



Planning Committee Date	9 November 2022
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	21/00915/REM
Site	Land To The Rear Of 1B Over Road, Willingham, Cambridge, Cambridgeshire, CB24 5EU
Ward / Parish	Willingham
Proposal	Reserved matters application for the approval of details of appearance, landscaping, layout and scale following outline planning permission S/2921/15/OL (Erection of 26 Dwellings including 10 Affordable Units & Ancillary Access Arrangements (All matters reserved apart from access)). The outline planning application did not seek permission for EIA Development.
Applicant	Mr Ernest Wynn
Presenting Officer	Alice Young
Reason Reported to Committee	Wider public interest, call in Parish and Cllr
Member Site Visit Date	N/A
Key Issues	1. Drainage 2. Parking / vehicle tracking
Recommendation	APPROVE subject to conditions / S106

1.0 Executive Summary

- 1.1 The application seeks reserved matters consent for the erection of 26 dwellings including 10 affordable units and ancillary access arrangements. The reserved matters consist of layout, landscaping, scale and appearance. Matters that fall outside of the definition of these reserved matters (as defined in the Development Management Procedure) have already been considered and approved by the outline consent (S/2921/15/OL). The application has been referred to Planning Committee as the proposal relates to significant concerns locally and is considered in the public interest for the application to be discussed at Committee. The application was taken to Planning Committee on 29th June 2022 where Members deferred the application for officers to clarify the concerns raised by the LLFA, the vehicle tracking within the site and the design, location of the open space and the impacts on residential amenity.
- 1.2 Members sought clarity regarding the LLFA's stance on the reserved matters application as there have been some drainage concerns raised by third parties and the LLFA. Since the 29th of June Committee, full drainage details have been provided to the LLFA which has provided the LLFA with adequate comfort to remove their objection to the application. Both the LLFA and SCDC Drainage Officer are now satisfied that the drainage strategy would provide appropriate mitigation of surface water on site . Officers consider that the proposal would therefore not pose undue additional demand on the drainage network and the proposal would not increase flood risk.
- 1.3 Members had concerns regarding the layout of the internal roads being too tight for refuse vehicles to adequately turn within the site without oversailing the pavement. The turning head within the southeast of the site has been enlarged and updated vehicle tracking diagrams have been submitted to demonstrate that a South Cambridgeshire standard refuse vehicle can turn adequately within the road layout. Furthermore, the radii of the access entrance to Over Road has been increased to 8m to allow sufficient space for refuse vehicles entering the site. The Highway Authority now do not object to the application and consider that the proposal would not result in any highway safety issues. Officers are therefore satisfied that the road layout is acceptable.
- 1.4 Car parking provision complies with indicative standards outlined in TI/3 aside from provision for plot 8 and 9 where there is one space per dwelling. Paragraph 2 of policy TI/3 states that provision should take into consideration various factors such as car ownership levels, local services, facilities and public transport. Both plot 8 and 9 are one-bedroom properties are therefore least likely to own two vehicles or be inhabited by a family. Given this, alongside local services and public transport within Willingham being within walking distance, officers consider that this is an acceptable level of car parking provision on site.
- 1.5 Members raised concerns regarding the siting of the open space within the site. The open space has been located in the north-eastern corner of the

site due to the unacceptable residential amenity impacts that would arise from locating dwellings in this area. Properties surrounding the site to the north and east of the LAP all have shallow gardens, particularly no. 11 and 12 Aspinalls Yard which have garden depths of 6m and 3m respectively. Given this and the outline planning permission being specifically for 26 dwellings, no more and no less, this has limited the siting of the open space to this north-eastern corner. Notwithstanding this, officers consider that the location of the open space to be acceptable in the overall context of the site layout.

- 1.6 The proposed development has been amended during the application process to address consultee and third-party concerns. As a result of the amendments, officers consider that the proposal creates a well-balanced, less car dominated, more attractive and better functioning development which would be responsive to the surrounding character and layout. The proposal would deliver biodiversity enhancement, incorporate renewable energy and include provision of affordable housing.
- 1.7 Taking all factors into consideration, Officers recommend that the Planning Committee approve the application subject to conditions, the wording of which to be delegated to officers.

2.0 Site Description and Context

None relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3	x
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Article 4 Direction	

- 2.1 The site lies outside of the village framework. Part of the application site to the north and east is located within Flood Zones 2 and 3. This includes the access into the site from Over Road. Flood Zone 3 is located to the north and north-east sides, cascading down to Flood Zone 2 towards the centre and extreme south-east side and Flood Zone 1 to the centre and south-west side. There is a 3m electricity easements along parts of the eastern and western boundaries and along the full extent of the southern boundary. The site is not located within a designated Conservation Area and there are no Listed Buildings or Scheduled Ancient Monuments adjacent to the site. Moreover, the site is not ecologically sensitive and does not fall within or adjacent to any international, national or local natural environment designations.

- 2.2 The application site is located on the southwestern edge of Willingham village, to the south of Over Road. The site conforms well to the prevailing pattern of built development, with houses to the north on Over Road, the east on Station Road and the west on Hayden Way. To the south, beyond a boundary of mature hedgerow and trees is open countryside, consisting of paddocks and fields.
- 2.3 The site comprises an area of 0.924 hectares of flat land of rectangular shape situated in a back land position behind residential properties fronting Over Road. The characteristics of the site consist of a large, flat, open paddock which is overgrown in places. There are mature hedges and trees, particularly along the eastern and southern boundaries. The west boundary is more exposed in places.
- 2.4 The Northern boundary is mixed in nature, consisting of the varied boundary treatments to the rear gardens of properties fronting Over Road. The site is accessed from Over Road to the north between two existing residential properties. This access is unmade and is presently relatively overgrown with tall grasses and shrubs.
- 2.5 To the west side of the site there are a number of long, low glasshouses running north to south. These glasshouses are in a dilapidated state and thus the nursery land use which once operated from the site has clearly not done so for many years. The site is located in the open countryside, outside of the defined framework for Willingham village. The site is however contiguous with the village framework boundary, which runs along the northern, eastern and western boundaries of the site.

3.0 The Proposal

- 3.1 This application seeks approval for the reserved matters of appearance, landscaping, layout and scale following outline planning permission S/2921/15/OL for the erection of 26 dwellings including 10 affordable units & ancillary access arrangements. The outline planning application did not seek permission for EIA Development.
- 3.2 The access serving the proposed development (which was approved in the outline consent S/2921/15/OL) would be sited between Dresline and The Lawnings opposite 10 Over Road. The site comprises 26 dwellings ranging from one bed semi-detached to four bedroom detached properties, arranged along a central access road with a turning head located to the south and three subsidiary driveways, one located within the north-western corner, one centrally to the east and the latter one to the south-east of the site. A local area of play is located in the north-eastern corner abutting the boundary with The Lawnings and Salvida which front Over Road. The boundary treatment would be retained on the southern

boundary abutting the open countryside and the remaining boundaries would be enclosed by either existing 1.8m fencing or new 2m close boarded boundary fences with soft landscaping along the western boundary.

- 3.3 All dwellings would be sited back from the proposed accesses allowing space for high quality green landscaped frontages and subservient car parking.
- 3.4 The application has been amended and further information has been submitted to address representations and Members concerns and further consultations have been carried out as appropriate.

4.0 Relevant Site History

Reference	Description	Outcome
S/0209/19/DC	Discharge of condition 12 (Surface water drainage) pursuant to Outline planning permission S/2921/15/OL	Permitted
S/3588/18/DC	Discharge of condition 12 (surface water drainage) of planning consent S/2921/15/OL for outline proposal For erection of 26 Dwellings including 10 affordable units & ancillary access arrangements (all matters reserved apart from access)	Refused
S/2921/15/OL	Outline Proposal For Erection of 26 Dwellings including 10 Affordable Units & Ancillary Access Arrangements (All matters reserved apart from access)	Permitted Approved at Planning Committee 2 nd August 2017 & 7 September 2016
S/0128/82/O	Residential	Permitted
C/0042/67/O	Residential development	Refused

- 4.1 The application was discussed at the 29th of June Planning Committee and subsequently deferred for three reasons: to clarify the concerns raised by the LLFA, the road layout and the vehicle tracking within the site and due to the design, location of the open space and the subsequent impact on residential amenity. The application has been amended to resolve the issues of road layout and there has been further justification of the design and the location of the open space.
- 4.2 S/2921/15/OL was heard at Planning Committee twice as the implications of the Hopkins Homes Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing needed further consideration given the lack of a five-year housing supply. For the decision notice for S/2921/15/OL please see Appendices.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

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

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 South Cambridgeshire Local Plan 2018

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/4 – Cambridge Green Belt

S/5 – Provision of New Jobs and Homes

S/7 – Development Frameworks

S/9 – Minor Rural Centres

CC/1 – Mitigation and Adaption to Climate Change

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

CC/4 – Water Efficiency

CC/6 – Construction Methods

CC/7 – Water Quality

CC/8 – Sustainable Drainage Systems

CC/9 – Managing Flood Risk

HQ/1 – Design Principles

NH/2 – Protecting and Enhancing Landscape Character

NH/4 – Biodiversity

NH/6 – Green Infrastructure

H/8 – Housing Density

H/9 – Housing Mix

H/10 – Affordable Housing

H/12 – Residential Space Standards

SC/7 – Outdoor Play Space, Informal Open Space & New Developments
SC/11 – Contaminated Land
TI/2 – Planning for Sustainable Travel
TI/3 – Parking Provision
TI/10 – Broadband

5.3 **Neighbourhood Plan**

N/A

5.4 **Supplementary Planning Documents**

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

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

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

5.6 **Other Guidance**

- 5.7 Greater Cambridge Housing Strategy 2019 – 2023

6.0 **Consultations**

6.1 **Parish Council – Objection.**

- 6.2 1st Comment: Objection. There needs to be assurance from SCDC that there is adequate soakaway provision for the site. The recent flooding in the village would indicate that the drainage system appears to be under excessive pressure and as a consequence the Council would not want new developments to add to that system and potentially add to the flooding issues.

- 6.3 2nd Comment: Objection. Although the surface water drainage arrangements and flood mitigations have been approved by the SCDC officer, the Lead Local Flood Authority and Anglian Water have not approved the application due to inadequate/no drainage information being provided by the applicant.

6.4 **County Highways Development Management – No objection.**

6.5 1st Comment: If the applicant is seeking for the proposed development to be adopted the traditional construction is required to be 5m in width with 1.8m footways either side of the carriageway with 6m radii kerbs. Please request that the applicant submit a drawing showing these dimensions and not within the Key as per submitted drawing number: CH19/LBA/529/RM-1 100.

6.6 Car parking is not to standard dimensions which could lead to overhang vehicles into the proposed access, obstructing traffic flows and increasing vulnerability of pedestrians. Intervisibility should be shown as 2.4m x 25m for 20mph roads and should if adopted by the highway authority form adopted public highway. The Highway Authority can confirm that they have severe reservations with regards to connectivity within the site as shown on the indicative master plan, the Highway Authority has a hierarchy which places pedestrian at the top of that hierarchy and this has not been addressed at all within the submitted drawing.

6.7 Recommends conditions/ informatives:

- Laid out to Cambridgeshire County Council construction specification
- Scheme for the future management and maintenance of streets
- Driveway levels
- Traffic management plan
- Highway informative

6.8 2nd Comment: Following the inter vehicle visibility splays for all accesses serving more than one dwelling being shown on drawing number: CH19/LBA/529/RM-1 100 Rev A, the land within the splay to the front of Plot number 3 will have to form part of the adopted public highway if the development is brought forward for adoption by the Highway Authority. The swept path analysis as shown on drawing number CH19/LBA/529/RM-1-100 Rev A appears to show the vehicle over running the footway in the vicinity of Plot 19 this is unacceptable and should be designed out at this stage. LHA will not adopt unless a drainage strategy is submitted and approved by LHA.

6.9 Additional conditions

- Bound material
- Visibility splays

6.10 3rd Comment: The road layout detailed in 2200-02 Rev G, including the turning head, can accommodate a standard SCDC 11.2m long refuse freighter without over-sailing the pavement. This is acceptable to the Highway Authority. The radii at the junction at 8m on the tracking diagram (2200-02 Rev G) does not align with the site layout plan which details 7.5m.

- 6.11 **Sustainable Drainage Officer – No objections.**
- 6.12 1st Comment: Decision notice for S/2921/15/OL shows that conditions are in place for foul and surface water drainage (Conditions 10, 11 and 12), no further conditions for this application are required. Proposed levels drawing submitted with the application states that finished floor level of 6.20m AOD has been agreed with the Environment Agency (EA). We have no objection to the proposal.
- 6.13 2nd Comment: We note that surface water condition (11) for S/2921/15/OL has been discharged under S/0209/19/DC. On the basis of the above we have no objection to the proposed drainage strategy, however we note that site plan CH19/LPA/529/RM-1-100 has different plot area(s) from CH19/LPA/529/RM-1-100 Rev A example Plot 3. Confirmation is required if impermeable area of the site has increased and how that will impact of the drainage strategy with upgrade proposed if required.
- 6.14 **Lead Local Flood Authority – No objection.**
- 6.15 1st Comment: Objection. No surface water drainage information has been submitted. The applicant should submit information to demonstrate that the surface water management for the site can be accommodated within the proposed layout of the site. Suggests infiltration and ordinary watercourse consent informatives.
- 6.16 2nd Comment: Objection. It is understood that drainage condition 11 on planning permission S/2921/15/OL has been discharged. However, the LLFA did not comment on details submitted to discharge condition 11 and therefore the details of drainage design are not currently supported by the LLFA.
- 6.17 3rd Comment: Objection. The proposals are to infiltrate surface water through permeable paving, with additional volume within a cellular soakaway in the northeast of the site. Whilst these proposals are not necessarily opposed to by the LLFA, infiltration testing must be submitted to demonstrate that infiltration is a feasible means of surface water discharge. Testing must be in line with BRE365, with three repeat tests in each pit. The minimum rate should be no less than 1.0×10^{-6} m/s and there must be a 1.2m clearance between the base of any infiltration feature and peak seasonal groundwater levels. Until this has been demonstrated, we are unable to support the application.
- 6.18 4th Comment: No objection – objection resolved. The submitted documents demonstrate that the surface water from the proposed development can be managed through the use of permeable paving over all access and parking areas. Surface water will be conveyed to a cellular soakaways

below the open space. This is acceptable subject to the following informatives:

- OW consent
- Pollution control

6.19 **Environment Agency – No objections.**

6.20 No comment.

6.21 **Anglian Water – No comment.**

6.22 There is no drainage strategy submitted with the application therefore we have no comments to make for this application

6.23 **Urban Design – No objection.**

6.24 1st Comment: Concerns raised. Noting the siting of plot 9 and its blank south-facing side elevation, this façade will be prominent when viewed from the south end of the spine road and would benefit from the addition of fenestration to activate the public realm. Two house types would not be in compliant with the minimum space standards in policy H/12 (residential space standards) of the 'Local Plan'.

6.25 The side elevation of the dwelling at plot 5, which contains first floor bedroom windows, would only be 13m from the rear elevation (containing first floor bedroom windows) of the dwelling at plot 4 which it faces. This would not be in accordance with paragraph 6.68 of the 'District Design Guide' (2010) which states that a minimum distance of 25m should be provided.

6.26 The front of plot parking spaces for plots 5-8, 10-11, 14-15 and 23-24 are only 2 to 2.5 meters from the front elevation of these dwellings which means that these residents will suffer from the disturbance caused by car headlights and engine noise at night. The lengths of the parking spaces for plot 3 (12.5m – should be 10m) and plots 12 and 13 (7.5m – should be 5m) are likely to mean the overhanging of cars over pavements.

6.27 Officers request that details are provided about what will be the play equipment at the proposed Local Area of Play (LAP) and a materials pallet is provided.

6.28 2nd Comments: No objection. Some improvements (see below) have been made to address officers' previous concerns. A window has been added to the south-facing side elevation of plot 9 to activate the public realm on the spine road. All house types now meet the minimum internal space standard. The first-floor bedroom window of plot 5 has been removed from the side elevation overcoming officers' concerns as to overlooking, complying with the District Design Guide. The front of plot parking spaces for plots 5-8, 14-15 and 23-24 have been slightly extended to be 2.5m to

3m distance from the front elevation of these dwellings and the space for plot 3 has been decreased from 12.5m to 10m.

- 6.29 The amount of formal children's play space (218.4m²), the amount of informal children's play space (218.4m²), and the amount of informal open space (435.2m²) and these amounts would meet the minimum amounts stipulated in policy SC/7 of the Local Plan (2018). Further detail is required for the play equipment provided and the materials pallet.
- 6.30 **County Archaeology – No objections.**
- 6.31 Recommend that the archaeological condition attached to the outline application ref S/2921/15/OL be carried over to this or any other application intended to supersede.
- 6.32 **Senior Sustainability Officer – Insufficient information.**
- 6.33 Not enough information to comment. A full and detailed sustainability strategy needs to be submitted. This document should give details of how the development will be constructed to reduce energy use, carbon emissions and water use, including detailed design stage SAP calculations which demonstrate that each dwelling type achieves a carbon emissions reduction no less than 10% above basic Building Regulations Part L compliance.
- 6.34 **Landscape Officer – No objection.**
- 6.35 1st Comment: Applicant should revisit layout as the turning head to the south encroaches into the landscape buffer and car parking spaces (both garages and ground level) are not to Council standard which may lead to obstruction. Further detail required for planting specifications, cross section of tree pits and the boundary treatments proposed. Applicant should clearly indicate areas of LAP and Onsite Public Open Space (made up of Informal Play Space and/or Onsite informal Open Space) with calculations upon a separate drawing. Conditions already secure details for cycle parking, lighting, bin storage and drainage.
- 6.36 2nd Comment: All concerns / points of clarification have been addressed.
- 6.37 3rd Comment: No objection. Requesting slight amendments to the proposed tree girth and topsoil layer on the shrub beds and hedgerows and amendments to hedgerow cultivation.
- 6.38 **Ecology Officer – No objection.**
- 6.39 1st Comment: Condition 8 (ecological enhancement) has not been discharged. The plans show a mix of introduced shrub, non-native trees, and amenity grassland areas, with some low diversity hedges. There are no landscape areas that appear to be designed to enhance biodiversity

anywhere within the redline boundary. Therefore I am concerned that the proposals will not reach a “no net loss” to biodiversity as stipulated under the 2012 NPPF which the outline application was approved under. No information regarding non-measurable biodiversity enhancements (bat and bird boxes for example) has been submitted. I am also aware that there is a badger set located within 50 of the southern boundaries of the application site, which was identified in the Ecology Report submitted with the outline consent. What provisions are in place to make sure that no harm comes to a badger during construction?

- 6.40 2nd Comment: A Detailed Soft Landscape Proposals (Elwood Landscape design, July 2020) and the Ecological Recommendations (Applied Ecology Ltd., July 2021) have addressed some of the issues raised. The proposal now includes bat boxes, general purpose bird boxes, swift boxes and the hedgehog highway provision which is acceptable. The avoidance and mitigation strategy for Badgers recommended in the Ecological Recommendations (Applied Ecology Ltd., July 2021) is acceptable.
- 6.41 However, no information has been submitted for Biodiversity Net Gain calculations on baseline and post construction habitats
- 6.42 **Natural England– No objections.**
- 6.43 No comment.
- 6.44 **Tree Officer– No objections.**
- 6.45 No trees have statutory protection and despite limited information being submitted, there are no arboricultural or hedgerow objections.
- 6.46 **Environmental Health – No objections.**
- 6.47 Environmental Health conditions, referring to the construction of the site, were attached to the outline consent.
- 6.48 **Contaminated Land Officer – No objections.**
- 6.49 Contaminated land conditions were attached to the outline consent.
- 6.50 **Fire Authority – No objections.**
- 6.51 Adequate provision should be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.
- 6.52 **Affordable Housing Team – No objections.**
- 6.53 The mix and tenure split has been agreed with the developer. The layout and distribution of the affordable housing is in accordance with Annex 10 ‘Clustering & Distribution of Affordable Housing Policy’ of the ‘Greater Cambridge Housing Strategy 2019-2023’. We would request that if a

registered provider has been appointed by the developer that we are notified so that we can communicate with them directly to ensure the delivery of the affordable housing.

Affordable Rented	Shared ownership
2 x 1 Bed Houses	
4 x 2 Bed Houses	2 x 2 Bed Houses
1 x 3 Bed Houses	1 x 3 Bed Houses

6.54 **Sports England – No objections.**

6.55 No comment.

6.56 **Cambridge Constabulary – No objections.**

6.57 Research on the constabularies crime and incident systems for this location and surrounding streets over a 2-year period indicates that the area is of low risk to the vulnerability to crime. Acceptable layout providing reasonable levels of natural surveillance over both the homes and the open spaces.

6.58 Raises some concerns regarding in some instances the poor visibility of personal vehicles, security of the rear access footpaths and cycle sheds, planting being used as climbing aids and whether lighting would be installed. However, Cambridge Constabulary have recommended ways to overcome these concerns and utilising Secured by Design Principles.

6.59 **Design Review Panel Meeting**

6.60 N/A

7.0 **Third Party Representations**

7.1 16 representations have been received.

7.2 Those in objection have raised the following issues:

- Breach of covenant
- Houses are located too close to Mossfields boundary
- Loss of privacy to Haden Way properties
- Overlooking of Mossfields property
- Overshadowing / loss of light, Mossfields & Savannah (Derestine)
- Overshadowing resulting from the tree / planting proposed and plot 25 and 26 to 10, 11 and 12 Aspinalls Yard. Loss of outlook.
- Loss of light to 1 Station Road and 2 Station Court

- The site experiences flooding therefore surface water drainage must be dealt with correctly. No surface water drainage plans have been submitted. Increased flood risk.
- Increase traffic on local roads
- Access arrangements could lead to traffic accidents due to current on-street car parking. Poor visibility
- Some neighbours haven't been notified – Aspinalls Yard and Station Court
- No trees anymore at the end of Station Court therefore the plans are incorrect
- Impact upon wildlife
- Disruption during construction such as noise, traffic dust etc
- Cumulative impact of this site and Haden Way development
- Overdevelopment
- Layout and design poor
- Local Primary School is full to capacity
- Local GP Surgery is struggling
- Local Facilities can't handle additional residents
- Added pollution (noise and light)
- Empty affordable units in other developments so why need more?
- The reserved matters application was not submitted in time, therefore is invalid
- The developer may want to extend the site to the south
- No notice has been taken of the request for the application to committee
- Outline was granted due to the lack of 5YLS which is no longer applicable
- Consultation was only 2 week with no site notice
- Impact on house insurance resulting from inadequate drainage.
- S.Cambs is ahead of housing targets, Willingham has an oversupply of housing
- Extension to Bayburn Cottage, plan not accurate, difference of 3m.
- Southern boundary hedging has been partially removed as has the trees along the end of Station Court
- No housing demand in Willingham
- Foul drainage issues
- Lack of broadband and mobile network capacity

8.0 Member Representations

- 8.1 Cllr Bill Handley has made a representation objecting to the application on the following grounds given the proximity of this development to Haden Way and the sensitivity of Haden Way residents to planning matters, the application should be considered by Planning Committee.

9.0 Local Groups / Petition

- 9.1 Not applicable

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

10.0 Assessment

10.1 The application comprises the submission of the matters for approval that were reserved when outline planning permission for the development of the site was granted. Those matters that were reserved are set out in condition 1 of outline consent S/2876/16/OL and form the:

- Details of the layout of the site.
- Details of the scale of buildings.
- Details of the appearance of buildings.
- Details of landscaping.

10.2 The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides a definition of what each of the above matters means in practice:

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

“scale” means the height, width and length of each building proposed within the development in relation to its surroundings.

“appearance” means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

“landscaping” means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes; (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.

10.3 Principle of Development

10.4 The principle of residential development on this site for up to 26 dwellings was established through outline consent S/2921/15/OL, granted on 21 August 2017. The outline consent was accompanied by a Section 106 legal agreement securing financial contributions towards waste, sports

contribution, community space and off-site open space, library and lifelong learning and primary school places.

- 10.5 The outline consent required submission of the reserved matters within three years from the date of the outline consent. The 'lifespan' of the application was extended under the Business and Planning Act 2020 which was introduced in 2020 responding to the effects of the covid pandemic on the building sector. This Act resulted in the deadline for the submission of applications for the approval of reserved matters under an outline planning permission which would have expired between 23 March 2020 and 31 December 2020 being extended to 1 May 2021. This reserved matters application was submitted on 23rd February 2021 and within the extended deadline period of 1 May 2021. The application is therefore valid.
- 10.6 The outline consent was granted on the basis that at the time the Council was unable to demonstrate a five-year supply of housing land in accordance with the requirements of paragraph 73 of the National Planning Policy Framework. Development of this site remains included within the Council's required deliverable supply of housing.
- 10.7 While many third-party objectors seek to resist the principle of development on the site through this RM application, this is not an issue that can be resisted at this stage in the planning process as there remains an extant outline consent which considered the principle of development acceptable. The only matters to be considered as part of this application are those that were reserved at outline stage and have been applied for which consists of the layout, scale, appearance and landscaping of the development.
- 10.8 The principle of the development is therefore acceptable and in accordance with the Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004), the Business and Planning Act 2020 and the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 10.9 **Reserved Matters: Layout, Scale, Appearance and Landscaping**
- 10.10 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 10.11 Layout

- 10.12 This RM application has been subject to extensive consultation with internal urban design specialists. In response to the various concerns raised by the Council's Urban Design Officer and then by the former case officer, the layout has been amended on several occasions, seeking to address those comments. The site is heavily constrained with some new development abutting the south-eastern corner. The last comments received confirm that Urban Design officers generally do not object to the scheme in urban design terms and welcome the changes that had been made. The remaining concerns from the Council's Urban Design officer are noted, however, the concerns raised are not considered sufficient to warrant a refusal of the application. It is noted in the latest comments that many of the outstanding concerns can be addressed, in part, through the detailed soft and hard landscape design process. The outstanding concerns do not substantially affect the overall design concept or infringe on the legibility of the site, rather they are improvements which are advised.
- 10.13 26 dwellings are proposed on this 0.924 site which equates to a density of 28 dwellings per hectare. The density of development proposed would preserve the character of the landscape and the residential amenity of neighbouring properties. The scheme achieves an efficient use of land without an adverse impact on the character of the surrounding landscape. This density is therefore considered to be appropriate for this edge of village location and in accordance with policy H/8 of the Local Plan.
- 10.14 The proposed development consists of detached and semi-detached dwellings. The general layout of the site is considered acceptable and in keeping with the surrounding development. The layout includes a main spine road through the site with curves to the west to ensure views into the site end with properties and are not dominated by parked cars. There is a Local Area of Play (LAP) located in the north-east corner of the site. Officers acknowledge that this could be in a more central location. However, given the number of dwellings approved under the outline, and a number of other competing factors such as the protection of residential amenity of neighboring properties, officers find the siting of this LAP to be acceptable. Properties surrounding the site to the north and east of the LAP all have shallow gardens, particularly no. 11 and 12 Aspinalls Yard which have garden depths of 6m and 3m respectively. If the open space were to be more centrally located then it would naturally displace dwellings into the northeastern corner, given the size of area in question it is likely that 3-4 dwellings would be displaced. The resulting relationship between existing and proposed dwellings would be substantially below the separation distance guidance contained within the Council's Design Guide SPD. Officers are satisfied that the resultant relationship is such that it would give rise to harm to the residential amenity of existing dwellings and to the proposed dwellings in this location. Notwithstanding the above, the proposed location of the open space is judged to be acceptable on its own merits given its size and proximity to all of the proposed dwellings. Those dwellings furthest from the open space would be less than 150m from the space via the proposed footpaths.

- 10.15 Overall, the site layout has been positively amended during the application process to help balance the density across the site to the greatest degree given the land available and working with the site constraints. As outlined above, this has resulted in a better density and parking distribution across the site, minimized the impact upon neighbouring properties, improved vistas into the site, enhanced the soft landscaping and resulted in a less cramped spatial layout.
- 10.16 Officers consider the general layout and arrangements of the site to be acceptable and compatible with its location and surrounding development, and to accord with policy HQ/1 of the Local Plan.
- 10.17 Scale
- 10.18 The scale and character of the existing surrounding residential development represents a mixture of three storey, two storey, one and a half storey and single storey properties of varying designs and footprints, with two storeys being the prevailing scale of development. In general properties are typically good-sized detached dwellings with some examples of semi-detached and terraced arrangements.
- 10.19 The dwellings are all two storey in height with single storey garages serving several plots. Officers consider the height and scale of the proposed dwellings to be in keeping with the surrounding development given the varied heights of neighbouring dwellings.
- 10.20 The overall scale of the development is considered to be appropriate and responsive to the context of the area and to make positive contribution to the local and wider context of the site in accordance with Policy HQ/1 of the Local Plan.
- 10.21 Appearance
- 10.22 The Design and Access Statement outlines that careful attention has been paid to the architectural style proposed, reflecting the predominant pitched roof character of the surrounding area. Brick will be the predominant material with elements of render. These materials should complement the area and be of a colour to reflect the style of architecture proposed. A consistency of detail and materials will be developed to ensure an overall integrity into the scheme. Officers recommend conditions requiring submission and approval of a sample panels ensuring high quality materials are used and a high-quality finish is achieved.

- 10.23 Overall, and subject to the recommended conditions, the appearance of the development is considered to make a positive contribution to the character of the area would accord with Policy HQ/1 of the Local Plan.
- 10.24 Landscape
- 10.25 Policies NH/2, NH/6 and SC/9 are relevant to the landscape and visual impacts of a proposal. Together they seek to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
- 10.26 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 10.27 Policies NH/2, NH/4 and HQ/1 seek to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 10.28 As stated earlier, the proposed layout, and thus space available for landscaping, has been amended to create a spread of the density throughout the site, whilst ensuring car parking does not dominate the layout. In doing this rearrangement, it allowed there to be a greater spread also of planting throughout the site, creating the appearance of a more dispersed and greener layout.
- 10.29 The green buffer hedging along the southern boundary is proposed to be trimmed and retained as part of the proposal, alongside localised strengthening by filling of the existing gaps. This hedging is a key feature of the existing landscape. The Landscape Officer is satisfied with this approach and officers considers that this would preserve this feature whilst acting as a visual break between the development and the countryside and creating a green setting. Planting specifications have been altered to the satisfaction of the Landscape Officer, including adequate screening of car parking and a mixed nature planting to the entrance and around the LAP.
- 10.30 Overall, the proposed development, subject to conditions, is a quality design that would be compatible to its surroundings and be appropriately landscaped. The proposal is compliant with South Cambridgeshire Local Plan (2018) policies NH/2, NH/6 and SC/9 and the NPPF.
- 10.31 **Other Matters**
- 10.32 **Housing Provision**
- 10.33 Density

- 10.34 Policy H/8 requires housing density in new settlements and urban extensions to achieve a housing density of 40 dwellings per hectare (dph) and in Rural Centres, Minor Rural Centre villages and Group Villages to achieve a density of 30dph. The policy states that density may vary where justified by the character of the locality, the scale of the development, or other local circumstances.
- 10.35 The site measures approximately 0.924 hectares in area. The provision of 26 dwellings on the site would equate to a density of approximately 28 dwellings per hectare which, as Willingham is a Minor Rural Centre, complies with the 30dph maximum detailed in policy H/8.
- 10.36 The proposed density accords with policy H/8.
- 10.37 Mix
- 10.38 Condition 30 of the outline consent requires the reserved matters application to include details of the mix of housing in accordance with policies H/8 and H/9 of the now adopted Local Plan. Policy H/9 'Housing Mix' requires a wide choice, type and mix of housing to be provided to meet the needs of different groups in the community. For market housing development of 10 or more homes, H/9 provides targets as set out in the table below. H/9 states the mix of affordable homes is to be set by local housing needs evidence.

Policy Requirement (at least...)	Market	Affordable
30% 1 or 2-bedroom homes	6 (23.2%)	8 (30.7%)
30% 3-bedroom homes	7 (26.9%)	2 (7.7%)
30% 4-bedroom homes	3 (11.5%)	0
10% flexibility allowance		

- 10.39 The market housing mix accords with all minimums aside from in the provision of 4-bedroom dwellings. H/9 allows a 10% flexibility allowance and states housing mix should be set by local housing need. Despite this under provision of 4-bedroom properties, noting the surrounding needs, the mix of affordable housing is supported by the Council's Housing Team.
- 10.40 Policy H/9(4) requires 5% of homes in a development to be built to the accessible and adaptable dwellings M4(2) standard, rounding down to the nearest whole property with the provision split evenly between the affordable and market homes rounding to the nearest whole number.
- 10.41 Officers consider that this requirement of part M4(2) compliance for 5% of homes would fall within the definition of layout as defined in the Development Management Procedure Order. As such a condition will secure this provision.

10.42 As the development is over 20 dwellings, policy H/9 requires provision for custom build plots. However, custom builds were not considered at outline stage and were not secured through the s106 agreement. Therefore, this is not applicable in this instance.

10.43 Affordable Housing

10.44 Local Plan Policy H/10 requires 40% affordable homes on development sites of 11 dwellings or more except where it can be demonstrated unviable in light of changing market conditions, individual site circumstances and development costs, in which case a revised mix of affordable house types and tenures and then a lower level of affordable housing provision may be negotiated. The NPPF paras 60 – 67 and Annex 2 Glossary are relevant.

10.45 The proposal provides 10 affordable units, which falls below the 40% requirement. However, in the Second Schedule Part I: Affordable Housing Criteria for Affordable Scheme within the S106 dated 18th August 2017 it states that the owner shall only provide 10 affordable dwellings. The proposal is in accordance with the S106 and therefore officers consider this acceptable.

10.46 The affordable housing across the site has been split into 3 groups; one group of 6 houses located on the eastern side of the site, a group of 2 houses on the south-western corner of the site and a group of 2 houses abutting the western boundary sited centrally within the site. These groups are integrated and interspersed with the market housing and accord with the Greater Cambridge Housing Strategy 2019-2023 Annex 10: Clustering and Distribution of Affordable Housing Policy.

10.47 Officers, in consultation with the Council's Housing Team, are satisfied that the proposed distribution of the affordable units within the site is appropriate and the level of affordable housing is acceptable and accords with Policy H/10 of the Local Plan and the Greater Cambridge Housing Strategy 2019-2023.

10.48 **Carbon Reduction and Sustainable Design**

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

10.50 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.

- 10.51 Carbon reduction measures influence the scale and appearance of developments in respect of materiality and built form. Therefore, officers consider it reasonable and necessary to impose a condition requiring a reduction in carbon emissions of a minimum of 10%.
- 10.52 Officers do not consider that the water efficiency of the dwellings to fall under the reserved matters (scale, layout, appearance and landscaping) and therefore, it is unreasonable and unnecessary to impose a condition requiring the standard outlined in policy CC/4. It is noted however that the water efficiency of the dwellings will have to comply with the Building Regulations Standard regardless.
- 10.53 The applicants have suitably addressed the issue of sustainability and renewable energy, noting the application type, and subject to conditions the proposal is compliant with Local Plan policies CC/1 and CC/3.
- 10.54 **Biodiversity**
- 10.55 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.56 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal. The Ecology Officer requests that the applicant demonstrates 10% biodiversity net gain can be achieved on site, in accordance with the NPPF para 174d). Since the 29th June Committee, Officers have received an appeal decision (S/3290/19/RM – Land at Teversham Road, Fulbourn) where the Inspector expressly states that biodiversity is not a reserved matter and can only be considered at outline application stage, stating that it cannot be revisited at reserved matters stage. Therefore, officers have taken the view that despite the biodiversity enhancements proposed, a condition cannot be imposed to require biodiversity net gain. Various biodiversity enhancements are proposed such as tree retention and protection, hedgerow protection and gapping-up, new planting including flowering lawns, trees, climbing plants, and shrub and herbaceous plants, alongside hedgehog gaps, bird, bat and swift boxes.
- 10.57 **Water Management and Flood Risk**
- 10.58 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

- 10.59 Part of the application site to the North and east is located within Flood Zones 2 and 3. This includes the access into the site from Over Road. Flood Zone 3 is located to the North and North East sides, cascading down to Flood Zone 2 towards the centre and extreme South East side and Flood Zone 1 to the centre and South West side.
- 10.60 Flood risk is a matter dealt with at outline stage when establishing the principle of development. The principle of developing the site for 26 dwellings has been established through the grant of outline planning permission. Conditions were also imposed on the outline planning permission which relate to submission of further details of the surface water drainage scheme. Reserved matters applications require supporting details to demonstrate that surface water drainage arrangements could be provided appropriately within the proposed layout of the site, being linked to matters of layout and landscaping and in the context of planning conditions regarding surface water drainage.
- 10.61 Outline consents typically impose a condition requiring a detailed surface water drainage scheme for the site, along with details of its maintenance. A discharge of conditions application then provides the full technical details, calculations, maintenance details etc., as required by the condition, to discharge the relevant requirements and approve an appropriate drainage scheme for a development in full.
- 10.62 In reference to this application, condition 11 of the outline consent required the submission of a surface water drainage scheme, based upon the principles within the agreed Flood Risk Assessment by way of a pre-commencement condition. Condition 12 of the outline consent of the condition requires full details of the maintenance/adoption of the surface water drainage system. Condition 11 was discharged in full on 12th March 2019.
- 10.63 In terms of foul water drainage, condition 10 of the outline consent requires the submission of a scheme for foul water drainage by way of a pre-commencement condition. This is yet to be discharged.
- 10.64 The Council's Sustainable Drainage Engineer has no objections to the proposed drainage strategy which has already been discharged under condition 11 of the outline consent but has requested confirmation that the impermeable area on site has changed and wants clarification of how this impacts the drainage strategy. In a letter from Chiltern Design Limited, it confirms that the impermeable area of the proposed development has decreased slightly from that set out within the approved drainage scheme (by 163m²) and provides confirmation that the site can be drained in accordance with the approved scheme. Officers are satisfied that the drainage arrangements already approved by the Council are compatible with the proposed site layout and therefore the site will be adequately drained.
- 10.65 Members requested clarification regarding the LLFA's position on the drainage details. Previously the LLFA raised objections as the full

drainage details were not supplied as part of the REM application. These details have been submitted and approved by the Council under condition 11 of the outline consent. The LLFA were consulted on this condition discharge and did not raise an objection at the time. These drainage details have now been submitted to the REM application and the LLFA are satisfied with the proposed drainage scheme. It is also noted that third party representations have raised concerns regarding drainage. The applicant has provided evidence from their drainage consultants that the proposed layout is compatible with the drainage strategy already approved which both the SCDC Drainage Officer and the LLFA consider acceptable. Therefore, officers consider that the applicant has provided sufficient comfort to the Council that the site can be adequately drained in accordance with the Flood Risk Assessment submitted as part of the outline consent.

- 10.66 The applicants have suitably addressed the issues of surface water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.
- 10.67 **Highway Safety and Transport Impacts**
- 10.68 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 10.69 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 10.70 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.71 The matter of access to the site was dealt with at outline stage with appropriate details secured through conditions 14, 15 and 16 of the outline consent, the approved plans condition 3, which included drawing number CH14/LBA/341/OP101 – 1:1250 Red Line Location Plan only and CH14/LBA/341/OP101 REV D (Visibility splays only).
- 10.72 The layout of the reserved matters application is consistent with the point of access consented at outline stage. The Local Highway Authority has considered the layout of the site and found it acceptable in highway safety terms.

- 10.73 The Local Highway Authority has recommended a condition requiring details of the proposed arrangements for future management and maintenance of the proposed streets. The Local Highway Authority has provided guidance to the developer in their comments of information needed for the Local Highways Authority to consider adopting the development, so the potential for adoption remains. Officers understand that the applicant will not seek adoption of the roads as the road material is proposed to be permeable.
- 10.74 Officers note the concerns raised by local residents in terms of the access onto Over Road and the potential for traffic accidents given the existing on-street parking situation. As stated, access was a matter that was dealt with at the outline stage. The concern regarding the increase of traffic is noted as well. The Local Highway Authority has not raised concern regarding traffic, and given the scale of the development, officers consider this to not be significant.
- 10.75 Members raised concerns regarding the road layout not providing sufficient space for refuse vehicles to safely manoeuvre without oversailing the pavement, specifically the turning head within the south-west of the site. The turning head has been amended to be enlarged to 6m to the south of plot 3 and the pavement has been removed on the south-western edge directly adjacent to the easement along the boundary. The tracking diagrams have been updated to show that the wheels and the body of a standard sized South Cambridgeshire refuse vehicle would not over sail the pavement throughout the site. The Highway Authority are satisfied with this road layout and they have no concerns regarding pedestrian safety in reference to this vehicle tracking. The radii of the Over Road entrance has also been altered to 8m to the satisfaction of the Highway Authority ensuring larger vehicles can enter and exit the site safely without harming the safe functioning of the highway. Taking this into account, officers consider that the road layout allows for safe manoeuvre of larger vehicles while minimising conflict between users and therefore is acceptable.
- 10.76 Subject to conditions, the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.
- 10.77 **Cycle and Car Parking Provision**
- 10.78 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.
- 10.79 Cycle Parking
- 10.80 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or garage, for flats either individual lockers or cycle stands within a lockable,

covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.

- 10.81 Condition 19 of the outline consent requires the applicant to submit details of cycle parking for approval. This condition is yet to be discharged and further detail on cycle provision has not been supplied to remove such a condition.
- 10.82 Car Parking
- 10.83 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. The supporting text to the policy advises that the Council will encourage innovative solutions such as shared parking areas, for example where there are a mix of day and night uses, car clubs and provision of electric charging points and that a developer must provide clear justification for the level and type of parking proposed and will need to demonstrate they have addressed highway safety issues.
- 10.84 All dwellings aside from plot 8 and 9 have access to two or more off street car parking spaces. Plot 8 and 9 are one bedroom properties which have provision for one parking space each. Whilst this is below that stipulated in policy TI/3, these are indicative standards and do not differentiate between provision for one-bedroom properties and larger 4 bedroom dwellings which are more likely to be occupied by a family. Paragraph 2 of policy TI/3 states that provision should take into consideration various factors such as car ownership levels, local services, facilities and public transport. Both plot 8 and 9 are one-bedroom properties are therefore least likely to own two vehicles or be inhabited by a family. Given the size of the dwellings, the number of potential occupiers and the services within Willingham including shops, services and bus links to the city and the wider south cambs area, officers consider that it is much less likely that occupants of this house type would require two car parking spaces. Officers note that there is on street car parking along Over Road, but this is quite some distance from plot 8 and 9, so even if there were one or two additional cars resulting from the provision, it would not be desirable for these occupants to park their cars on the roadside. Regardless, officers consider that if there were additional cars resulting from more than one car per plot 8 and 9, that this would not result in a significant highway or amenity impact. Officers highlight that these are indicative car parking standards which should be responsive to factors such as car ownership levels and access to services and transport links, and policy promotes the use of sustainable travel. Accordingly, officers consider the proposed level of car parking is acceptable.
- 10.85 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.

- 10.86 Officers consider that EV charging points are incorporated within the layout of a scheme and therefore can be considered under this reserved matters application. As such, a condition will secure EV charging provision for the site to the standard detailed in the Sustainable Design and Construction SPD. This is considered reasonable and necessary.
- 10.87 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 10.88 **Amenity**
- 10.89 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 10.90 The District Design Guide 2010 advises that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. For two storey residential properties, a minimum distance of 25m should be provided between rear or side building faces containing habitable rooms, which should be increased to 30m for 3 storey residential properties. It advises that a 12 metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.
- 10.91 Neighbouring Properties
- 10.92 Neighbouring properties to the north of the site (Over Road)
- 10.93 Plot 1 is the property sited furthest north within the site. It has a blank gable which is set circa 14.5m away from the rear elevation of Deresline, Over Road. This complies with the District Design Guide measurement of 12m. The rear elevations of Plots 4 – 7 are over circa 25m away from the rear elevation of 1b Over Road which also complies with the District Design Guide measurement of 25m. Taking these distances, orientations and scale, siting and massing of the proposed dwellings into account, officers are satisfied that the proposal would not have a significant overshadowing, overbearing or overlooking impact upon the residential amenity of the properties to the north.
- 10.94 Neighbouring properties to the west of the site (Haden Way)
- 10.95 25B Haden Way faces at an angle towards plots 8 & 9 at a distance of circa 23m. Officers are satisfied that this relationship is acceptable given the positioning of 25B Haden Way. Plots 12 and 13 are circa 14.9m away from the single storey side elevation of the nearest property on Haden

Way (Brayburn Cottage). This dwelling's single storey side extension comprises a side kitchen door (not the primary outlook or light source) and a store. Noting this, alongside the separation distance, officers consider that no significant overbearing, overshadowing or overlooking would arise to Brayburn Cottage. Taking these distances, orientations and scale, siting and massing of the proposed dwellings into account, officers are satisfied that the proposal would not have a significant overshadowing, overbearing or overlooking impact upon the residential amenity of the properties to the west.

- 10.96 Neighbouring properties to the east of the site (Aspinall Yard and Station Road back- land properties)
- 10.97 Plot 26 has been staggered to minimize the impact upon the nearest properties in Aspinall Yard. Plot 16's side elevation would be sited a minimum of 18m away from the two newly constructed backland properties on Station Road which abut the south-eastern corner of the site. This complies with the District Design Guide measurement of 12m. Plot 16 is also positioned central to the common boundary of the two newly constructed backland dwellings to Station Road to help minimize it's impact. Taking these distances, orientations and scale, siting and massing of the proposed dwellings into account, officers are satisfied that the proposal would not have a significant overshadowing, overbearing or overlooking impact upon the residential amenity of the properties to the east.
- 10.98 Future Occupants
- 10.99 Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.
- 10.100 The District Design Guide 2010 advises that each one or two-bedroom house should have private garden space of 50m² in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 80m² in rural settings.
- 10.101 Given that the outline planning consent did not require the dwellings to be built to meet the residential space standards by way of a condition and this matter does not fall under the definition of the reserved matters for layout, appearance or scale, the development would not need to accord with national space standards or the District Design Guide specifications for garden sizes.
- 10.102 Regardless, all units exceed the gross internal floor space requirements detailed in Figure 8 of policy H/12.
- 10.103 All properties (affordable or private) would benefit from a private garden area which would meet or exceed the recommendations of the Council's

District Design Guide, apart from plot 3 which falls 4m2 below the 80m2 for a 3bedroom property. This dwelling falls marginally below the recommendation specified in the District Design Guide. Yet, the development would not need to accord with this standard.

10.104 Construction and Environmental Health Impacts

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

10.106 The Council's Environmental Health Team have assessed the application and have no objections to the proposal. Condition 18 of the outline consent restricts construction hours to between 0800-1800 Mon-Fri, 0800-1300 Sat and at no time on Sundays or Bank or Public Holidays. Condition 20 and 21 of the outline consent secures a method statement if piling is required and a programme to minimize dust respectively. There are also conditions requiring a construction programme (condition 22) and an artificial lighting scheme (condition 23). Condition 28 requires an air quality impact assessment to be submitted and approved by the Council. Condition 29 also requires the applicant to submit an operational noise minimisation management plan/ scheme to preserve the amenity of surrounding occupiers throughout the duration of construction. Officers consider that with these in place, construction impacts and environmental health impacts would be adequately managed and minimized.

10.107 Regarding noise and disturbance impacts arising from occupation of the site, the number of dwellings (and associated noise and disturbance from occupation) has already been assessed under the outline application and is considered acceptable.

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

10.109 **Third Party Representations**

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

Third Party Comment	Officer Response
Residential amenity impacts (loss of privacy, light and	Addressed in paragraph 10.89-109.

outlook, noise and disturbance)	
Consultation	All properties sharing a boundary with the application site or opposite the entrance of the site were consulted on the application. A site and press notice were also put up outside the site and in the local paper respectively.
Overdevelopment	The principle of developing 26 dwellings on site has already been assessed as acceptable and noting this, officers consider that the layout provides an acceptable spread of development across the site.
Tree positions inaccurate (none bordering Station Court)	The Officer has been to site to assess the impacts of the development and therefore understands and has taken into consideration the site context / features when assessing the application.
Impact on wildlife	The impact on wildlife was predominately assessed under the outline application. There are biodiversity enhancements which would enhance the environment for wildlife and is secured via condition.
Impact on local facilities (primary school, GP surgery etc)	The S106 secured contributions to local services to mitigate against a significant pressure on these services as a result of the development. They have been previously assessed as proportionate to the number of dwellings.
Extension to Brayburn Cottage, plan not accurate, difference of 3m.	The extension to Brayburn Cottage has been taken into consideration.
Traffic and highway safety	The Highway Authority have no objections to the proposal and therefore officers consider that the network has capacity to accommodate additional transport movements to and from the site and no significant highway safety impacts would arise.
Housing need in Willingham and Affordable housing need	The need for housing and affordable housing was assessed under the outline consent.
The developer may want to extend the site to the south	Land to the south of the site is not within the site location red line plan and therefore is not for consideration under this application. No application has been submitted on this piece of land.
Cumulative impact of this site and Haden Way development	The principle of 26 dwellings including the cumulative impact of this development on

	Willingham has already been assessed and considered acceptable.
Impact on house insurance resulting from inadequate drainage.	The surface water drainage has already been assessed as acceptable under condition 11 of the outline consent. The foul drainage scheme is secured by condition 10 on the outline consent. These matters, once the latter is agreed, will ensure adequate drainage of the site is carried out. Development also must proceed in accordance with the amended Flood Risk Assessment Ref:33928 Rev: B – Date: February 2016 as required by condition 13 of the outline consent.
Covenants	A planning permission would not override covenants and private rights. These are civil matters between different landowners and not a material planning consideration.

10.111 **Open Space and Recreation**

10.112 The Sixth Schedule of the Section 106 for the development requires the following areas of open space to be delivered on site, based on the number of dwellings of each type (by bedrooms) provided on the site:

No. bedrooms	Scheme Quantum	LAP (S106 requirement)	Informal Play Space (S106 requirement)	Onsite Informal Open Space (S106 requirement)	Total Requirements
One	2	nil	nil	5.4m ²	Informal open space = 10.8
Two	12	7m ²	7m ²	7m ²	Informal open space = 84m ² Informal Play Space = 84m ² LAP = 84m ²
Three	9	9.7m ²	9.7m ²	9.7m ²	Informal open space = 87.3m ² Informal Play Space = 87.3m ² LAP = 87.3m ²
Four	3	13.3m ²	13.3m ²	13.3m ²	Informal open space = 39.9m ² Informal Play Space = 39.9m ²

					LAP = 39.9m ²
TOTAL	26				Informal open space = 222m ²
					Informal Play Space = 211.2m ²
					LAP = 211.2m ²
					(TOTAL = 644.4m ²)

10.113 The Second Schedule Part II: LAP of the Section 106 for the development requires a Local Area of Play (LAP) to be delivered on site. The S106 also requires this to be maintained etc. This has been provided in the north eastern corner of the site. The LAP comprises of 659m² and is in excess of this cumulative requirement. The other area of open space is clearly just informal open space, but this takes the total up to 886m² for the site. Officers are satisfied that the minimum open space requirements of the Section 106 have been met.

10.114 **Other Matters**

10.115 Policy HQ/1 requires adequate bin storage to be provided for developments. Condition 24 of the outline consent requires a scheme for the provision of bin storage to be submitted and approved by the Council prior to works commencing on site.

10.116 LP policy TI/10 'Broadband' requires new development to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the District. A condition is proposed to ensure this provision. While this is may not strictly fall under the remit of the reserved matters, it is practical for the applicant to provide adequate broadband for the proposed dwellings and therefore, officers advise compliance with TI/10.

10.117 **Planning Balance**

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

10.119 The proposal seeks approval of the reserved matters (layout, landscaping, scale and appearance) in relation to S/2921/15/OL and associated S106. Given the nature of the application, there are less planning considerations as only those which fall under the definition of layout, landscaping, scale and appearance as defined by the Development Management Procedure can be assessed.

- 10.120 Officers consider that the proposal is responsive to the surrounding pattern of development, scale and character of the area whilst being of an appropriate density and providing sufficient relief from the built form by creating landscaped frontages which create an overall attractive external appearance. Given the site constraints (covenants, surrounding residential occupiers, shape of the site) and the number of dwellings approved by the outline consent, this location of the LAP is considered acceptable. The proposal exceeds the minimum open space requirements, providing an enhanced well vegetated setting to the housing development. Also, given the scale of the development, all dwellings would be within 130m of the LAP with those dwellings sited the furthest away also benefitting from an area of open space within 15m.
- 10.121 The proposed development delivers an acceptable housing mix and tenure, according with the requirements of the S106, which is spread throughout the site, creating a balanced community. The proposal also will enhance biodiversity, incorporate renewable energy and carbon reduction measures and upon completion contribute to financially to local services.
- 10.122 Full details of surface water drainage and flood mitigation have now been submitted with the reserved matters application and both the LLFA and SCDC Drainage Officers are satisfied with the proposal. Therefore, officers consider that the site can be adequately drained in accordance with the Flood Risk Assessment, not posing additional undue pressure on the existing drainage network.
- 10.123 The proposal does not provide a minimum of two car parking spaces within the curtilage of all the dwellings, with two plots having access to only car parking space. However, given the size of these dwellings (one bed) and the surrounding transport links, officers do not consider that any substantial harm would arise here.
- 10.124 In weighing up the benefits and harm arising from the proposed development, officers consider that the benefits outweigh the harm. Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to conditions.

10.125 **Recommendation**

10.126 **Approve** subject to:

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

11.0 Planning Conditions

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

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

- 2 No brickwork above ground level shall be laid until a sample panel of all materials used in the construction of the development hereby permitted has been prepared on site detailing the choice of brick, bond, coursing, special brick patterning;, mortar mix, design and pointing technique. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved sample panel is to be retained on site for the duration of the works for comparative purposes, and works will take place only in accordance with approved details.

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

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

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

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

- 4 Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for one active charge point(s) for each house. The active charge points should have a minimum power rating output of 3.5kW. All other spaces should have passive provision of the necessary infrastructure, including capacity in the connection to the local electricity distribution network and electricity

distribution board, to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required, and this should be demonstrated in the submitted detail.

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

Reason: In the interests of encouraging more sustainable modes and forms of transport in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, policy TI/3 of the South Cambridgeshire Local Plan and the Greater Cambridge Sustainable Design and Construction SPD 2021.

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

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

- 6 Notwithstanding the approved plans, 5% of the dwellings, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

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

- 7 Prior to the first occupation of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: In the interests of highway safety and to achieve a permeable development with ease of movement and access for all users and abilities in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 8 Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

Background Papers:

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

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