



Planning Committee Date	8th February 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/04018/OUT
Site	Fenny Lane Farm, Fenny Lane, Meldreth
Ward / Parish	Meldreth
Proposal	Outline Application with all matters reserved other than access for the erection of nine self- build dwellings
Applicant	Mrs Philippa and Joanne Hart
Presenting Officer	Katie Christodoulides
Reason Reported to Committee	Called-in by Meldreth Parish Council
Member Site Visit Date	N/A
Key Issues	1. Principle of Development 2. Character and Appearance of Area 3. Landscaping 4. Highway Safety and Parking Provision 5. Flood Risk and Drainage
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks Outline planning permission for all matters reserved other than access for the erection of nine self-build dwellings.
- 1.2 Officers consider that the proposal would result in development outside of the village development framework and in an unsustainable location in which most journeys would be by car. Whilst the need for self-build dwellings in the district is not in dispute, the contribution to self-build dwellings in the area is not considered to outweigh the material harm the proposal would have to the character of the open rural landscape, village development character and village edge.
- 1.3 Officers consider that the proposal would result in significant encroachment of built form into the open countryside which would be harmful to the character and appearance of the rural countryside and the back land development would be out of character with the linear development form of the area.
- 1.4 Officers recommend that the Planning Committee refuse the application.

2.0 Site Description and Context

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

- 2.1 The application site comprises of paddock land and private allotment land which lies outside of the Meldreth Village Development Framework and within the open countryside. The Village Development Framework boundary lies adjacent to the east and south of the site. The site lies predominately within Flood Zone 1 (low risk), with a small part of the site, adjacent to the eastern boundary, being located within Flood Zones 2 (medium risk) and 3 (high risk). The site forms Grade 2 agricultural land and is relatively flat and level.

3.0 The Proposal

- 3.1 The application seeks Outline planning permission for all matters reserved other than access for the erection of nine self-build dwellings.
- 3.2 The proposal for 9 dwellings would site plots 1 and 2 to the side (east) and rear (north) of No.24 Fenny Lane and plots 3-9 would be sited to the rear (north) of neighbouring properties Nos.20, 18 and 14 Fenny Lane. The proposal would form a cul-de sac development accessed off one vehicular access from Fenny Lane. Each dwelling would have provision of two car parking spaces.
- 3.3 The application has been amended to address representations and further consultations have been carried out as appropriate, in regard to an amended drainage strategy and revised site and layout plans.

4.0 Relevant Site History

On the site: No planning history.

Adjacent to site but within Fenny Lane Farm: Planning history below.

Reference	Description	Outcome
20/04418/CONDB	Submission of details required by condition 6 (Verification Report) of planning permission 20/04418/PRI03Q	Discharge conditions in full.
20/04418/CONDA	Submission of details required by condition 3 (Contaminated Land), 4(Surface Water Design) and 5 (Biodiversity Enhancement) of planning permission 20/04418/PRI03Q-	Discharge conditions in full.
20/04418/PRI03Q	Prior approval of change of use of agricultural building to 1 No. dwellinghouses (Class C3)-	Prior Approval Given.
20/03484/FUL	Conversion of existing Chitting Shed and Barn into 3 No. dwellings	Approved
20/03484/CONDC	Submission of details required by condition 2 (Verification Report)of permission 20/03484/FUL	Discharge Condition in Full.
20/03484/CONDB	Submission of details required by condition 2 (Contaminated Land Verification Report) of planning permission 20/03484/FUL	Discharge Condition in Part.
20/02122/PRI03Q	Prior approval for change of use of agricultural buildings to 3 No. dwellinghouses (Class C3) and for building operations	Prior Approval Required.

	reasonably necessary for the conversion	
S/3600/19/DC	Discharge of condition 2 (Traffic Conditions Management Plan) 3 (Site access) 4 (Refuse bins) 5 (Contamination), 6 Discharged. (Contamination - Remediation), 8 (Roofing samples) 9 (Boundary treatment) 10 (Foul and surface water) 11 (Arboricultural method statement) and 12 (Bat ecology report) of planning permission S/3418/18/PA.	Accepted Not discharged
S/3418/18/PA	Application for prior approval for the conversion of a timber barn into 2no. dwellings the conversion of a brick chitting shed into 1 No. dwelling the conversion of a timber cart shed into 1 no. dwelling and the demolition of one redundant barn and some lean too structures to provide private amenity and car parking space.	Approved
S/2065/15/PB	Prior Approval Application - Proposal to convert two agricultural buildings into three dwellings.	Approved.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

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/7 – Development Frameworks
- S/10 Group Villages
- CC/1 – Mitigation and Adaption to Climate Change
- CC/3 – Renewable and Low Carbon Energy in New Developments
- CC/4 – Water Efficiency
- CC/6 – Construction Methods
- CC/7 – Water Quality
- CC/8 – Sustainable Drainage Systems
- CC/9 – Managing Flood Risk
- HQ/1 – Design Principles
- NH/2 – Protecting and Enhancing Landscape Character
- NH/3 – Protecting Agricultural Land
- NH/4 – Biodiversity
- NH/14 – Heritage Assets
- H/8 – Housing Density
- H/9 – Housing Mix
- H/12 – Residential Space Standards
- SC/1 Allocation for Open Space
- SC/7 – Outdoor Play Space, Informal Open Space & New Developments
- SC/9 – Lighting Proposals
- SC/10 – Noise Pollution
- TI/2 – Planning for Sustainable Travel
- TI/3 – Parking Provision
- TI/8 – Infrastructure and New Developments
- TI/9 – Education facilities
- TI/10 – Broadband

5.3 Supplementary Planning Documents

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

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

Landscape in New Developments SPD – Adopted March 2010
 District Design Guide SPD – Adopted March 2010
 Open Space in New Developments SPD – Adopted January 2009
 Trees and Development Sites SPD – Adopted January 2009
 Maintenance of Sustainable Drainage Systems – Adopted 2016

6.0 Consultations

6.1 Parish Council – Object

- 6.2 Further comments received 19.01.2023
- 6.3 Raises objections in regard to the proposal being contrary to policies S/7 and NH/2 of the Local Plan, as the proposal is outside of the framework and would densify a low density village edge. Concern regarding flood risk to the neighbouring property at 14 Fenny Lane.
- 6.4 Original comments received 21.10.2022
- 6.5 Does not support and asks for it to be referred to Planning Committee for the following reasons:
- The proposal would be an inappropriate use of a rural exception site that is not accommodated in the planning policies.
 - There are obvious issues of precedents being consequentially established for other sites in the village and protection of current planning policies and their importance to residents could be severely diluted or lost.
- 6.6 **County Highways Development Management -No objection**
- 6.7 Further comments 15.11.22
- 6.8 The Authority will not seek to adopt any part of this development in its present format as the proposed layout is unacceptable.
- 6.9 If the Planning Authority is minded to approve please add conditions regarding:
- 6.10 Bound material;
Falls and Levels of the access;
Pedestrian visibility splays;
Traffic Management Plan;
Details of future management and maintenance of the streets;
The agricultural access to the proposed site not being used by any demolition or construction vehicles with a gross weight in excess of 3.5 tonnes;
The vehicular crossing of the ditch and watercourse being constructed in accordance with a scheme to be agreed.
- 6.11 Original comments received 21.10.2022
- 6.12 The application has failed to provide a fully dimensioned access drawing as a stand alone plan.
- 6.13 **Sustainable Drainage Officer – No objection**
- 6.14 Recommends conditions in regard to:
- Surface water drainage scheme;

Management and maintenance for the surface water drainage system;
Details for foul water drainage and finished floor levels of plots adjacent to watercourse.

6.15 Lead Local Flood Authority – No objection

6.16 Further Comments 20.1.2023 – The documents demonstrate that surface water from the proposal can be managed through the use of permeable paving and geocellular attenuation, restricting surface water discharge. The principles of how surface water discharges from the site should remain unchanged. The mapping does not show this site as having an increased risk if surface water flooding. Any development within the site is to take place in Flood Zone 1 and the risk of flooding to the properties is minimised and flood water should not be displaced outside of the site.

6.17 Recommends conditions in regard to detailed design of the surface water drainage, details of the long term maintenance arrangements for the surface water drainage system and details of measures of how additional surface water run-off from the site will be avoided during the construction works.

6.18 Original comments 23.11.2022

6.19 Objects to the application as the outfall from the site will pass through the curtilage of plot 6, passing through third party land, prior to discharging into the existing watercourse. The proposal that the piped network leading to the outfall will be located within the curtilage of an individual property creates access issues for the maintenance and management.

6.20 Environment Agency – No objection

6.21 The receiving Water Recycling Centre has limited capacity and confirmation required with Anglian Water that they can receive the foul drainage without exceeding their permit limits with the Environment Agency or that any necessary infrastructure updates are made ahead of occupation of the development.

6.22 The site is above a Principal Aquifer, but do not consider this proposal to be high risk. The developer should address risks to controlled waters from contamination at the site following the NPPF and EA Guiding Principles for Land Contamination.

6.23 Anglian Water – No comments on the proposal

6.24 The Planning & Capacity Team provide comments on applications for major proposals of 10 dwellings or more if an industrial or commercial development, 500sqm or greater.

6.25 County Archaeology – No objection

- 6.26 Requests a condition in regard to submission of a Written Scheme of Investigation.
- 6.27 **Senior Sustainability Officer – No objection**
- 6.28 Recommends conditions in regard to renewable energy and water efficiency.
- 6.29 **Landscape Officer -Object**
- 6.30 The proposal does not accord with Policies S/7 and NH/2 of the Local Plan.
- 6.31 The provision of 9 dwellings on this constrained piece of land would densify a relatively very low-density village edge and would be out of context with the surrounding area. The illustrative layout shows narrow vegetated edges to the site particularly around the paddock site. These narrow boundaries are not deep enough to provide adequate village edge boundaries and will create a poorly integrated development though we support the use of lower boundary fencing along the Northern edge.
- 6.32 The Design and Access Statement proposes to include hawthorn and Amelanchier which is not supported. Recommend larger native trees such as alder, near to the stream and drain to provide some height diversity along the northern boundary and also to reconsider the tree planting along the access land to allow for some larger trees within the communal areas.
- 6.33 **Ecology Officer – No objection**
- 6.34 Recommends conditions in regard to ecological measures being in accordance with the submitted PEA, details of ecological enhancement and submission of a biodiversity net gain.
- 6.35 **Environmental Health – No objection**
- 6.36 Recommends conditions in regard to hours for site construction and a Construction Management Plan and informatives in regard to an air source heat pump, demolition and minimising disturbance to neighbouring properties.
- 6.37 **Contaminated Land Officer- No objection**
- 6.38 Requests a Phase 1 Desk Study is carried out to assess the potential risks from contamination associated with the proposed redevelopment. Recommends a condition to require a detailed desk study and site walk over is submitted.
- 6.39 **Waste Officer – No comments on the proposal**

- 6.40 The applicant is advised to view the recycling and waste guide.
<https://www.cambridge.gov.uk/recycling-and-waste-guide-for-developers>

7.0 Third Party Representations

- 7.1 42 representations have been received objecting to the proposal.

- 7.2 Those in objection have raised the following issues:

Principle

- Significant expansion of the village.
- Set a precedent for future development and developing land which is outside the village envelope and outside of the Local Plan.
- Sets a precedent for the expansion of the village on agricultural land.
- Sets a precedent for self-build development.
- Would set a precedent for use of greenfield sites outside the village envelope.
- Houses not needed as there is a five year plan with sufficient supply.
- The development is disproportionate to the location, it would nearly double the number of houses on/off Fenny Lane.
- Fenny Lane already has more than enough buildings.
- Meldreth already has a number of new housing developments, either completed or under construction.
- Outside the village boundary, development plan and Local Plan.
- Loss of allotments which are a valued village amenity and no replacement provision.
- On agricultural land.
- Site was rejected in the call for sites and no significant changes.
- Would lead to uncontrolled growth of the village.
- Self build development and working in the evenings and weekends.
- Proposal detailed enough to not be self build.
- Concern that if the self build plots are not sold they will resubmit.
- Allotments sacrificed and represent an important community asset.
- Loss of allotments which help peoples mental health will be lost.
- Acceptable departure from Policy S/7 is Policy H/11 a Rural Exception Site and the proposal does not provide affordable housing.
- Meldreth is a Group Village.
- Site is not suitable for development as the site was submitted and rejected in the recent Call for Sites process.
- Greater Cambridge HELAA (2021) concludes the site is not suitable for development with issues for flood risk, landscape and townscape and site access.
- Loss of allotments and a valuable community asset in regard to Policy SC/8 of the Local Plan.
- Does not offer low cost housing for first time buyers which is needed.
- Do not have further amenities provided in terms of school places, roads and doctors.
- School is already oversubscribed and cannot accommodate local children already in the village.

- Not appropriate to continue to allow growth without improvement in the infrastructure.
- The school is full and at capacity.
- Strain on doctors.
- Outside the already established Local Plan.
- Land not included in the most recent Local Plan.
- Parish Council have recommended refusal.
- Brownfield development at Eternit was refused due to pressure on local services and road safety.
- Already have had a number of new and in-progress developments in the village.
- Already been six barns completed on the same farm.
- There have been massive developments in neighbouring Melbourn.
- No need for unrestrained development in the area.
- The proposal is not how the village should be expanded.
- Many brownfield sites already identified.

Visual Impact and Character of the area

- The development would probably be visible from the Conservation Area on Fenny Lane and North End.
- Loss of semi-rural nature of the area.
- Loss of agricultural land, loss of UK being more self sufficient with food and energy losing green land.
- Proposed height of the houses at 1.5 storey is out of character with the surrounding area of Fenny Lane.
- Fenny Lane has a beautiful edge of village feel.
- Development introduces development into the countryside than the existing built form.
- The layout is not appropriate within the rural context.
- Cul-de-sac design is not considered to respond to the pattern of development in the area.
- Proposal out of keeping and would compare smaller and cramped.
- Proposal would represent gradual encroachment into the countryside.
- The dominant pattern of development in the vicinity of the site is ribbon development fronting the road.
- The character of the area comprises large single storey dwellings in generous plots, the proposal in comparison is relatively dense.
- The proposals do not preserve or enhance the character of the local rural area or respond to the context in the wider area.
- Proposals contrary to Policy HQ/1 of the Local Plan.
- The linear nature of the plot would result in a poor form of development that would have an adverse impact of the setting of the village.
- The proposals do not meet Policy NH/2 of the Local Plan.
- Fills in views through an agricultural scene with housing.
- Diminishes the rural nature of the village.
- With the 6 recently completed barns, this proposal increases the housing density in Fenny Lane considerably.

- With the exception of the barns and the proposed new development, the rest of the housing in Fenny Lane is well spread apart and with large gardens.
- Proposal will compromise character of this part of the village.
- Concern regarding intense densities.

Historical

- Archaeological investigation and recording must be carried out.
- The site may have archaeological interest.

Highway Safety and Parking

- Bus routes are being cut which means residents will travel by car.
- Village infrastructure is at capacity and relies on services such as healthcare from an adjacent village with minimal retail outlets and roads are narrow and subject to congestion.
- The development will add to congestion on the High Street.
- Limited parking at the site which would lead to parking on the road.
- Lack of parking for additional vehicles which would result in vehicles parked in Fenny Lane.
- Traffic congestion in the village and the proposal will make it worse.
- The High Street cannot take anymore traffic.
- The development may lead to nearly 30 cars on this site, creating problems on a narrow country road in the vicinity of the accident hot spot at the junction with Whitecroft Road.
- Generate additional private car journeys.
- Fenny Lane is in need of serious repair.

Biodiversity

- Badger latrines in the area and badgers have been seen foraging in the nearby gardens.
- The plan would mean removal of open spaces and hedgerows reducing habitat for owls, bats, badgers and other species.
- Impact in the loss of flora and fauna in the area.
- Proposal will lead to a net loss of biodiversity.
- Loss of hedgerows will effect wildlife.

Flooding and Drainage

- Lead to potential flooding on Fenny Lane as the ground water and run off could put additional strain on the existing drainage on Fenny Lane.
- Sewerage system in Meldreth already under strain.
- Meldreth suffers from considerable flooding including Fenny Lane.
- Flood risk impacts from the proposed development.
- Historic problems of waterlogging and water lying in fields.
- Flood risk to No.14 Fenny Lane
- Flood risk, foul drainage and contamination.
- Proposal will overload the drainage system. Too much pollution and flooding in the village with unacceptable sewage being discharged by Anglian Water into the River Mel.
- Water table is very high.

- Proposal does not address the pressure on water provision in East Anglia both potable and grey water for sewerage needs.
- Water extraction sewerage problems already in the area.
- Concerns regarding the proposed development increasing the amount of water flowing into the stream and the increase in risk of flooding to No.14 Fenny Lane which borders the stream.
- If ground conditions are such that they cannot deal with the increased water as a consequence of the development, the only option is to increase the water into the stream and this increases flood risk to the neighbour adjoining the river.

Noise and Disturbance

- Result in more noise, cars, traffic and less greenery.
- Concerns regarding amenity in terms of noise, dust, lots of deliveries.

Amenity

- Concerns regarding overlooking and loss of privacy to habitable rooms of 18 Fenny Lane.
- Proposals contrary to the health and amenity of occupiers and surrounding uses from overlooking, overbearing or loss of daylight.
- Lead to years of disruption, traffic, noise and nuisance for those living in Fenny Lane and Manor Road.
- Concern regarding the length of time the development could be on site.

Following amended plans, the following comments were made:

- Proposal does not comply with the Local Plan.
- Set a precedent for more applications on areas outside the village envelope and expansion of the village.
- Pressure on the water provision locally with both potable and grey water for sewerage needs.
- Increasing the pressing environmental and societal issues. Pressure on Melbourn surgery, the school and roads which are at capacity.
- Increase traffic at the Fenny Lane and Whaddon Road junction which is an accident black spot.
- No space for visitor parking and visitors would have to park on Fenny Lane.
- Drainage is currently a problem.
- Concerns over foul and surface water disposal.
- No investigation into the ability of foul drains to cope with the extra load.
- The foul water has suffered a number of blockages, bursts and discharges in the last few years.
- Ditches not designed to carry run-off away.
- Outside village envelope.
- Outside Local Plan.
- Overloading infrastructure including sewerage and surface water.
- Further degradation of existing appalling roads.
- Setting a precedent for further expansion.
- Loss of allotments, a valuable village amenity.

- Self build and disruption to the area for several years.
- If granted would result in years of disruption, traffic, noise and nuisance for those living in Fenny Lane and Manor Road.
- Amendment does not address that the application falls outside of the Meldreth Village Development Framework.
- No clear evidence that a demand for self build homes in Meldreth exists.
- The development site borders an area designated by the Environment Agency as of High Risk.

7.3 The above representations are a summary of the comments that have been received. Full details can be inspected online via the Council's website.

8.0 Assessment

8.1 Principle of Development

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

8.3 The supporting text to policy S/7 sets out the development frameworks define where policies for the built-up areas of settlements give way to policies for the countryside. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.

8.4 Policy S/7 also states that frameworks have not been defined around small clusters of houses or areas of scattered development where such buildings are isolated in open countryside or detached from the main concentration of buildings within Cambridge or nearby village. Although it is recognised that such dwellings may be considered locally as 'part' of nearest settlement in communities' terms, it is important to limit the amount of new developments that can take place in rural areas with few services and little or no public transport.

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

8.6 The application seeks outline planning permission for the erection of nine self-build dwellings with all matters reserved except access. The site is currently used as paddock land and private allotments. The site measures 0.8745 hectares in area and is located outside of the Meldreth Village Development Framework and within the open countryside. The village

development framework boundary lies adjacent to the east and south of the site.

- 8.7 Meldreth is classed as a Group Village as defined under Policy S/10 of the Local Plan. Policy S/10 states that residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the development frameworks of Group Villages, as defined on the Policies Map. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site.
- 8.8 Policy TI/2 states that development must be located and designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location. Meldreth is a village with a train station, numerous food shops comprising a village shop, farm shop and butchers shop, hairdresser, post office, recreation ground, public house, village hall, primary school and church. Without many employment opportunities within Meldreth, a large food supermarket, secondary school or GP surgery, ultimately most of the journeys made will be by private car. The development is therefore not in accordance with TI/2 of the Local Plan.
- 8.9 The application site is located outside of the development framework of Meldreth and within the open countryside. The development proposes 9 self built dwellings on a green field site. The proposal would result in development outside of the village development framework and in an unsustainable location in which most journeys would be by car. In the absence of satisfying one of the exception categories of development, the site is not a location to which new development should be directed and therefore does not accord with policy S/7 of the Local Plan as a matter of principle.
- 8.10 **Self-Build Need**
- 8.11 Paragraph 62 of the 'National Planning Policy Framework' (2021) highlights the need for different groups in the community to be assessed and reflected in planning policies, including "people wishing to commission or build their own homes".
- 8.12 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.
- 8.13 Whilst the recommendations of the Bacon report are noted and this includes a Custom and Self Build Delivery Unit, these have not yet been agreed and translated into national policy.

- 8.14 South Cambridgeshire District Council is a Right to Build Vanguard Authority with a statutory duty under section 2A of The Self Build and Custom Housebuilding Act 2015 which requires the Council gives suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the Authority's area. Therefore, weight needs to be given to the delivery of self-build dwellings should the Council have a shortfall in delivery.
- 8.15 The table below shows the number of people added to the register for each base period and the number of planning permissions granted within 3 years from the end of each base period. This shows that there is currently a shortfall in the number of permissions granted compared to the number of people added to the register.

Assessment Period	Number of people added to register (within base period)	Permissions Granted (3 years following base period)
Base Period 1: 01/04/16 to 30/10/16	69	69
Base Period 2: 31/10/16 to 30/10/17	89	89
Base Period 3: 31/10/17 to 30/10/18	135	14 (-121)
Base Period 4: 31/10/18 to 30/10/19	204 (339)	64 (-261)
Base Period 5: 31/10/19 to 30/10/20	157	Tbc in Nov 2023
Base Period 6: 31/10/20 to 30/10/21	189	Tbc in Nov 2024
Base Period 7: 31/10/21 to 30/10/22	130	Tbc in Nov 2025

- 8.16 Strategic sites coming forward, on Northstowe and Waterbeach (including Urban Splash on Northstowe) are likely to significantly help meet the registered demand.
- 8.17 The demand for self-build dwellings is measured by the number of new applicants entered on the self-build register in each base period; and that number must be match by new suitable permissions granted within 3 years of the end of each relevant base period.

- 8.18 The above table shows that the number of applicants on the register from 2016 up to the end of base period 3 on 30 October 2018 was 293. To comply with the Act, suitable permissions should have been granted for 293 self-build dwellings by 30 October 2021.
- 8.19 The figures show that 172 self-build dwellings were granted permission. This would result in a shortage of 121 plots. This would result in a significant shortfall in the provision of self-build dwellings.
- 8.20 This application makes reference to a planning appeal (APP/W0530/W/21/3282234) in Caxton which was allowed for up to 9 self-build dwellings. In this instance the provision of self-build plots was given significant material weight in the planning balance by the Inspector.
- 8.21 Numerous other appeals include (APP/W0530/W/19/3230103) in Gamlingay which allowed a proposal for 9 self-build dwellings and the self-build factor was given material weight because the evidence before the Inspector indicated a substantial shortfall of the delivery of self-build dwellings at that time.
- 8.22 However, an appeal (APP/W0530/W/21/3274489) in Willingham was recently dismissed for 4 self building dwelling plots. The Inspector states that 'by reason of the appeal site being located outside of the village framework, the appeal scheme would nevertheless undermine and fail to accord with the identified strategy for growth within the district as required by LP Policies S/6 and S/7'. In addition, the Inspector states that 'the proposed development would cause harm to the character and appearance of the area. It would be contrary to LP Policies HQ/1 and NH/2'. The Inspector concluded; 'the planning policies of the development plan are broadly consistent with the Framework and they attract significant weight'..... 'the primary importance of the development plan as regards decision making is clearly set out within section 38(6) of the Planning and Compulsory Purchase Act 2004. The Act also refers to suitable permissions for development and this does not mean that every self-build proposal will be suitable'.
- 8.23 Appeal (APP/W0530/W/22/3291085) in Cinques Road, Gamlingay for 5 self building and custom dwellings was recently dismissed. The Inspector concluded that the 'proposal would not provide Self Build or Custom Housing within the definition of The Act'.
- 8.24 Whilst the need for self-build dwellings in the district is not in dispute, it is considered that there are material differences between the appeal schemes and the application site. The contribution to the need for self build dwellings in the area is not considered to outweigh the material harm the proposal would have to the character of the open rural landscape, village development character and village edge.
- 8.25 The provision of 9 self-build dwellings would provide a modest impact in meeting the identified need for custom and self-build and is not sufficient

of itself to override the Local Plan policies which seek to direct development to appropriate and sustainable locations, limiting the encroachment of the countryside.

5 Year Housing Land Supply

- 8.26 Paragraph 74 of the National Planning Policy Framework states that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies³, or against their local housing need where the strategic policies are more than five years old.
- 8.27 The Greater Cambridge Housing Trajectory and Five Year Housing Land Supply Report (1 April 2022) identifies that Greater Cambridge jointly has 6.5 years of housing land supply for the 2022-2027 five-year period.
- 8.28 A five-year housing land supply for Greater Cambridge, can be demonstrated therefore the planning policies in the adopted South Cambridgeshire Local Plan 2018 will be considered when making decisions on planning applications, unless there are other material factors to take into account.
- 8.29 The proposal therefore does not accord with policies S/2, S/3, S/6, S/7, S10 and T1/2 of the South Cambridgeshire Local Plan (2018) as a matter of principle and the National Planning Policy Framework in respect of achieving sustainable development and decisions should avoid the development of isolated homes in the countryside.

Housing Provision

Density

- 8.30 Policy H/8 of the Local Plan states that housing development including rural exception sites, will achieve an average net density of 30 dwellings per hectare (dph) in Rural Centres, Minor Rural Centre villages, and Group villages; 40 dph in urban extensions to Cambridge and in new settlements. The net density on a site may vary from the above where justified by the character of the locality, the scale of the development, or other local circumstances.
- 8.31 The site has an overall area of 0.8745 hectares. This equates to a housing density of 10 dwellings per hectare.
- 8.32 The development therefore accords with policy H/8 of the Local Plan.

Housing Mix

- 8.33 The application is for an outline application for 9 dwellings. The proposed mix of the dwellings is not currently known. Policy H/9 of the Local Plan states that a mix of market homes to be provided on sites of 9 or fewer homes will take account of local circumstances. 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.

- 8.34 Policy H/10 of the Local Plan states that all developments of 11 dwellings or more will be required to provide 40% of homes on site to be affordable. The proposal is for 9 dwellings and therefore no affordable provision is required.
- 8.35 The application is at outline stage currently therefore the housing mix will be decided at Reserved Matters stage, however should permission be granted a condition shall be added to require the mix to comply with Policy H/10 of the Local Plan.

Design, Layout, Scale and Landscaping

- 8.36 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. Development should be appropriate to its context in terms of scale, mass, form, design, siting, landscaping and materials.
- 8.37 Policy NH/2 states that the development will only be permitted where it respects and retains, or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.
- 8.38 The application is at outline stage currently therefore the appearance, landscaping, layout and scale will be detailed and decided at Reserved Matters stage.
- 8.39 The application site is surrounded to the north and part of the east with agricultural fields with residential development to the west and part of the east forming a mix of two, one and single storey dwellings, mainly detached and set in reasonable sized plots. The design of the neighbouring dwellings comprises a mix of architectural styles. The nearby neighbouring properties all form a linear development along Fenny Lane in which they are set back from the road and screened by mature hedgerows. To the west of the site lies nearly built and converted dwellings which form Fenny Lane Farm. Fenny Lane lies to the south with a cemetery lying further south opposite the site and fields and agricultural buildings. The site is relatively flat in its nature.
- 8.40 The proposal will result in the development of new built form on an undeveloped paddock which lies outside of the village development framework. The proposal will extend the built form further beyond the single line of dwellings which lie adjacent to Fenny Lane. As a result, the proposal will result in significant encroachment of built form into the open countryside which would be harmful to the character and appearance of the rural countryside. Fenny Lane and Meldreth is characterised by a

ribbon form of development in which dwellings line the public highway. The proposed development which would form backland development which would be out of character with the linear development form of the area.

- 8.41 Given the site's position and that it is heavily screened from Fenny Lane with hedgerows and trees, the proposal would be subject to a condition restricting the height of the dwellings to being one and a half storey only or lower to ensure the development was in accordance with the height of the dwellings in the area and would not result in significant harm to the visual amenity.
- 8.42 The full details of the appearance, landscaping, layout and scale will be fully assessed at Reserved Matters stage, however the proposal as detailed above is considered to result in significant harm to the existing character of the open rural landscape, village development character and village edge resulting in harm to the visual amenity of the area and would conflict with Policies S/7, HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018.

Trees and Landscaping

- 8.43 A Preliminary Arboricultural Impact Assessment has been submitted as part of the application.
- 8.44 Policy HQ/1 of the South Cambridgeshire Local Plan 2018 requires new development to conserve or enhance important natural assets. Policy NH/2 of the Local Plan states that development will only be permitted where it respects and retains, or enhance the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.
- 8.45 The proposal details that the existing hedgerows and trees along the west and southern boundaries of the site will be retained and supplemented. The existing frontage hedgerow along Fenny Lane will be replanted to allow the vehicular access. Boundary treatments around the site would comprise of hedgerows, close boarded fences around garden boundaries and fences to the northern boundary abutting the countryside. Four individual trees are to be removed and the shortening of two hedges to allow for the proposal.
- 8.46 The Landscape Officer has raised an objection to the proposal on the grounds of the proposal densifying a low density village edge and being out of context with the surrounding area.
- 8.47 The application is at outline stage currently therefore landscaping will be detailed and decided at Reserved Matters stage. The proposal is not considered to result in significant harm to trees and hedgerows. However as detailed above, the proposal would result in significant harm to the existing character of the open rural landscape, village development character and village edge, conflicting with policies HQ/1 and NH/2 of the

South Cambridgeshire Local Plan 2018, District Design Guide SPD and Landscape SPD.

Archaeology

- 8.48 Policy NH/14 of the Local Plan states that development proposals will be supported where they sustain and enhance the significance of heritage assets, including their settings such as archaeological remains.
- 8.49 The site lies in an area of archaeological potential lying to the east of the historic core of Meldreth. Archaeological investigations 250m to the south (Cambridgeshire Historic Environment Record reference. ECB5945) revealed a series of Roman to Saxon ditches and pits (CHER ref. MCB29158). To the north of the archaeological investigations, inhumation burials were discovered during construction at Meldreth Manor School (CHER ref. MCB12950), however the burials remain undated. Further archaeological investigations 350m to the west (CHER ref. ECB2273), revealed evidence for medieval to post-medieval cultivation and field boundaries (CHER ref. MCB17491). Medieval cultivation also survives as earthworks to the east, north and west of the development area, representing the remains of furlong boundaries (CHER ref. MCB27308) and ridge and furrow cultivation (CHER ref. MCB27842 and 08556a). Further afield medieval settlement is present, namely to the east where the medieval moated manor Topcliffe (CHER ref. 01249) and enclosures identified through cropmarks (CHER ref. 07517) have been identified.
- 8.50 The County Archaeology Officer has commented on the proposal that due to the archaeological potential of the site, a condition will be recommended should permission be granted to require that a further programme of investigation and recording is required to ascertain the presence or absence of archaeological remains.
- 8.51 The proposal would accord with Policy NH/14 and Paragraph 199 of the National Planning Policy Framework.

Carbon Reduction and Sustainable Design

- 8.52 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change as required by policy CC/1.
- 8.53 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.
- 8.54 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp

per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.

- 8.55 The application has been subject to formal consultation with the Council's Sustainability Officer who has commented that little information in regard to sustainability has been submitted as part of the application, and they would recommend conditions in regard to renewable energy and water efficiency should permission be granted..
- 8.56 Subject to conditions the proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

Biodiversity

- 8.57 The NPPF (2021) and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 8.58 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a Preliminary Ecological Appraisal and Preliminary Biodiversity Net Gain Assessment.
- 8.59 The site forms paddock land, hedgerows and wooded boundaries, grass land and private allotments. Species data shows barn owl and other breeding birds, white clawed crayfish, flowering plants, fungus, invertebrates, reptiles, bats, badger, otter and water vole have all been recorded locally. The submitted Preliminary Biodiversity Net Gain Assessment details that the site currently has an overall baseline value of 3.21 habitat units and 0.57 hedgerow units. The proposal will result in a decrease in total habitat units to 2.21 and increase in hedgerow units to 0.61. To ensure the development delivers an overall net gain, the application proposes that an area of off-site land (within 420 metres of the application site and within the applicant's ownership) which is currently 1.62 hectares of arable farmland will be used to create a high value habitat which would result in an overall net gain of 9.40 habitat units and +296.3% net gain.
- 8.60 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and commented that the submitted information found no evidence that a protected species license will be required prior to the commencement of development. A badger latrine was found on site meaning that suitable avoidance measures will need to be in place to remove any risk of harm and other residual risk of harm or disturbance to protected or priority species will be

removed through recommended avoidance and mitigation strategies. The Ecology Officer recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered.

- 8.61 Whilst the applicant has proposed a significant BNG as set out above, the extent of BNG proposed is not required to make the development acceptable. At present, the proposal is required to provide a gain to biodiversity whether on site, or off site. Furthermore, as proposed, it would result in the loss of 1.6 hectares of agricultural land. It has not been demonstrated through an agricultural land classification assessment, the quality of this agricultural land. Without this information, it is not possible to assess whether it would be appropriate to lose this amount of agricultural land, particularly in the context of the overall size of the farm, for the purposes of BNG. Nevertheless, given 10% BNG is not currently a statutory requirement, it is considered a condition could be imposed ensuring the development delivered appropriate BNG.
- 8.62 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

Water Management and Flood Risk

- 8.63 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.
- 8.64 The site lies predominately in Flood Zone 1 (low risk), with a small part of the site, adjacent to the eastern boundary, being located within Flood Zones 2 (medium risk) and 3 (high risk). This small area located within Flood Zone 3 would comprise of the garden of plot 8. Surface water is proposed to either discharge to permeable paving and/or soakaways or to the watercourse to the east of the site. The foul water is proposed to be discharged to the adopted sewer within Fenny Lane.
- 8.65 The applicants have submitted a Flood Risk Assessment. A number of residents have raised concern regarding flood risk from the proposal and the residents have obtained separate advice regarding this matter.
- 8.66 The Environment Agency raise no objection to the application and believe the receiving Water Recycling Centre has limited capacity and confirmation is required with Anglian Water that they can receive the foul drainage without exceeding their permit limits with the Environment Agency or that any necessary infrastructure updates are made ahead of occupation of the development. The site is above a Principal Aquifer, but the Environment Agency do not consider this proposal to be high risk.

- 8.67 The Lead Local Flood Authority following amended plans raise no objections subject to conditions, and comment that the surface water from the proposed development can be managed through the use of permeable paving, and geocellular attenuation, restricting surface water discharge to QBAR rate of 1.2 l/s. The applicant has demonstrated that the rate of runoff into the existing ditch prior to development of the site would be the QBAR rate of 1.2 l/s. Therefore by limiting the discharge rate from the site to this same pre-development rate, the principles of how surface water discharges from the site should remain unchanged. Any development within the site is to take place in Flood Zone 1, and therefore the risk of flooding to the properties is minimised and that flood water should not be displaced outside of the site, therefore minimising any increased risk of flooding to the surrounding area.
- 8.68 The Sustainable Drainage Officer has commented on the proposal and raised no objections subject to conditions.
- 8.69 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

Highway Safety and Transport Impacts

- 8.70 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.
- 8.71 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 8.72 Paragraph 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.
- 8.73 The application is supported by a Transport Note.
- 8.74 The proposal is for one vehicular access which would serve pedestrians and cyclists into the site off Fenny Lane comprising a shared surface.
- 8.75 The Local Highways Authority have commented on the proposal and raise no objections, subject to conditions being added to any permission granted.
- 8.76 The Local Highways Authority commented that they would not seek to adopt any part of this development in its present format as the proposed

layout is not acceptable for adoption. The Local Highway Authority requested consultation with the waste authority regarding the servicing of the site, which has been undertaken. No concerns have been raised by the Council's waste team with regard to servicing the site.

- 8.77 As the site is at Outline stage, parking details are not finalised however two car parking space would be required per dwelling comprising of one space within the curtilage of the dwelling. In addition to these, car parking spaces for visitors, tradesmen and residents is required for the site as a whole.
- 8.78 One cycle parking space is required per bedroom per dwelling for the proposal to accord with policy TI/3. Details on secure cycle parking would be required at the Reserved Matters stage.
- 8.79 The proposal is considered to accord with Policies HQ/1 and TI2 of the Local Plan.

Amenity

- 8.80 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 8.81 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.
- 8.82 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.
- 8.83 The District Design Guide 2010 advises that each one or two-bedroom house should have private garden space of 40m² in urban settings and 50m² in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 50m² in urban settings and 80m² in rural settings.
- 8.84 The application is for Outline permission with appearance, landscaping, layout and scale reserved. An Illustrative Site Plan has been submitted as part of the application, in which it illustrates that 9 dwellings could be

positioned on the site without appearing cramped. This is illustrative only and full details will be submitted at the Reserved Matters application stage.

- 8.85 To the west of the site lies No.24 Fenny Lane which is two storey's and a number of new residential dwellings forming Fenny Lane Farm which are one and two storey's. To the east of the proposed access to the site lies No.20 Fenny Lane with the neighbouring properties forming Nos.18 and No.14 Fenny Lane lying to the south of the site. Further east lies the neighbouring property at No.12 Fenny Lane. These neighbouring dwellings are mainly single storey.
- 8.86 Given the application is for outline permission with development for 9 dwellings, the proposed layout, appearance and scale are reserved therefore full details will be submitted and assessed at this stage.
- 8.87 Environmental Health have commented on the application, raising no objections subject to conditions in regard to hours for construction and site machinery and plant to be operated, submission of a Construction Environmental Management Plan and informatives in regard to air source heat pumps, demolition and minimising noise and dust.
- 8.88 The proposal adequately respects the amenity of its neighbours and of future occupants. 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 SC/9, SC/10 and SC/12 of the Local Plan.

Contamination

- 8.89 The site forms paddock land and private allotments. The Contaminated Land Officer has recommended that a condition is added to any permission granted if a Phase 1 Desk Study is not submitted prior to determination, requesting that the application site is subject to a detailed desk study, detailed scheme for investigation and recording of contamination and remediation.
- 8.90 The proposal is considered to be in accordance with Policy SC/11 of the Local Plan 2018

Third Party Representations

- 8.91 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
Loss of Allotments	The proposal would involve the loss of allotments. These are allotments on private land which are for private use and not public allotments.

Other Matters

Rural Exception Site

- 8.92 The Parish Council in their comments make reference to the proposal being an inappropriate use of a rural exception site. The proposal is not for a rural exception site.

Bins and Waste

- 8.93 The Waste Officer was consulted on the proposal and commented that the applicant is advised to view the recycling and waste guide.

Broadband:

- 8.94 Policy TI/10 requires that infrastructure be imposed to create access to broadband internet respectively, the application. It is therefore considered reasonable and necessary to impose a broadband condition if the application was recommended for approval.

Planning Balance

- 8.95 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 8.96 Officers consider the matter of access to be acceptable and that the development would not result in harm to highway safety.
- 8.97 Officers consider that the proposal would result in development outside of the village development framework and in an unsustainable location in which most journeys would be by car. The proposal would therefore fail to comply with policy S/7 of the Local Plan as a matter of principle.
- 8.98 Officers consider that the proposal would extend the built form beyond the single line of dwellings which lie adjacent to Fenny Lane. The proposal will result in significant encroachment of built form into the open countryside which would be harmful to the character and appearance of the rural countryside.
- 8.99 It is acknowledged that there is a need for self-build plots in the district and that there is currently a significant shortfall, however, the contribution to the provision for self build dwellings in the area is not considered to outweigh the material harm the proposal would have to the character of the open rural landscape, village development character and village edge.
- 8.100 The proposal would therefore conflict with Policies S/2, S/3, S/6, S/7, S/10 and TI/2 of the South Cambridgeshire Local Plan 2018 and the National Planning Policy Framework.

8.101 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 refusal.

Recommendation

8.102 **Refuse** for the following reasons:

1. The proposal forms residential development outside of a development framework boundary that does not fall within any of the exceptions cited by Policy S/7, nor would the development be supported in principle by other policies in the Local Plan. The development would therefore result in encroachment into the open countryside and a form of unsustainable development that is not compatible with its location.

The fact that the proposed dwellings would be self-build dwellings would not be of sufficient benefit of itself in helping to meet identified need for self and custom build properties to override the presumption against the principle of residential development on the site or to warrant a decision other than in accordance with the adopted development plan policies.

The proposal is therefore contrary to Policies S/2, S/3, S/6, S/7, S/10 and TI/2 of the South Cambridgeshire Local Plan 2018 that seek to prioritise the development of new homes as part of a spatial and sustainable development strategy that protects the countryside from encroachment and to help guard against incremental growth in unsustainable locations.

2. The proposed development would result in significant encroachment of built form into the open countryside which would be harmful to the character of the countryside and the rural transition from the village. The development would form backland development which would be out of character with the linear development form of the immediate built area and Meldreth village. The proposal would therefore result in significant harm to the existing character of the open rural landscape, village development character and village edge and would conflict with Policies S/7, HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018.

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