable housing with associated access, landscaping, open space, garages and one self build/custom build plot (Re-submission of S/4744/18/FL) – *pending*.
14. S/4744/19/FL – Proposed residential development for 21 dwellings including affordable houses with associated access landscaping open space garages and one self-build/custom build plot – Refused (23.03.2020).

Reason 1:

Policy S/7 seeks to focus development within the most sustainable areas of the district as defined by the Development Frameworks in order to prevent incremental and unsustainable forms of development and encroachment into the countryside, contrary to the strategy for managing housing growth across the district. The proposed development represents a departure from Policy S/7 of the Local Plan as the site is outside the Waterbeach Development Framework. The site is within a heavily built up area and the loss of this existing green space within would harm the appearance of the area. It is not considered that there are circumstances or benefits that would outweigh the harm caused by the development. The proposal is therefore contrary to Policy S/7 of the South Cambridgeshire Local Plan 2018.

Reason 2

The proposed development is of poor quality design in terms of its appearance. The proposed development is therefore contrary to Policy HQ/1 of the South Cambridgeshire Local Plan 2018 which requires development to be of a high quality design.

Eastern Boundary of Application Site

15. S/2475/18/VC – Variation of Conditions 2 (Approved Plans) 4 (Hard & Soft Landscaping) & 14 (Scheme of Ecological Enhancement) of Planning Application S/3399/17/FL (Demolition of existing storage buildings and erection of six dwellings including creation of access from Bannold Road associated garages hardstanding and landscaping) – Approved (11.10.2018).
16. S/3399/17/FL – Demolition of existing storage buildings and erection of six dwellings including creation of access from Bannold Road associated garages hardstanding and landscaping – Approved (19.01.2018).

Northern Boundary of Application Site

17. S/2458/16/RM – Application for Reserved matters in respect of appearance landscaping layout and scale for the residential development of 90 dwellings following outline planning permission S/1359/13/OL – Approved (12.12.2016).
18. S/1359/13/OL – Outline application for residential development up to 90 dwellings with access to Bannold Road – Refused (15.10.2013); Appeal Allowed (25.06.2014).

National Guidance

19. National Planning Policy Framework 2019
National Planning Practice Guidance 2018
National Design Guide 2019

Development Plan Policies

20. **South Cambridgeshire Local Plan 2018**
 - S/1 – Vision
 - S/2 – Objectives of the Local Plan
 - S/3 – Presumption in Favour of Sustainable Development
 - S/5 – Provision of New Jobs and Homes
 - S/7 – Development Frameworks
 - S/9 – Minor Rural Centres
 - CC/1 – Mitigation and Adaptation to Climate Change
 - CC/3 – Renewable and Low Carbon Energy in New Developments
 - CC/4 – Water Efficiency
 - CC/6 – Construction Methods
 - CC/7 – Water Quality
 - CC/8 – Sustainable Drainage Systems
 - CC/9 – Managing Flood Risk
 - HQ/1 – Design Principles
 - NH/4 – Biodiversity
 - NH/14 – Heritage Assets
 - H/8 – Housing Density
 - H/9 – Housing Mix
 - H/12 – Residential Space Standards
 - H/16 – Development of Residential Gardens
 - H/19 – Dwellings to Support a Rural-based Enterprise
 - SC/6 – Indoor Community Facilities
 - SC/7 – Outdoor Play Space, Informal Open Space and New Developments
 - SC/9 – Lighting Proposals
 - SC/10 – Noise Pollution
 - SC/11 – Contaminated Land
 - SC/12 – Air Quality
 - TI/2 – Planning for Sustainable Travel
 - TI/3 – Parking Provision
 - TI/8 – Infrastructure and New Developments
 - TI/10 – Broadband
21. **South Cambridgeshire Supplementary Planning Documents (SPD):**
 - Sustainable Design and Construction SPD – Adopted January 2020
 - Cambridgeshire Flood and Water SPD – Adopted November 2016
 - Health Impact Assessment SPD – Adopted March 2011
 - Affordable Housing SPD – Adopted March 2010

District Design Guide SPD - Adopted March 2010
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
Open Space in New Developments SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009

22. **Neighbourhood Plan**

Waterbeach Neighbourhood Plan

(Pre-submission public consultation (Regulation 14): 13 January - 24 February 2020)

Consultation

23. **Waterbeach Parish Council – Objects.**

Waterbeach PC recommends refusal of this planning application as this area sits outside the village envelop (Local Plan S7 Development outside Development Framework). The current property has an agricultural restriction and would be the loss of a substantial property in the street scene of Bannold Road. Additional houses would put pressure on the local infrastructure including the water treatment and medical facilities.

The Council also concur with the Tree Officers comments.

24. **Contaminated Land Officer – No objection, subject to condition.**

I wish to confirm that I have received a copy of the above application, and have considered the implications of the proposals in relation to potential risks from contaminated land. Specifically, I have reviewed JPC Environmental Services Ltd 'Phase I Contaminated Land Assessment' dated 22nd August 2019.

The site is generally low risk in terms of contamination but is being developed into a sensitive enduse so I agree with the findings of the report in that an intrusive site investigation should be carried out in order to further assess the identified risks. The investigation should target the areas of the site outlined within the Phase I report.

Recommend condition requiring a risk assessment, a remediation method statement, a verification report and the identification of any contamination not considered in the remediation method statement.

25. **Ecology Officer – No objection, subject to conditions.**

The site consists of a dwelling house and private garden, with wooded boundaries to the north, east, and west. The site sits within the Impact Risk Zone of a nearby statutory protected site; however it does not meet the criteria that would require a consultation with Natural England. I am not aware of any nonstatutory protected sites in the area that are likely to be affected by such a consultation. Species records show that amphibians, breeding birds, bats, and badger have all been recorded locally. I am also aware that large populations of common lizard and water vole have been recorded in the area to the north allocated as the new Waterbeach Town.

In support of the application the applicant has submitted an Ecological Assessment (Hopkins Ecology, January 2020). The report has no evidence of bats within the building to be demolished, nor any likelihood of great crested newts being affected. I therefore have no reason to require further information to be submitted prior to determination. The report has recommended a non-licensable mitigation strategy to

remove any residual risk of harming protected species, in addition to enhancement of any future landscape plans. I am in agreement with a majority of the report and would recommend the following two conditions are included in any decision notice issues, should the Case Officer be minded to recommend permission is granted.

Recommended conditions:

1. Construction Ecological Management Plan (CEcMP).
2. Landscape and Ecological Management Plan (LEMP).

26. **Local Highways Authority** – No objection.

Recommend conditions for use of dropped kerbs rather than radii, pedestrian visibility splays, driveway falls and levels, driveway material, traffic management plan and the proposed arrangements for future management and maintenance of the proposed road. An informative relating to works to or within the public highway has also been requested.

27. **Old West Internal Drainage Board** – No objection.

This application for development is within the Waterbeach Level Internal Drainage District.

The application states that surface water will be disposed of via soakaways. Provided that soakaways from an effective means of surface water disposal in this area, the Board will not object to this application. It is essential that any proposed soakaway does not cause flooding to neighbouring land. If soakaways are found not to be an effective means of surface water disposal, the Board must be re-consulted in this matter, as the applicant would need the consent of the Board to discharge any watercourse within the District.

28. **Trees Officer** – No objection.

Trees on or adjacent the site have no statutory protection.

Required document for reserved matters stage:

- Detailed tree protection plan.
- Detailed tree planting and landscape plans.
- Tree planting specification.
- Detailed tree establishment and maintenance plan.

The roadside or the western boundary trees need to be retained throughout. Should these be highlighted for removal I would not be able to support any future application.

It is not clear to me what the quality of the trees at the northern end of the site are as no tree information has been provided.

The roadside boundary hedge is an important feature of the site and streetscene and should be retained throughout. Ideally this hedgerow should be protected in perpetuity.

Any areas which are privately owned public open space will require an indication of who will own them, a planting plan/specification and a future management plan.

Tree planting should be undertaken in any suitable locations.

Representations

29. 11 representations from 9 residents have been received raising objection to the proposed development. Full redacted versions of these comments can be found on the Council's website. In summary the following concerns have been raised:
- Construction disruption (local environment, roads and amenity).
 - Current building is part of the street scene.
 - Does not fall under the presumption of sustainable development where there are less than 30 houses in a Minor Rural Centre, as it falls outside the development framework of Waterbeach.
 - Highway safety and increased traffic.
 - Impact on biodiversity / loss of habitat (conflict with policy S/2(b)).
 - Impact on surface water drainage.
 - Inadequate amount of visitor parking.
 - Layout is out of keeping with current property lines which are set back (conflict with policy H/16).
 - Loss of light, loss of privacy, overbearing impact (conflict with HQ/1 and H/16).
 - Loss of openness along Bannold Road and Barnfield Close
 - Loss of openness in Barnfield Close.
 - Loss of trees.
 - No reference to suitable cycle racks per house
 - No references to climate change construction techniques.
 - Parking pressure on Bannold Road (adequate parking is not provided).
 - Piecemeal development (contrary to DP/5)
 - Plot is not big enough for 5 houses, as they need to be set back in line with other properties along the road.
 - Site is outside of the development framework (conflict with policy S/6 and S/7).
 - Site plan does not show location of windows.
 - Too many dustbins on roadside during collection period.
 - Waterbeach surgery is over capacity.

Site and Surroundings

30. The site is located outside of the development framework boundary of Waterbeach. The site abuts the development framework boundary on its southern boundary. The site lies within Flood Zone 1 (low risk) while a small northern portion of the site is identified as an area of surface water flooding. The site is located over 350 metres from the edge of Waterbeach Conservation Area and is not near to any listed buildings.
31. The site is surrounded by existing residential development. To the south of the site, within the development framework boundary, are properties along Bannold Road. To the north, east and west of the site, areas outside of the development framework boundary, are residential properties on Star Drive (north), Barnfield Close (east) and Bannold Road and Mason Road (west). There is a small vacant field approximately 37 metres in width between the western boundary of the site and the properties of Mason Road. This parcel of land is currently subject to an application for residential development, reference 20/02460/FUL, following the refusal of application S/4744/19/FL in March 2020.

Proposal

32. This application seeks outline planning permission with all matters reserved except for access for the demolition of the existing house and the erection of five dwellings.

Planning Assessment

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

Principle of Development

34. The Councils strategy for managing housing growth is set out in Chapter 2 'Spatial Strategy' of the South Cambridgeshire Local Plan 2018.
35. The strategy sets out a settlement hierarchy, focusing development on existing settlements through defined development frameworks. The principle reasons for doing this is to, one, prevent encroachment of development into the countryside and secondly, to prevent incremental unsustainable growth in areas where there is insufficient infrastructure to support such development.
36. Policy S/7(2) of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
37. The site is located outside of the defined village development framework of Waterbeach and is therefore technically within the countryside. Residential development, such as this proposal, would therefore be contrary to policy S/7 as a matter of principle.
38. Notwithstanding the proposals in-principle conflict with policy S/7, the site is surrounded by residential development which effectively separates the site from the open countryside beyond, aside from the vacant field to the west of the site which is currently the subject of an application for residential development (20/02460/FUL). In regard to the first aim of strategy for managing housing growth, it is the view of officers that the site and its immediate surroundings cannot be categorised as being 'countryside' to which the proposal would 'encroach into'.
39. In terms of the second aim of the strategy, which guards against incremental unsustainable growth, Policy S/9 of the Local Plan designates Waterbeach as a Minor Rural Centre. The policy details that residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the development frameworks of Minor Rural Centres, as defined on the Policies Map.
40. The supporting text to the policy details in paragraph 2.59 that Minor Rural Centres have a lower level of services, facilities and employment than Rural Centres, but a greater level than most other villages in South Cambridgeshire, and often perform a role in terms of providing services and facilities for a small rural hinterland.
41. Whilst the application site is located outside of the development framework boundary and therefore technically policy S/9 would not apply, the scale of the development (5 dwellings, net gain of 4) would be aligned with the quantum of development which would normally be permitted in this type of location. The site would be within a reasonable distance to a range of services and facilities within the village, along with access to public transport modes including regular the train and bus services. In

addition, the site will eventually be close to Waterbeach New Town (policy SS/6) where a range of services and facilities will be provided in which future occupiers would have access too.

42. Officers therefore consider that a departure from policy S/7 of the Local Plan would be justified in this instance as the proposed development would not conflict with the overarching aims and objectives of the housing strategy which the policy seeks to protect. Officers consider that there would be no harm caused to the main aims of this policy or the settlement hierarchy in terms of encroachment into the countryside or being able to conclude that it is an unsustainable form of development.

Housing Provision

43. The application seeks outline planning permission with all matters reserved except for access for the demolition of the existing house and the erection of five dwellings.

Housing Density

44. Policy H/8 of the Local Plan details that housing developments will achieve an average net density of 30 dwellings per hectare in Minor Rural Centre villages but that the net density on a site may vary from the above where justified by the character of the locality, the scale of the development, or other local circumstances.
45. The overall site measures approximately 0.23 hectares in area. The development of 5 dwellings on the site would equate to a density of approximately 18 dwellings per hectare.
46. The density of development on the site would be below the requirement of an average net density of 30 dwellings per hectare. However, the density is considered to be in character with the area, noting that the adjacent development of Barnfield Close has a comparable density of approximately 21 dwellings per hectare.
47. Officers also acknowledge that the development of Anglers Way and Barnfield Close to the east of the site all have properties set back from the public highway; a higher density on the site would likely require dwellings sited closer to the public highway.
48. The proposal would therefore comply with Policy H/8 of the Local Plan.

Housing Mix

49. Policy H/9 of the Local Plan requires a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people, those seeking starter homes, people wishing to build their own homes, people seeking private rented sector housing, and people with disabilities. For development on sites of 9 homes or fewer, the mix of market homes will take account of local circumstances (criterion 3). 5% of homes in a development should be built to the accessible and adaptable dwellings M4(2) standard rounding down to the nearest whole property (criterion 4).
50. The proposed 5 dwellings would therefore need to provide a range of dwelling types and sizes to comply with Policy H/9 of the Local Plan. Given that the application is currently at outline stage only, it is considered that the exact mix of the market dwellings could be agreed at the reserved matters stage, albeit a condition will be needed as part of any outline consent to secure this.

51. Officers consider it reasonable and necessary to impose a condition that as part of any reserved matters application details of the housing mix are submitted to ensure compliance with policy H/9 of the Local Plan.

Affordable Housing

52. The proposal would result in a net increase of four dwellings.
53. Policy H/10 of the Local Plan states that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1,000 square metres. This reflects the Written Ministerial Statement (WMS) issued in 2014.
54. However, NPPF paragraph 63 is a material consideration and states that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
55. No affordable housing is provided within the development. The development of five dwellings would not result in a requirement for affordable housing and unlikely to exceed 1,000 square metres.
56. The proposal would therefore accord with policy H/10 of the Local Plan and paragraph 63 of the NPPF.

Residential Space Standards

57. Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.
58. Officers consider it reasonable and necessary to impose a condition that any future Reserved Matters application accords with the requirements of policy H/12.

Access, Highway Safety and Parking Provision

59. The existing site has a point of vehicular access directly onto Bannold Road. The application is supported by an access plan which shows the use of this access point and the required vehicular visibility splays of 43 metres by 2.4 metres. The plan also demonstrates an access width of approximately 5 metres which would allow two vehicles to pass one another clear of the adopted public highway.
60. The application has been subject to formal consultation with the Local Highways Authority who raise no objection to the proposed development, following the submission of the access plan with visibility splays. The proposed development has therefore demonstrated that it will achieve safe and suitable vehicular access to the site which will not result in significant harm to highway safety. The access plan will be secured as an approved plan as part of any outline content.
61. In consultation with the Local Highways Authority, officers consider it reasonable and necessary to impose conditions for the use of dropped kerbs rather than radii, pedestrian visibility splays, driveway falls and levels, driveway material and traffic management plan to ensure the development does not result in significant harm to highway safety. An informative relating to works to or within the public highway is also considered appropriate.

62. A condition for the proposed arrangements for future management and maintenance of the proposed road is not considered appropriate at outline stage as the final layout and arrangements of the site are not known at this stage.
63. Subject to the recommended conditions, the proposal is not considered to result in significant harm to highway safety and to accord with policies H/16(b.iv) and TI/2 of the Local Plan and paragraphs 108 and 110 of the NPPF.
64. Policy TI/3 of the Local Plan requires car parking provision to be provided through a design-led approach in accordance with the indicative standards of 2 spaces per dwelling (1 space to be allocated within the curtilage), noting that additional provision may be needed for visitors, service vehicles and salesmen. Although illustrative, the layout plan submitted demonstrates that sufficient parking would be provided.
65. Officers are satisfied that the site is of sufficient size that appropriate levels of off-road parking could be achieved, which would be detailed at reserved matters stage.
66. The proposal would therefore accord with policies H/16(b.v) and TI/3 of the Local Plan.

Character / Visual Amenity

67. The existing dwelling on the site is a detached two storey residential property located within a spacious plot. The area to the south of the site is characterised by two storey semi-detached properties which front onto Bannold Road. To the east of the site is the relatively new residential development of Barnfield Close which comprises a mixture of detached and semi-detached two storey residential properties. To the north are more two storey detached and semi-detached residential properties on Star Drive. Immediately to the west of the site is a vacant parcel of land, which is currently the subject of a full planning application for residential development (20/02460/FUL) beyond which lies more residential development of a two storey scale.
68. The application is supported by an illustrative site layout but the precise siting of the dwellings is a reserved matter that will be considered at a later stage. Nonetheless, officers are satisfied that five dwellings could be accommodated within the site in a manner which would respect the character of the area, noting that development to the east of the site is stepped back from the public highway.
69. The introduction of five dwellings on the site is not considered to result in significant harm to the character and appearance of the area, providing a suitable scheme is presented at reserved matters stage, including details of the landscaping of the site.
70. The existing building is a two storey property and the development surrounding the site is two storey. However, no details are provided of the heights of the buildings at this stage and will be considered further at the reserved matters stage.
71. The proposal is considered to accord with policies HQ/1 and H/16(b.i and b.iii) of the Local Plan.

Residential Amenity

72. The application is in outline form with matters of scale, layout and appearance reserved for reserved matters stage, therefore the final layout of the site and the scale and appearance (i.e. fenestration details) of the properties is not known. The

application is supported by an indicative site layout to demonstrate that five dwellings could be arranged within the confines of the site.

73. Officers acknowledge the concerns which have been raised locally with respect to a potential overbearing impact, loss of privacy and loss of light from the proposed development, particularly the arrangements of the indicative site layout plan.
74. Given the extent of the site, noting a density of approximately 18 dwellings per hectare, officers are satisfied that five dwellings could be accommodated on site in a manner which would not result in significant harm to neighbouring properties through an unduly overbearing mass, significant loss of light or severe loss of privacy. These matters would be considered further at the reserved matters stage.
75. Given the location of the access and quantum of the development proposed, the proposed development is not considered to lead to an unacceptable level of noise and disturbance to neighbouring properties.
76. The proposal is considered to accord with policies HQ/1(n) and H/16(b.ii) of the Local Plan.

Biodiversity

77. The application is supported by an Ecological Assessment (including bat surveys) and has been subject to formal consultation with the Council's Ecology Officer.
78. The Council's Ecology Officer notes that the report has no evidence of bats within the building to be demolished, nor any likelihood of great crested newts being affected, therefore no further information is required at this stage. The report has recommended a non-licensable mitigation strategy to remove any residual risk of harming protected species, in addition to enhancement of any future landscape plans.
79. The Council's Ecology Officer has recommended two conditions be imposed as part of any consent. The first is a condition requiring the submission of a Construction Ecological Management Plan (CEcMP) to protect existing habitats and protected species on site and to enhance the site for biodiversity. The second condition would require the submission of a Landscape and Ecological Management Plan (LEMP) to provide habitat for wildlife and enhance the site for biodiversity.
80. Subject to the recommended conditions, officers consider that the proposal would accord with policies NH/4 and H/16(b.vii) of the Local Plan and paragraphs 170, 174, and 175 of the NPPF which requires development to enhance, restore and add to biodiversity with opportunities should be taken to achieve a net gain in biodiversity through the form and design of development.

Trees / Landscaping

81. There are several mature trees along the western and northern boundaries of the site, with hedgerows present along parts of the eastern and southern boundaries, with domestic planting and landscaping within the site. The application is not supported by an Arboricultural Method Statement or Tree Protection Plan and has been subject to formal consultation with the Council's Trees Officer who raises no objection.
82. The Council's Trees Officer notes in their comments that any reserved matters application will require the submission of a tree protection plan, detailed tree planting and landscape plans, tree planting specification and a detailed tree establishment and

maintenance plan. As the application is outline only with matters of layout and landscaping reserved, a further assessment will be carried out once the precise layout is known at the reserved matters stage.

83. Officers consider it reasonable and necessary to impose a condition that any reserved matters application is supported by an Arboricultural Method Statement and Tree Protection Plan. Detailed landscape plans, including planting specifications, would be expected to be submitted to address the matter of 'landscape'.
84. While landscape is a reserved matter, officers consider it reasonable and necessary to impose a condition that all hard and soft landscape details are carried out in accordance with the approved details, which are to be submitted and considered as part of a reserved matters application.
85. Subject to the recommended conditions, the proposal is considered to accord with policies HQ/1, NH/4 and H/16(b.vii) of the Local Plan.

Flood Risk and Drainage

86. The application site is in Flood Zone 1 and therefore is considered as having low probability of flooding. A small northern portion of the site is identified as an area of surface water flooding.
87. The development is not considered to increase the risk of flooding to the site and surrounding area, subject to an acceptable scheme of surface water drainage that is maintained for the lifetime of the development. Officers therefore consider it reasonable and necessary to impose a condition for details of foul water and surface water drainage that can be maintained for the lifetime of the development to ensure the development is acceptable in terms of flood risk and drainage.
88. Subject to the recommended condition, the proposal would accord with policies CC/7, CC/8 and CC/9 of the Local Plan which requires developments to have an appropriate sustainable foul and surface water drainage systems and minimise flood risk.

Contamination

89. The application is supported by a Phase I Contaminated Land Assessment and has been subject to formal consultation with the Council's Contaminated Land Officer.
90. The Council's Contaminated Land Officer notes that the site is generally low risk in terms of contamination but is being developed into a sensitive enduse and agrees with the findings of the report in that an intrusive site investigation should be carried out in order to further assess the identified risks; the investigation should target the areas of the site outlined within the Phase I report.
91. The Council's Contaminated Land Officer has recommended a condition be imposed requiring a risk assessment, a remediation method statement, a verification report and the identification of contamination identified on site that was not considered in the remediation method statement.
92. Subject to the recommended conditions, officers consider that the proposal would accord with policy SC/11 of the Local Plan

Renewables / Climate Change

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

Agricultural Occupancy Condition

97. The existing property is subject to an agricultural occupancy condition imposed under planning consent S/1364/83/F with condition 1 stating:

The occupation of the dwelling shall be limited to a person solely or mainly employed in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or in forestry (including any dependants of such person residing with him), or a widow or widower of such person.
98. Under the current adopted plan, policy H/19 of the Local Plan sets out support for dwellings to support a rural-based enterprise (i.e. residential development outside of a development framework boundary for an identified and specific need). The policy states that proposals for permanent dwellings in the countryside for full-time workers in agriculture or forestry or in another business where a rural location is essential, will be permitted if special circumstances can be demonstrated by it meeting all five criteria set out within the policy.
99. Policy H/19(3) details that where a new dwelling is permitted, this will be the subject of a condition ensuring the occupation will be limited to a person solely or mainly working, or last working in the locality in agriculture, forestry or in another business where a rural location is essential, or a surviving partner of such a person, and to any resident dependents.
100. Policy H/19(4) of the Local Plan addresses the relaxation of the occupancy condition and details that the relaxation of an occupancy condition will only be permitted where it can be demonstrated that a) there is no longer a continued need for the dwelling on the site; b) there is no long term need for a dwelling with restricted occupancy to serve need in the locality and c) the property has been marketed locally for a reasonable period (minimum 12 months) at a price which reflects the existence of the occupancy condition.
101. Policy H/19 of the Local Plan focuses on proposals for new dwellings to support a rural enterprise and requests to remove related occupancy conditions. In this instance, the application proposes the demolition of the existing property and the redevelopment of the site, rather than the specific removal of the condition to allow the

existing property to be marketed at full market value. Officers are therefore of the view that the proposal would not conflict with the aims and objectives of policy H/19, noting the limited extent of the site which could not be occupied as a smallholding and that the site now falls within a built up area of the extended village of Waterbeach.

102. The proposal is not considered to conflict with policy H/19 of the Local Plan.

Developer Contributions

103. Policy TI/8 of the Local Plan states that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
104. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 105.. In this case, the need for contributions are not considered necessary to make the development acceptable due to the Written Ministerial Statement dated 28 November 2014 that states contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm.

Other Matters

Broadband

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

Development of Residential Gardens (Policy H/16)

107. Policy H/16 of the Local Plan supports the development of land used or last used as residential gardens subject several criteria. Most of the criteria have been assessed above but the other criteria are considered below.
108. Policy H/16(a) is not applicable to this proposal as the development is not for the one-to one replacement of a dwelling in the countryside under policy H/14 of the Local Plan.
109. Policy H/16(b.vi) requires consideration of the paternal impact on heritage assets; the site is not in close proximity to Waterbeach Conservation Area or any listed buildings and therefore accords with policy H/16(b.vi).
110. Policy H/16(b.viii) seeks to ensure that the form of development would not prevent the development of adjoining sites. Officers do not consider that the proposal would prevent the development of adjoining sites and therefore accords with policy H/16(b.viii).

Noise & Lighting

111. Officers consider it reasonable and necessary to impose conditions restricting the hours of works on site and the installation of external lighting along with informatives for burning of waste, driven pile foundations, minimising disturbance to neighbours,

demolition notice and air source heat pumps.

112. Subject to the recommended condition, the proposal would accord with policies HQ/1 and CC/6 of the Local Plan.

Pre-Commencement Conditions

113. All pre-commencement conditions have been agreed in writing with the agent in advance of issuing a decision.

Rural Exception Site Affordable Housing

114. Policy H/11 of the Local Plan sets out the Council's policy for rural exception sites where affordable housing developments to meet identified local housing needs on small sites adjoining a development framework boundary will be supported, subject to satisfying several criteria. Such developments are found in a countryside setting, beyond a development framework boundary.
115. The application site is located outside the development framework boundary of Waterbeach but does adjoin the framework on the southern boundary of the site. Therefore, the site has the potential to qualify for development under policy H/11 of the Local Plan, should a development for affordable housing be proposed.
116. However, the application submitted is not for the development of affordable housing and has been made for market housing, falling outside of the scope of policy H/11. This is because, as detailed in paragraphs 34 to 38 of this report, although the site is outside of the development framework boundary it is surrounded by residential development which effectively separates the site from the open countryside beyond, materially changing the context of the site. As noted above, officers are of the view that the site and its immediate surroundings cannot be categorised as being 'countryside' to which the proposal would 'encroach into'. Therefore, an application for market housing is considered acceptable within this context for the reasons set out in this report.
- Third Party Comments*
117. The comments made in third-party representations are noted, with many points already considered in the report. The remaining matters raised are considered below.
118. One representation refers to the application representing piecemeal development in conflict with policy DP/5. Policy DP/5 was an adopted policy under the Local Development Framework (2007) and is not a current adopted policy as part of the South Cambridgeshire Local Plan 2018 and as such carries not weight.
119. One representation raises concern of too many dustbins on roadside during collection period. Each property would have it own bin storage (to be detailed at reserved matters) and the presence of bins on the roadside for weekly collections is not considered to result in harm or a material planning reason for refusal of the application.
- Waterbeach Neighbourhood Plan*
120. The Waterbeach Neighbourhood Plan is at a very early stage (Pre-submission public consultation (Regulation 14)) and therefore does not carry any weight in the assessment of this application.

Conclusion and Recommendation

121. Officers consider that whilst the proposal would be contrary to policy S/7 of the adopted Local Plan as a matter of principle, there would be limited harm caused to the main aims and objectives of this policy in terms of encroachment into the countryside or being able to conclude that proposal represents an unsustainable form of the development.
122. For the reasons set out in this report, officers consider the outline planning application to be acceptable in accordance with the relevant policies in the South Cambridgeshire Local Plan. Subject to conditions, the application is recommended for approval.

Conditions

123. a) Approval of the details of scale, layout, appearance and landscaping (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason – The application is in outline only.)
- b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason – The application is in outline only.)
- c) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason -The application is in outline only.)
- d) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (1:1250) and Visibility Splay & Access Width Plan (1:500).
(Reason –To facilitate any future application to the Local Planning Authority under section 73 of the Town and Country Planning Act 1990.)
- e) As part of any reserved matters application an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with the policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan.)
- f) Prior to or concurrently with the submission of the first approval of reserved matters A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following:
- i) Description and evaluation of features to be managed.
 - ii) Ecological trends and constraints on site that might influence management.
 - iii) Aims and objectives of management, including how positive gains in biodiversity will be achieved.
 - iv) Appropriate management options for achieving aims and objectives.
 - v) Prescriptions for management actions.
 - vi) Prescription of a work schedule (including an annual work plan capable

of being rolled forward over a five-year period).

vii) Details of the body or organisation responsible for implementation of the plan.

viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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

- g) No development approved by this permission shall take place until:
- i) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
 - ii) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

(Reason - To protect existing habitats and protected species on site and to

enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.)

- i) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway).
 - ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
 - iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).
 - iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

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

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

- j) No development shall take place until a scheme for the disposal of surface water and foul water drainage that can be maintained for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Reason – To ensure a satisfactory method of surface water drainage and foul water drainage to prevent the increased risk of flooding and pollution to the water environment in accordance with policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.)
- k) No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the development. (Reason – In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)
- l) Prior to the first occupation of the development, two pedestrian visibility splays of 2 metres x 2 metres shall be provided each side of the vehicular access measured from and along the highway boundary. The splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adopted public highway. (Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- m) The dwellings hereby approved shall not be occupied until the works specified in any remediation method statement must be completed and a Verification report submitted to and approved in writing by the Local Planning Authority. (Reason - To ensure that risks from land contamination to the future users of the

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

- n) The dwellings hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.
(Reason - To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the south Cambridgeshire Local Plan 2018.)
- o) The dwellings hereby approved shall not be occupied until the dwelling to be occupied has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.
(Reason – To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.)
- p) If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the Local Planning Authority before any works proceed and shall be fully implemented prior to first occupation of the dwellings hereby approved.
(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the South Cambridgeshire Local Plan 2018).
- q) The market mix of the dwellings shall comply with Policy H/9 of the Local Plan and a justification of the local circumstances demonstrated through the provision of evidence within the submission of any reserved matters application.
(Reason - To ensure an appropriate mix of market housing in accordance with policy H/9 of the adopted Local Plan 2018).
- r) All dwellings shall comply with the Residential Space Standards set out under Policy H/12 of the Local Plan and demonstrated through the provision of floorspace details within the submission of any reserved matters application.
(Reason - To ensure an appropriate level of amenity for future occupiers in accordance with policy H/12 of the adopted Local Plan 2018.)
- s) The vehicular access shall be constructed using dropped kerbs rather than the radii kerbs shown (the use of dropped kerbs reinforces the message that pedestrians have the right of way over the access and that vehicles entering or leaving the private property should give way).
(Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and

paragraphs 108 and 110 of the National Planning Policy Framework 2019.)

- t) The proposed access shall be constructed so that their fall and levels are such that no private water from the site drains across or onto the adopted public highway.
(Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- u) The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.
(Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- v) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1, NH/4 and NH/8 of the South Cambridgeshire Local Plan 2018).
- w) During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).
- x) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed prior to the occupation of the development and thereafter retained.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy SC/9 of the South Cambridgeshire Local Plan 2018).

Informatives

- 124. a) Before the existing building is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which it will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.
- b) There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
- c) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted

and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

- d) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- e) In the event of an air source heat pump being proposed, prior to the commencement of development, a noise impact assessment and insulation scheme detailing the technical details and sound power/noise output of the air source heat pump and any mitigation measures in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.
- f) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

Background Papers:

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: 20/01138/OUT, 20/02460/FUL, S/4744/19/FL, S/2475/18/VC, S/3399/17/FL, S/2458/16/RM, S/1359/13/OL, S/0747/05/F, S/1364/83/F, S/1107/80/D, S/0557/79/O.

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