



<b>Planning Committee Date Report to</b>	South Cambridgeshire District Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference Site</b>	23/01335/OUT Land East Of Ermine Street, Caxton, Cambridgeshire
<b>Ward / Parish Proposal</b>	Caxton Outline application with all matters reserved except for access for the erection of up to 9 self build dwellings and ancillary works.
<b>Applicant Presenting Officer</b>	LVA LLP Caxton Charlotte Peet
<b>Reason Reported to Committee</b>	Called-in by Parish Council Departure Application
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Principle of development</li><li>2. Design, Layout, Scale and Landscaping</li><li>3. Carbon Reduction and Sustainable Design</li><li>4. Biodiversity</li><li>5. Agricultural Quality</li><li>6. Water Management and Flood Risk</li><li>7. Highway Safety and Transport Impacts</li><li>8. Car and Cycle Parking Provision</li><li>9. Amenity</li><li>10. Open Space and Recreation</li><li>11. Planning Obligations</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions and S106 Agreement

## 1.0 Executive Summary

- 1.1 The application seeks permission for outline application with all matters reserved except for access for the erection of up to 9 self build dwellings and ancillary works.
- 1.2 The report details that Officers have made a balanced decision to support the application. Whilst, it is recognised that the proposal site is located outside the development framework, it is considered that the proposal would be set within a sustainable location, would have minimal visual harm and would contribute to the significant need for self-build housing within the district which inspectors have given significant weight to in the planning balance in recent appeal decisions.
- 1.3 Officers recommend that the Planning Committee approve the application subject to conditions and Section 106 Agreement. Delegated Authority is sought to finalise the contributions that would be sought as part of the Section 106 Agreement.

## 2.0 Site Description and Context

### Site Constraints and Description

SSSI Impact Zone	X	Protected Agricultural Land	X
Public Right of Way	X	Flood Zone 1	X

\*X indicates relevance

- 2.1 The proposal site is located towards the north end of the village of Caxton. It comprises undeveloped grassland which benefits from a row of trees to the north, south and east boundaries. Beyond the west and south boundaries, it is bounded by existing residential development. The land level slopes down from the front of the site to the rear.
- 2.2 The site is access from Ermine Street, the existing access route would be extended and improved as part of the development.

## 3.0 The Proposal

- 3.1 The application seeks permission for outline application with all matters reserved except for access for the erection of up to 9 self build dwellings and ancillary works. The reserved matters would include landscaping, layout, scale and appearance. These matters would need to be submitted as part of a future reserved matters application.
- 3.2 The application has been submitted with the following supporting information, some of which has been amended/ updated as part of the consideration process:
  - Planning Statement

- Landscape and Visual Appraisal
- Heritage Statement
- Flood Risk Assessment
- Ecological Impact Assessment
- Illustrative Site Layout and House Types
- Design Statement
- Drawings
- Transport Statement
- Phase 1 Contamination Report

#### 4.0 Relevant Site History

##### 4.1 Relevant Site History

Reference	Description	Outcome
S/1849/18/OL	Outline planning permission for up to 30 dwellings with all matters reserved except access	Refused 14.08.2018

4.2 An application was previously refused on the wider site for outline permission for 30 dwellings. This application was refused as it was located outside the development framework and was considered to be located in an unsustainable location with poor access to services and facilities. In addition to this it was considered that there was an adverse impact on the character of the countryside.

##### 4.3 Adjacent Site History

Reference	Description	Outcome
S/1504/13/FL	Residential development (8 affordable dwellings and 2 market dwellings)	Permitted 19.02.2016

#### 5.0 Policy

##### 5.1 National

National Planning Policy Framework 2021  
 National Planning Practice Guidance  
 National Design Guide 2021  
 Environment Act 2021  
 Town and Country Planning (Environmental Impact Assessment) Regulations 2017.  
 Conservation of Habitats and Species Regulations 2017  
 Equalities Act 2010  
 Planning and Compulsory Purchase Act 2004  
 Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design  
 Technical Housing Standards – Nationally Described Space Standard (2015)  
 ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## 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/5 – Provision of New Jobs and Homes

S/7 – Development Frameworks

S/11 – Infill 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/6 – Green Infrastructure

H/8 – Housing Density

H/9 – Housing Mix

H/12 – Residential Space Standards

SC/4 – Meeting Community Needs

SC/6 – Indoor Community Facilities

SC/7 – Outdoor Play Space, Informal Open Space & New Developments

SC/9 - Lighting Proposals

SC/10 - Noise Pollution

SC/12 - Air Quality

TI/2 – Planning for Sustainable Travel

TI/3 – Parking Provision

TI/8 – Infrastructure and New Developments

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

Open Space in New Developments SPD – Adopted January 2009

Trees and Development Sites SPD – Adopted January 2009

## 5.5 Other Guidance

5.6 Greater Cambridge Housing Strategy 2019 – 2023

## 6.0 Consultations

### 6.1 Caxton Parish Council – Object

6.2 Site is outside the village framework and the Parish Council has concerns about the small access onto Ermine Street from the site. The site is sloping adding draining issues. The Council strongly recommend the District Council refuse the application and wish for it to be referred to the Planning Committee.

### 6.3 County Highways Development Management – Object / No Objection

#### First and Second Comments

6.4 The Highways Authority requests that the application be refused as the current access road is considered to be inadequate to serve the development proposed due to its poor geometry. I request the access be designed with radii kerbs of 6 metres. I welcome the opportunity to further consideration to the application following a satisfactory resolution and provision of information

#### Third Comments

6.5 The junction to serve Ermine Street is inadequate at current due to its poor geometry to serve the proposed development, this would need to be upgraded. The applicant has shown that this would be done in updated access arrangement plans and this can be considered acceptable.

6.6 Recommend Conditions:

- Future management and maintenance of streets
- Falls and levels
- Traffic management plan

### 6.7 County Education – No Objection

6.8 Following a review of capacity, it is not necessary for contributions to be sought on Early Years and Primary Education and there is sufficient capacity at Secondary Education level even when considered the likely generation of school age children through recently approved applications in the area.

## 6.9 **Definitive Maps Officer – No Objection**

6.10 Public footpath no. 4 runs to the east of the site. The design and access statement (p.18) shows a proposed pedestrian/cycle link into the public footpath. As the adjacent right of way is only of a footpath status, it will not be possible for the public to cycle on the footpath without the landowner's consent. There are no objections to the application, however the public right of way must remain open and unobstructed at all times.

6.11 Recommended informatives:

- PRow to remain open and unobstructed
- Surface alteration
- Maintenance of boundaries
- Planning permission does not allow obstruction

## 6.12 **Sustainable Drainage Officer – No Objection**

### 6.13 First comments

6.14 The geology of the site would not support the proposed infiltration rate, consideration will need to be given to limiting this to 2l/s. The site offers an opportunity for a SuDs feature, we would recommend this is incorporated into the drainage strategy.

### 6.15 Second Comments

6.16 The updated flood risk assessment and updated illustrative site layout plan is considered to be acceptable subject to conditions regarding:

- Compliance with flood risk assessment
- Details of scheme for the disposals of foul water

## 6.17 **Conservation Officer – No Objection**

6.18 The application has been assessed and it is considered that the proposal would not give rise to any harm to any heritage assets.

## 6.19 **County Archaeology – No Objection**

6.20 Due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary.

6.21 Recommended conditions:

- Written scheme of investigation

## 6.22 **Contaminated Land Officer – No Objection**

6.23 The submitted Phase 1 report has been reviewed, given the sensitive end-use additional sampling is recommended.

6.24 Recommended conditions:

- Phase 2 intrusive site investigation and remediation
- Remediation and verification
- Unexpected contaminated

6.25 **Landscape Officer – No Objection**

6.26 Landscape does not currently provide written comments for Minor applications. A weekly drop-in surgery is provided for Case Officers to discuss specialist issues if any are present within this application.

6.27 The application was discussed with the Landscape Officer at the weekly surgery. It was suggested by the Landscape Officer that the LVA was appropriate for the site and that views would be negligible from distance views. It was acknowledged that most impacted will be immediate neighbours in terms of views. The officer suggested limiting the height of the houses would be important to ensure the proposal does not exceed the height of the houses on Ermine Street.

6.28 **Ecology Officer – No Objection**

6.29 First Comments

6.30 The site consists of a grassland field with hedges and trees at the boundaries. The site sits within the Impact Risk Zone of a nearby statutory protected site. There are no non-statutory protected sites in the vicinity that are likely to be impacted by the application.

6.31 The submitted report has recommended non-licensable avoidance and mitigation strategies to remove any residual risk of harm of disturbance of protected and priority species. I do not disagree with analysis.

6.32 No biodiversity set gain assessment has been submitted, at outline stage the LPA would expect to see an in-principle approach to how BNG will be achieved.

6.33 Second Comments

The site consists of a grassland field with hedges and trees at the boundaries.

The site sits within the Impact Risk Zone of a nearby statutory protected site. There are no non-statutory protected sites in the vicinity that are likely to be impacted by the application. The submitted report has recommended

non-licensable avoidance and mitigation strategies to remove any residual risk of harm of disturbance of protected and priority species.

6.34 Biodiversity Net Gain can be achieved through enhancing an area of orchard close to the site, this would need to be secured through S106 agreement. Recommended conditions:

- Compliance with ecological impact assessment
- Ecological enhancement
- Landscape and ecological management plan

#### **6.35 Environmental Health – No Objection**

6.36 No objections to the application, recommended conditions:

- Construction hours
- Construction environmental management plan

#### **6.37 Ramblers Association –No Objection**

6.38 The current Public Right of Way is bounded by trees that separates it from the proposed development. Throughout construction access to the Public Right of Way and its boundary trees should be maintained.

#### **6.39 Cambridge and Peterborough ICS**

6.40 There is currently some capacity at Monkfield Medical Centre in Cambourne so we will not be seeking mitigations for this application for 9 dwellings.

### **7.0 Third Party Representations**

7.1 Two representations have been received on the application, one in objection and one neutral.

7.2 They raise the following issues:

- Residential amenity impact (impacts on privacy, noise, disturbance and pollution due to traffic)
- Impact of wildlife and biodiversity
- Lack of connection to Cambourne
- Surface water to eastern end of site
- Boundary enhancement

7.3 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.

## **8.0 Assessment**

### **8.1 Planning Background**



8.2 As is detailed within the site history section of the report, this application follows a previous application which encompassed the proposal site as well as additional land to the north. The previous application was for outline permission for 30 dwellings. This application was refused as it was located outside the development framework and was considered to be located in an unsustainable location with poor access to services and facilities. In addition, to this it was considered that there was an adverse impact on the character of the countryside.

8.3 The current proposal being considered differs from this application, as it is for 9 self-build dwellings rather than 30 market homes. As will be explained in the body of the report, the self-build provision is considered to be a material consideration which is given substantial weight in the planning balance. In addition, the current proposal would sit upon a smaller parcel of land, therefore leaving the land to the north open. The lower number of dwellings and the reduced expanse of development would reduce the potential visual harm that would be created by the proposal, compared to the previous application. As well as this, improved sustainable connections have come forward as part of the Cambourne West development, improving the connection to facilities and services. It will be outlined within the body of the report, that whilst the proposal would continue to be located outside the development framework, the balance has been tilted towards approval given the consideration given to self-build need, now more sustainable location and a lower visual impact.

#### 8.4 **Principle of Development**

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 Policy S/6 of the adopted Local Plan (2018) states that the need for jobs and homes will be met as far as possible in the following order of preference of on the edge of Cambridge, at new settlements, and in the rural area at Rural Centres and Minor Rural Centres. Development in the rural area will be limited, with allocations for jobs and housing focused on Rural Centres and Minor Rural Centres and rural settlement policies providing for windfall development for difference categories of village consistent with the level of local service provision and quality of public transport access to Cambridge or a market town. The application site is not within or adjacent to any of these locations.

8.7 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.

- 8.8 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. Gradual encroachment is generally used to describe the visual harm that could result from development expanding into the open countryside and incremental growth generally refers to the impact of having additional residential users in isolated locations creating unsustainable traffic movements if they not well connected to a settlement.
- 8.9 The proposal site is located outside the development framework of Caxton and therefore within the countryside, however the development framework boundary extends along the southern edge of the site around an existing cul-de-sac development.
- 8.10 Caxton is classed as an infill village as defined under Policy S/11 of the Local Plan. Infill villages are generally among the smaller in the district with limited services and facilities. Given this, users are likely to have to leave the village to meet their daily needs.
- 8.11 Policy S/11 states that residential development and redevelopment up to an indicative maximum scheme size of 2 dwellings will be permitted within the development frameworks of Infill Villages, as defined on the Policies Map. Development may very exceptionally consist of up to about 8 dwellings where this would lead to sustainable recycling of a brownfield site bringing positive overall benefit to the village. Whilst it is considered that the proposal would bring positive benefit to the village in terms of additional self-build provision, it is not a brownfield site and would therefore be contrary to policy S/11.
- 8.12 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.
- 8.13 Caxton is a village with limited shops and facilities, the village benefits from a village hall and restaurant, but is predominantly residential. The site is considered to benefit from a good level of sustainable connections due the improved and expanded transport route provision that extends to, and forms part of, the Cambourne West development. There is public transport in the form of bus services which stops along Ermine Street, approximately 100 metres from the entrance to the site, that provides a sustainable link to Cambourne and Cambridge, providing a connection to a good level of shops, services and other facilities. The nearest train station is located in Cambridge, 12 miles away from the site.
- 8.14 Notwithstanding the objection received regarding the lack of sustainable transport connections, there are some public transport and pedestrian and

cycling links connecting the site to surrounding services and facilities including primary and secondary schools and a doctors surgery in Cambourne. In addition the location of the site at the northern end of the village means that it is well positioned in regard to the new Cambourne West development which, as outlined in the Design Code for the site, will be connected to Caxton through an improved shared use footpath / cycleway, providing a significant improvement in regard to the availability of services and facilities such as new community and leisure facilities, new schools and retail facilities and other facilities / services and therefore improve the opportunity for users to meet their needs in a sustainable manner. The shared cycle/ footpath has already been installed from Cambourne West along Ermine Street up to the entrance of the development, ensuring that a good quality connection would be in place prior to any development commencing on the site. As part of the recent appeal decision for self-build houses at St Peters Street, Caxton the inspector had regard for this connection and suggested that Caxton would not lack sustainability credentials due to these recent improvements (ref. APP/W0530/W/21/3282234). In addition to this the existing footpath to the rear of the site provides a connection to Lower Cambourne. This connection will be improved as part of the Cambourne West development, as a Bridleway is proposed which would shorten the route towards shops such as the Co-op which is located towards the western side of Lower Cambourne.

- 8.15 Given the new existing and proposed sustainable transport links that have been agreed and the new services and facilities that would come forward, it is difficult to suggest that this proposal would be set within an unsustainable location. As such, it is not considered that the proposal would lead to growth in an unsustainable location.
- 8.16 The application site is located outside of the development framework of Caxton and within the open countryside. The development proposes up to 9 self dwellings on a green field site. The proposal would result in development outside of the village development framework, but on balance and in comparison to the previous application the location is now considered to be sustainable with access to some services and facilities, along with public transport and shared walking / cycling links and therefore not all journeys would be by car. Therefore, on balance the site is in a location which could be considered for new development under policy S/7, if supported by other policies within the local plan.
- 8.17 It should be noted that as the proposal site is located to the northern end of the village it is in close proximity to the Cambourne West development site for which development is on-going.

### **Self-Build Need**

- 8.18 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”.

- 8.19 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.
- 8.20 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.
- 8.21 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.

<b>Assessment Period</b>	<b>Number of people added to register (within base period)</b>	<b>Permissions Granted (3 years following base period)</b>
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
Base Period 4: 31/10/18 to 30/10/19	204	64
Base Period 5: 31/10/19 to 30/10/20	157	-

Base Period 6: 31/10/20 to 30/10/21	189	-
Base Period 7: 31/10/21 to 30/10/22	130	-

- 8.22 It is recognised that strategic sites coming forward, as part of the Urban Splash at Northstowe, Waterbeach New Town and Land North of Cherry Hinton are likely to help meet the registered demand given the requirements for these plots to come forward as part of these site, however the current shortfall is recognised.
- 8.23 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 matched by new suitable permissions granted within 3 years of the end of each relevant base period.
- 8.24 The table above shows number of applicants on the register from 2016 up to the end of base period 4 on 30 October 2019 was 497. To comply with the Act, suitable permissions should have been granted for 497 self-build dwellings by 30 October 2022. The figures show that 236 self-build dwellings were granted permission. This would result in a shortage of 261 plots. This would result in a significant shortfall in the provision of self-build dwellings. The provision of 9 self-build dwellings would make a limited contribution to the demand identified on the council's register.
- 8.25 Officers are mindful that a number of planning appeals have been determined in recent years which have attributed weight to the provision of self-build plots because of the shortfall in delivery of self-build dwellings. Perhaps most poignant in relation to this site is the decision by the inspector to allow 9 self-build dwellings on land to the south-west end of Caxton (APP/W0530/W/21/3282234). In this instance the provision of self-build plots was given significant material weight in the planning balance by the Inspector given the shortfall in provision. It was concluded that whilst the proposal would result in a minor level of harm to heritage assets, this was outweighed by the benefit of providing self-build house. In addition, it should be noted that as part of this appeal the inspector gave consideration to the newly established cycleway connections at the north end of the village, close to the proposal site, and its siting adjacent to the village boundary.
- 8.26 In addition, to this decision, the inspector allowed an appeal in Gamilngay for 9 self-build dwellings (APP/W0530/W/19/3230103). In this case, the shortfall in self-build provision was given significant material weight in the planning balance. As part of the appeal, the inspector stated that whilst the proposed development would 'inevitably change the local landscape, the proposal would not be visually or spatially harmful to the appearance of the area' and therefore concluded the permission should be allowed.

8.27 It is recognised, that whilst these decisions have been allowed, some self-build proposals have also been dismissed. In Willingham, an appeal for 4 self build properties was dismissed in February 2022 (APP/W0530/W/21/3274489). The Inspector stated 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’, however in the conclusion the inspector suggested that the proposal would result in ‘significant environmental harm to the character and appearance of the area and would not be an appropriate location for the development proposed’. The Inspector concluded that ‘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’.

8.28 Whilst the need for self-build dwellings in the district is not in dispute, Officers are mindful of the decisions above to suggest that given the significant shortfall of self-build provision, the provision of 9 self-build dwellings should be given significant weight in the planning balance and this should be weighed against any harm amounting from the proposal. It is noted that the objection received to the application raises that self-build housing is out of keeping with the village. It has been explained as part of this report that the Local Authority has a duty to provide self-build homes in order to meet the need. As such the provision of self-build homes are supported.

### **8.29 5 Year Housing Land Supply**

8.30 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 policies, or against their local housing need where the strategic policies are more than five years old.

8.31 The Greater Cambridge Housing Trajectory and Five Year Housing Land Supply Report (1 April 2022) concludes that Greater Cambridge jointly has 6.5 years of housing land supply for the 2022-2027 five-year period. 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.

### **8.32 Housing Provision**

## Density

8.33 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.

8.34 The site measures approximately 0.58 hectares in area. The provision of 9 dwellings on the site would equate to a density of approximately 15 dwellings per hectare. The proposed density accords with policy H/8.

## Housing Mix

8.35 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 9 or fewer homes this should 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.

8.36 Given that the proposal is for self-build housing it is not considered reasonable that a housing mix be required on this site. The very nature of self-build allows the user to design a home according to their individual needs, therefore to impose a housing mix would restrict the ability of this be fulfilled.

8.37 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 self-build dwellings and therefore as guided by the Local Plan (2018) policy and paragraph 65 of the NPPF (2021) no affordable provision is required.

## **8.38 Character and Appearance of the Area and Visual Amenity**

8.39 Policy HQ/1 of the South Cambridgeshire Local Plan 2018 requires all new developments to be of high quality design, with a clear vision as to the positive contribution the development will make to its local and wider context. As appropriate to the scale and nature of the development, proposals must, amongst other criteria:

8.40 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 is it located.

8.41 Policy NH/8 states that any development on the edges of settlements which are surrounded by Green Belt must include careful landscaping and design measures of a high quality.

- 8.42 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.
- 8.43 In regard to encroachment into the countryside, it is considered that the proposal would result in minimal visual harm to this section of the countryside. The proposal site is located adjacent to existing development beyond the south and west boundaries. To the south of the development there is an existing cul-de-sac development which is formed by a mixture of two storey dwellings and bungalows, with the two storey dwellings located to the northern end of the development and closest to the site. These dwellings sit within the development framework of the village with the boundary extending along the southern edge of the proposal site. To the west, there are two storey semi-detached and terrace properties which predominantly front onto Ermine Street, these are outside the development framework, however read as part of the northern end of the village due to their suburban character.
- 8.44 As the proposal site is enclosed by existing levels of development along two boundaries, the visual impact from these views would be minimal, especially taking into the lower land levels that extend across the site to the rear. This is highlighted with the Landscape and Visual Appraisal that was submitted with the application. The Landscape and Visual Appraisal which shows the visibility of the site from various views within the surroundings that would be available from public footpaths. Officers have had discussions with the Landscape Officer at the Landscape Surgery about the visibility of the proposal site on the basis of the document and the Officer described that the visibility would be negligible from distant views and therefore it is only the close views which would be impacted and the dwellings substantially visible.
- 8.45 The views from the countryside primarily show that whilst the proposal would be visible the proposal site would be set within the backdrop of the existing dwellings surrounding the site and would be screened by the existing trees along the boundaries of the site. It is considered that the visual impact is likely to be mainly limited to those viewpoints closest to the site rather than the more distant views from the surrounding countryside. It is noted that one objection has been received on the application raising concerns about impact of the localised landscape. It is acknowledged that the proposal would be most impactful to those views close to the site, however as explained it is not considered that the proposal would be harmful to the character and appearance of the surrounding area. It is noted that due to the higher land levels on which the houses on Ermine Street would sit, the proposal is unlikely to be visible from this access route.
- 8.46 Given this, it is acknowledged that the proposal would have a visual impact on local views, however the given the existing screening and backdrop of development this would be considered reasonably minimal. Given the importance of the boundary screening, a condition will be added to ensure that this vegetation would remain in place. In addition, it is suggested that a condition should be added to limit the proposed dwellings to two storey only



to ensure that would not surpass the surrounding development in terms of height. This will need to be carefully assessed as part of any reserved matters application.

#### **8.47 Design, Layout and Scale**

8.48 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.

8.49 The development is at outline stage with all matters reserved apart from access. As such the appearance, landscaping, layout and scale will be determined at the reserved matters stage.

8.50 As has been described within earlier sections of the report, the proposal site is set towards the northern end of the village. The site currently comprises undeveloped grassland which slopes down in ground level towards the rear of the site. It benefits from a row of trees on the northern, southern and eastern boundaries which provide some screening from the wider countryside and to the dwellings on Brock Holt Road. The site is bounded by dwellings accessed from Ermine Street and Brock Holt Road on the southern and western boundaries.

8.51 It is noted that the application has been submitted with illustrative plans of potential house types and a potential layout arrangement. As these matters as reserved, it is not for Officers to assess these matters as part of the application. Layout, scale and appearance would be submitted as part of a reserved matters application. It is anticipated that given the self-build nature of the site, an overall layout for the site would be submitted, and then the scale and appearance of each dwelling would be submitted in separate applications. The layout, appearance and scale will need to be carefully considered with the constraints of the site and the context of the area.

8.52 As existing the site contains open grassland, with trees sounding the north, east and south boundaries. It is considered that given the rural location of the proposal site, it is considered that a high-quality landscaping scheme would be of significant benefit to the proposal and help to mitigate the visual impact of this from countryside views. A condition will be attached to ensure this is submitted as part of the reserved matters application.

8.53 Overall, the proposed development is a high-quality design that would contribute positively 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.

#### **8.54 Agricultural Land Quality and Soils**

8.55 Local plan policy NH/3 'Protecting Agricultural Land' states that permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless:

- a) Land is allocated for development in the Local Plan;
- b) Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land...'

8.56 Paragraphs 174(b) and 175 of the National Planning Policy Framework states that decisions should contribute to and enhance the natural and local environment and where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

8.57 The site is currently as grassland field, classed as grade 2 agricultural land, however Officers consider that given the proposal would result in the loss of 0.58 hectares of Grade 2 agricultural land which is considered a small area of land, and that as the proposal would contribute towards the significant self-build need within the district, the proposal on balance is considered acceptable in regard to Policy NH/3 of the Local Plan and Paragraphs 174(b) and 175 of the National Planning Policy Framework.

Subject to conditions as appropriate, the proposal is compliant with policy NH/3 and NPPF advice.

### **8.58 Residential Amenity**

8.59 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.

8.60 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.

8.61 Whilst design and layout are reserved matters for later approval, the indicative site plan demonstrates that 9 dwellings could be accommodated within the site with acceptable distances between dwellings and respective boundaries.

## Neighbouring Properties

- 8.62 The site is located in close proximity to properties that are accessed from Ermine Street and those at the end of Brock Holt Close.
- 8.63 In terms of the properties that front onto the eastern side of Ermine Street (No. 162 -174) the site is set back from these so that the closest dwelling would be located approximately 40 metres from the very rear of their garden area, as such the proposal would be unlikely to result in significant adverse impacts to these properties in terms of loss of light, privacy and overbearing impacts. It is noted that the occupier of No. 174 has raised a concern about loss of privacy, however given the separation distance the proposal is not considered to be harmful in this regard. In addition, it is noted that as part of the reserved matters application the residential amenity impact of each dwelling will be assessed, however Officers can see that dwellings can be accommodated in this location without significant impacts.
- 8.64 The properties set beyond these, No. 168, 168A and 170 Ermine Street, are located closer to the development site and front onto the existing access route. No. 170 Ermine Street is the easterly dwelling that would be closest to the proposal site, however, fortunately a buffer of land would remain between the side of No. 170 Ermine Street and the application site. This would provide a 20 metre gap between the side of the existing dwelling and the edge of the application site, next to which the new access road would be located. Given the separation distance, the proposal would not be considered to adversely impact the neighbouring properties in regard to loss of light, overbearing impact or loss of privacy. As part of the reserved matters application the residential amenity impact of each dwelling will be assessed, however Officers can see that dwellings can be accommodated in this location without significant impacts.
- 8.65 To the south of the site, properties No. 11-14 Brockholt Close are located. These properties are located approximately 18 metres from the boundary, although it is noted that No. 14 has been extended to the rear and therefore the separation is limited to approximately 13 metres. Whilst, these properties are located in closer proximity to the edge of the site than the dwellings on Ermine Street, it remains likely that dwellings would be accommodated in the site that could be set a sufficient distance from the boundary in order to protect the privacy of these dwellings. It is acknowledged that this will need to be carefully considered as part of the reserved matters phase. Whilst layout and landscaping are a reserved matter, the current indicative site plan shows additional planting south of the proposed access route, this is encouraged by Officers to allow a buffer for these occupiers. The representation received as part of the application requests that the boundary is enhanced as part of the development. Officers cannot insist on this at this stage, however a condition will include that it must be retained.

8.66 It is noted that the objection received raised concerns about additional traffic noise and disturbance from additional vehicle movements. It is acknowledged by Officers that the proposal would result in additional traffic movements adjacent to these properties, however as the proposal would be for nine dwellings only it is unlikely that this would adversely impact the occupiers in terms of disturbance and noise.

#### Future Occupants

8.67 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.

8.68 As the application is at outline stage, the floorspace of any dwellings cannot be assessed, however it is considered reasonable to add a condition to any permission granted to ensure that any new dwelling would meet the space standards outlined.

#### Garden Size(s)

8.69 The District Design Guide 2010 advises that each one or two-bedroom house should have private garden space of 40m<sup>2</sup> in urban settings and 50m<sup>2</sup> in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 50m<sup>2</sup> in urban settings and 80m<sup>2</sup> in rural settings. Ground floor apartments should have a minimum of 10m<sup>2</sup> private amenity space immediately outside their living accommodation, or use of a communal garden, where 25m<sup>2</sup> is allowed for each apartment. Upper floor apartments should have use of a private balcony, of a minimum of 3m<sup>2</sup>, plus use of a communal garden, where 25m<sup>2</sup> is allowed for each apartment.

8.70 As the application is at outline stage, the garden space of dwellings cannot be considered, however it is considered reasonable to add a condition to control this aspect of development when the reserved matters application come forward.

8.71 Subject to conditions, the proposed development is not considered to adversely impact the amenities of neighbouring dwellings nor future occupiers in accordance with Policy HQ/1 and CC/6 of the Local Plan 2018.

#### **8.72 Carbon Reduction and Sustainable Design**

8.73 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.

- 8.74 Policy CC/3 'Renewable and Low Carbon Energy', requires that proposals for new dwellings and new non-residential buildings of 1,000m<sup>2</sup> 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.
- 8.75 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres per person 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.
- 8.76 The application has not been submitted with information regarding the sustainability aspects of the development. As the application is at outline stage and the aspects above can be controlled by appropriate conditions, this approach is considered to be acceptable.
- 8.77 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.

#### **8.78 Biodiversity**

- 8.79 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.
- 8.80 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by an Ecological Impact Assessment, Ecology Note Letter and Biodiversity Metric. These documents demonstrate that the development would not result in adverse impacts to protected or priority species subject to the mitigation strategies set out within the Ecological Impact Assessment. The Ecology Note Letter and Biodiversity Metric outline that a 1% Biodiversity Net Gain off site can be achieved through the enhancement of an orchard habitat approximately 100m north of the proposal site. Given the current policy requirements, the Ecology Officer suggests that this is acceptable subject to securement through a Section 106 agreement and a LEMP to secure suitable management. The Officer also suggests that an ecological enhancement condition be added to any planning permission.
- 8.81 Officers are in agreement that the proposal would meet current policy requirements and therefore this is considered acceptable. The orchard is located outside the proposal site but within the ownership of the applicant and therefore this should be secured through a Section 106 to ensure the net gain is achieved and maintained as such. The ecological enhancement condition is considered reasonable given the mitigation requirements

outlined within the Ecological Impact Assessment and the rural location of the site. It is noted that the objection received raises concerns about impacts to wildlife, however as has been outlined, the proposal would not result in adverse impact to protected species and the conditions are sufficient to ensure appropriate mitigations are undertaken.

8.82 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.

### **8.83 Water Management and Flood Risk**

8.84 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.

8.85 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. There is surface water flood risk along the eastern boundary. The collection of water towards eastern end of the site has been highlighted by one of the representations received to the application.

8.86 The applicants have submitted a Flood Risk Assessment which was updated following the comments made by the Council's Sustainable Drainage Officer. The applicants have also amended their illustrative site plan to demonstrate that a SUDS feature can be achieved at the eastern end of the site. The Council's Sustainable Drainage Engineer has advised following this that the development would be acceptable in respect to flooding subject to conditions regarding compliance with the submitted FRA and submission of foul water drainage details.

8.87 Officers agree that the proposal would be considered in compliance with policy subject to conditions. The proposed conditions are considered to be reasonable given the nature of the development and necessary to ensure surface and foul water are appropriately managed.

8.88 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.

### **8.89 Highway Safety and Transport Impacts**

8.90 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.

8.91 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.

8.92 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.

8.93 The application is supported by a Transport Statement. The Local Highways Authority have provided comments on the application, originally they raised concerns suggesting that the access to Ermine Street would need to be upgraded to accommodate the development. The applicant has agreed to make the upgrade and has submitted a plan to show the works that would be undertaken. As this is located outside of the proposal site it will need to be included in the Section 106 agreement so that it is secured as part of the development.

8.94 The Highways Authority are satisfied with this approach and suggest that subject to conditions regarding maintenance and management of street, falls and levels and works to the highway. To ensure that the proposal would maintain highway safety, the proposed conditions are considered reasonable.

8.95 Subject to conditions and S106 mitigation as applicable, the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

### **8.96 Cycle and Car Parking Provision**

8.97 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.

#### Cycle Parking

8.98 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.

8.99 The details cycle parking will need to be submitted with the reserved matters application to comply with the requirements above. A condition will be added to secure this.

#### Car Parking

8.100 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. At reserved matters stage the applicant will need to demonstrate that car parking can be provided in accordance with the policy requirements.

8.101 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.

### **8.102 Construction and Environmental Health Impacts**

8.103 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.

8.104 The Council's Environmental Health Team have assessed the application and have raised no objection to the application subject to conditions. The suggested conditions/ informatives are regarding construction hours and a Construction Environmental Management Plan, air source heat pumps and noise and dust. Given the scale of the development and the close proximity to neighbouring occupiers, these conditions are considered reasonable for attachment to the development.

### Summary

8.105 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.

### **8.106 Public Right of Way**

8.107 The proposal would be located adjacent to Public Footpath No.4, it is a designated Public Right of Way (PRoW). The Definitive Mapping Team have provided comments on the application and do not raise an objection to the application subject to informatives. They highlight that a potential connection to the footpath is considered within the Design and Access Statement which they would not object to, however advise the applicant that landowner consent may be required.

8.108 Officers would welcome a connection to the PRoW, and suggest that this would be important in ensuring the proposal would remain sustainable in terms of its connections to surrounding services and facilities and such will place a condition to require this. The informatives informing the applicant of



their responsibility not to obstruct it at any times nor alter the surface of it without consent would be reasonable.

8.109 The proposal would be integrated into sustainable transport links, as to be compliant with Policy TI/2.

### **8.110 Open Space and Recreation**

8.111 Policy SC/7 requires all housing developments to contribute towards outdoor play space (including children's play space, formal outdoor sports facilities) and informal open space in accordance with the minimum standards set out within the policy text.

8.112 The application does not currently aim to provide any on-site outdoor play space. As such, the application is required to contribute towards off-site outdoor place space provision, as has been outlined within the following section of the report outlining the Section106 contributions that are required. As such. the proposal accords with policy SC/7 of the Local Plan.

### **8.113 Planning Obligations (S106)**

8.114 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

8.115 The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Council's Local Plan and the NPPF.

### Heads of Terms

8.116 The Heads of Terms (HoT's) as identified are to be secured within the S106 and are set out in the summary table below.

<b>Obligation</b>	<b>Contribution / Term</b>	<b>Trigger</b>
Access upgrade	Upgrade of access to Ermine Street to Local Highways Specification	Prior to occupation of development
Self-Build	To secure the provision of the dwellings as self-build	Compliance

Biodiversity Net Gain (off-site)	To secure off-site biodiversity net gain	Prior to commencement of development
Outdoor Sports	<i>Up to £21,635.26 to be allocated to project in Parish</i>	<i>Trigger to be agreed.</i>
Formal Children's Play Space	<i>Up to £31,844.08 to be allocated to project in Parish</i>	<i>Trigger to be agreed.</i>
Allotments and Community Facilities	<i>Up to £1,434.24 to be allocated to project in Parish</i>	<i>Trigger to be agreed.</i>
Indoor meeting space	<i>Up to £9,822.41 to be allocated to project in Parish</i>	<i>Trigger to be agreed.</i>
Green Infrastructure	<i>Up to £10,353.42 to be allocated to project in Parish</i>	<i>Trigger to be agreed.</i>
Burial Space	<i>Up to £1,890 to provide additional burial space</i>	<i>Trigger to be agreed.</i>
Indoor Sport	<i>Up to £5,683 to be allocated to project in Parish</i>	<i>Trigger to be agreed.</i>
Swimming	<i>Up to £6,337 to be allocated to project in Parish</i>	<i>Trigger to be agreed.</i>
S106 Administration, Monitoring and Compliance	£2,200 to monitor the development and to produce government reports	N/A

8.117 It should be noted by Committee Members that Officers are in on-going discussion with the Section 106 Officer and the Parish Council to secure the use of the planning obligations above. The final figures are to be confirmed as these discussions continue. As is outlined within the recommendation, Officers seek delegated authority to finalise these figures.

8.118 The planning obligations are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the required planning obligation(s) passes the tests set by the Community Infrastructure Levy Regulations 2010 and the South Cambridgeshire Local Plan (2018).

### **8.119 Other Matters**

#### Waste

8.120 The application has not been submitted with information to detail how household waste collection would operate, as such a condition will be added to secure a suitable arrangement would put in place across the site.

### Broadband

8.121 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.

### Contamination

8.122 The site is currently a grassland field. Contamination is therefore not likely however given the proposed end use for residential dwellings and gardens, there is a need to protect against the possibility of contamination discovered during the development. The Contamination Officer has been formally consulted on the application, and does not object to the application. The application has been submitted with a Phase I Site Investigation Report, which is considered to be suitable for an initial review of the site. The Contaminated Land Officer recommends that conditions be attached to require additional sampling and remediation to come forward. Officers suggest this is reasonable due to the sensitive end-use of the site.

### Archaeology

**8.123** 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.

**8.124** The Archaeology Officer has requested a condition to require a written scheme of investigation to come forward given the archaeological potential of the site. This is considered reasonable to ensure any discoveries are appropriately recorded in accordance with policy NH/14.

### **8.125 Planning Balance**

8.126 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).

### Summary of harm

8.127 The proposal is located outside of the development framework of Caxton which is an infill village, in which only 2 dwellings inside the framework would usually be permitted. It is acknowledged that the proposal would be

located outside the development framework boundary and exceed 2 dwellings, however it is concluded that this would result in minimal harm in terms of gradual encroachment, visual harm and incidental growth. The proposal would not result in any other harm to any of the matters outlined in the planning report subject to appropriate conditions and Section 106 agreement.

### Summary of benefits

8.128 The proposal would be located in a reasonably sustainable location and would result in only minimal visual harm to its surroundings. Importantly, it would make a contribution towards the significant self-build need in the district. It does not result in any other harm, and would otherwise comply with the policies in the Local Plan (2018).

8.129 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.

## **9 Recommendation**

9.19 **Approve** subject to:

- (i) The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers; and
- (ii) Satisfactory completion of a Section 106 Agreement which includes the Heads of Terms (HoT's) as set out in the report with amendments to the Heads of Terms as set out delegated to officers.

Conditions:

- 1 Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 No development shall commence until details of the appearance, means of landscaping, layout and scale for each plot on the site, (hereinafter called the 'reserved matters') have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: This is an Outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

- 3 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.

- 4 Any dwelling(s) submitted for consideration as part of a reserved matters application shall be limited to two storeys in height, and shall be no higher.

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

- 5 Prior to the submission of any reserved matters application, details of the layout of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include the layout and size of the housing plots proposed on the site.

Reason: To ensure that the layout of the site is appropriate to ensure ensure that the proposed development would not detract from the character and appearance of the area and would not adversely impact neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 6 Prior to the submission of any reserved matters application, details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to be being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;  
If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable,

unless the Local Planning Authority gives its written consent to any variation. This shall include details of the retention or improvement of the existing tree belts on the north, east and southern boundaries.

c) boundary treatments (including gaps for hedgehogs) indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 7 No development above ground level shall proceed on any dwelling approved as part of a reserved matters application, until an Energy Statement has been submitted to and approved in writing by the local planning authority for the approved dwelling. 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.

- 8 Any dwelling approved as part of a reserved matters application shall not be occupied until a water efficiency specification for the dwelling, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction in accordance with

Policy CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 9 A Landscape and Ecological Management Plan (LEMP) regarding the management of the orchard used to attain Biodiversity Net Gain shall be submitted to, and approved in writing by, the local planning authority development prior to any works taking place (including ground works and vegetation clearance). The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management,
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a thirty year period).
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

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

Reason: To ensure that an appropriate landscape and ecological management plan has been agreed for the proposed area of biodiversity net gain in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 10 Prior to, or concurrently with, the submission of the first approval of reserved matters a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing
- 11 The proposed development should be constructed in accordance with the submitted Flood Risk Assessment Proposed Residential Development Ermine Street, Caxton, Cambridgeshire CB23 3PR February 2023 (UPDATED) Revision D June 2023 By Encon Associates.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 12 No development above ground level shall commence on any dwelling approved as part of a reserved matters application until a scheme for the provision and implementation of foul water drainage for that dwelling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018.

- 13 No development (or phase of) shall take place, unless otherwise agreed, until:

- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination, based on the Phase 1 Desk Study, and remediation objectives have been determined through risk assessment. The resulting Phase 2 Intrusive Site Investigation Report is to be submitted to and approved in writing by the Local Planning Authority.  
b) A Remediation Method Statement containing proposals for the removal, containment or otherwise rendering harmless any contamination, based upon the Phase 2 Intrusive Site Investigation, has been submitted to and approved in writing by the Local Planning Authority.

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

- 14 The development (or each phase of the development where phased) shall not be occupied until the works specified in the approved Remediation Method Statement are complete and a Verification Report demonstrating compliance with the approved Remediation Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Policy SC/11 of the South Cambridgeshire Local Plan (2018).

- 15 If, during development, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the Local Planning Authority before any works proceed and shall



be fully implemented prior to first occupation of the development hereby approved.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Policy SC/11 of the South Cambridgeshire Local Plan (2018).

- 16 No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing.

For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a. The statement of significance and research objectives;
- b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c. The timetable for the field investigation as part of the development programme;
- d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021) and South Cambridgeshire Local Plan (2018) policy NH/14.

- 17 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with South Cambridgeshire Local Plan (2018) Policy HQ/1.

- 18 The access, hereby approved, shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the

adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: For the safe and effective operation of the highway, in accordance with South Cambridgeshire Local Plan (2018) Policy HQ/1.

- 19 No demolition or construction works shall commence on site until a construction traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
  - ii. Contractor parking should be within the curtilage of the site and not on street.
  - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
  - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: In the interests of highway safety, in accordance with South Cambridgeshire Local Plan (2018) Policy HQ/1.

- 20 No dwelling approved as part of any reserved matters application shall be occupied until details to show that car and cycle parking can be provided for the approved dwelling in accordance with the following have been submitted and approved in writing by the Local Planning Authority:

- (i) two car parking spaces per dwelling, at least one to be allocated within the curtilage of the site
- (ii) one cycle parking space per bedroom located in a covered, lockable enclosure.

Reason: To ensure that sufficient provision is given for car and cycle parking, in accordance with South Cambridgeshire Local Plan (2018) policy TI/3.

- 21 Any dwelling submitted as part of a reserved matters application, shall comply with the residential space standards set out in South Cambridgeshire Local Plan (2018) policy H/12 and the recommended garden sizes set of in the South Cambridgeshire District Design Guide (2010).

Reason: To ensure high quality amenity for future occupiers, in accordance with South Cambridgeshire Local Plan (2018) policies H/12 and HQ/1, and the District Design Guide (2010).

- 22 No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- 23 No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the period of development:

- a) full details of any piling technique to be employed, if relevant
- b) contact details for site manager, including how these details will be displayed on site.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- 24 As part of any reserved matters application, the site shall be laid out so that the site can be linked to the No. 4 Public Footpath that extends along eastern boundary of the site.

Reason: To ensure that the site is successfully integrated into sustainable travel routes in accordance with South Cambridgeshire Local Plan (2018) policy TI/2.

- 25 No development, except demolition or site clearance, shall commence until a scheme for the on-site storage facilities for waste, including waste for recycling, has been submitted to and approved in writing by the local planning authority. The scheme shall identify: the specific positions of where wheeled bins will be stationed for use by the resident. The quantity and capacity of the bins per property The walk distances for residents to the kerbside including the specific arrangements to enable collection from the kerbside or within 5m of the adopted highway/ refuse collection vehicle access point. Any designated Bin Collection Points, if practically needed. Details of the management arrangements if bins need to be moved to one designated collection points No residential unit shall be occupied until the approved arrangements for that particular unit have been provided and shall be retained as such unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To ensure that the need for refuse and recycling is successfully integrated into the development in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 26 Prior to the first occupation of the/any dwelling approved, 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.

Informatives:

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level.

To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features. In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactory and any defects remedied to ensure that the noise levels do not increase over time.

3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environment Planning Team.
4. This application is subject to a S106 planning obligation.
5. Public Footpath No. 4, Caxton must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and

contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway). The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).

6. No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
7. Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).

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#### 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