



Planning Committee Date	18 th December 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03837/FUL
Site	9 Longstanton Road Oakington And Westwick Cambridgeshire CB24 3BB
Ward / Parish	Oakington
Proposal	Demolition of existing garage and erection of a 2 bed dwelling
Applicant	Dr Geoffrey Butlin
Presenting Officer	Alice Young
Reason Reported to Committee	Departure Application
Member Site Visit Date	6 th December 2023
Key Issues	1. Principle of Development 2. Flood Risk
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the demolition of existing garage and erection of a 2-bed dwelling.
- 1.2 The site is located in Flood Zone 3 which means there is a high probability of flooding in this area. The NPPF states that new development should be steered to areas with the lowest risk of flooding, and that development should not be permitted if there are reasonably available appropriate sites in areas with a lower risk of flooding. The PPG (Planning Practice Guidance) classes residential development as not compatible within Flood Zone 3 and advises that residential development should not be permitted in this location.
- 1.3 Given that the Council has demonstrated a 5-year housing land supply and there is no good reason to reduce the sequential test geographic area, the applicant has not demonstrated that there are no other sites which are reasonably available for a dwelling. Therefore, the proposal fails the sequential test.
- 1.4 Despite this, officers consider that there are other material planning considerations which indicate the development should be supported as per Section 38(6) of the Planning and Compulsory Purchase Act 2004. The proposed dwelling would include flood mitigation measures (including raised finished floor levels) and floodplain compensation measures which total a net gain of 100.9m³ in floodplain storage. This would offset the flood storage impact arising from the location of an additional dwelling in the flood zone and would provide additional flood plain storage for the public, reducing the flood risk to the immediate community.
- 1.5 Officers therefore consider that when weighing up the public benefit against the harm arising from an additional dwelling being located in flood zone 3 that the flood compensation measures tilt the balance in favour of approving the development. A condition is recommended to secure the flood compensation measures proposed.
- 1.6 Officers recommend that the Planning Committee approve the development subject to the conditions listed at the end of this report.

2.0 Site Description and Context

None relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 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	
Outside development framework	x		

*X indicates relevance

2.1 The site application site forms part of the curtilage of No. 9 Longstanton Road, Oakington & Westwick, which is located on the western side of Longstanton Road. The development framework boundary transects the site through the garage and continues south-west towards the river parallel to the eastern application site boundary. The site is located in Flood Zone 3.

2.2 The area surrounding the site is predominantly residential, aside from the open countryside to the west. Longstanton Road is unusual in that there are several secondary roads with the same name. Access to the site is via one of these secondary roads which serves 5 dwellings (7-13 Longstanton Road and Whitehall Farmhouse). This access is approximately 3-4m in width.

3.0 The Proposal

3.1 The application seeks planning permission for the demolition of an existing garage and erection of a 2-bed dwelling. The footprint of the proposed dwelling would be larger than the existing garage, extending further to the south beyond the framework boundary. The dwelling would be prefabricated and comprise two bedrooms, bathrooms and studies, and a well proportionated kitchen and living room to the rear of the property opening out onto the south-west facing garden. The garden would extend to the southern boundary of the former residential plot, creating an angled elongated garden for both the host and proposed dwelling. The driveway would also be divided with space for two car parking spaces for both dwellings. Bin and bike stores are located to the front. A cycle store is also integrated into the rear of the property.

4.0 Relevant Site History

Reference	Description	Outcome
22/05601/CLUED	Certificate of Lawfulness under S191 to confirm that the two parcels of land registered under Title Reference numbers CB287154 and CB90500 have been in use as residential domestic garden land for in excess of 10 years.	Certificate Granted
22/00559/FUL	Demolition of the existing detached garage/store to be	Refused

replaced with a single storey two
bedroomed dwelling house and
associated residential garden

4.1 A recent application 23/01481/FUL for the existing garage and store and erection of a 2-bed dwelling is undergoing a Judicial Review due to a human error in the issuing of the decision. This decision has recently been quashed.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

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/7 Development Frameworks

S/10 Group Villages

CC/1 Mitigation and Adaptation to Climate Change

CC/3 Renewable and Low Carbon Energy in New Developments

CC/4 Water Efficiency

CC/6 Construction Methods

CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
NH/4 Biodiversity
H/12 Residential Space Standards
H/16 Development of Residential Gardens
SC/10 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/10 Broadband

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

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

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

Landscape in New Developments SPD – Adopted March 2010
District Design Guide SPD – Adopted March 2010

5.6 Other Guidance

5.7 Greater Cambridge Housing Strategy 2019 – 2023

6.0 Consultations

6.1 **Parish Council – No objections.**

6.2 County Highways Development Management – Object

6.3 The applicant has failed to provide a drawing showing the required inter vehicle visibility splays. The Local Highway Authority requests that a plan showing the visibility splays is provided prior to determination of the application. The visibility splays should have the dimensions of 2.4 metres by 43 metres as measured from and along the nearside edge of the carriageway and be provided on both sides of the access. However, if the applicant can provide empirical data, in the form of speed and traffic flows and subjective observations, these will be considered by the Highway

Authority and the use of the lower visibility splays as detailed in Manual for Streets may be applicable.

6.4 Sustainable Drainage Officer – No comments received.

6.5 Environment Agency – No Objection

6.6 Subject to the following conditions:

- Revoking PD rights for structures and ground raising

6.7 We have reviewed the submitted Flood Risk Assessment (FRA) dated October 2023, ref. 2941 – FRA Rev E, and are pleased to see that full details of proposed floodplain compensation have been provided, with a net gain of 100.9m³ of floodplain storage proposed.

6.8 We strongly recommend that the mitigation measures proposed in the submitted FRA are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set at 10.2mAOD.
- Compensatory flood storage will be provided within the site, as detailed in section 4.4 and in drawing no. 2941-03 Rev A in Appendix 14 of the FRA.

6.9 Conservation Officer –No Objection

6.10 Ecology Officer –No Objection

6.11 Subject to the following conditions:

- Works to be carried out in accordance with the PEA
- Scheme of ecology enhancements
- Lighting design strategy
- BNG if development is over 25m² of qualifying habitat

6.12 The Ecological Method Statement for great crested newt, reptiles and badger references the previous application number, but the information has suitable precautionary measures as identified in the Preliminary Ecological Appraisal.

6.13 Environmental Health –No Objection

6.14 Subject to the following conditions/ informatives:

- Construction hours
- Air source heat pump informative
- Noise impact informative

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

8.1 Not applicable

9.0 Local Interest Groups and Organisations / Petition

9.1 Not applicable

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

10.0 Assessment

10.1 Principle of Development

10.2 A recent certificate of lawfulness 22/05601/CLUED confirms that two parcels of land registered under Title Reference numbers CB287154 and CB90500 have been in use as residential domestic garden land for in excess of 10 years. This certificate demonstrates that the garden associated with 9 Longstanton Road includes the land before the pond. This includes the garden area where the proposed dwelling is to be erected.

10.3 The Oakington Village Framework cuts through the application site approximately 7.8m from the northern site boundary, so that approximately half of the existing double garage falls outside of the development framework. The proposed dwelling would partially fall outside the development framework.

10.4 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.

10.5 Currently there is not an adopted neighbourhood plan for Oakington and therefore there are no allocated sites available for development outside of the development framework of Oakington. Furthermore, the proposal is not for the use of agriculture, horticulture, forestry or outdoor recreation that need to be located within the countryside.

10.6 Nonetheless, as determined by the certificate of lawfulness the site is considered garden land, the principle of development could be supported if it complies with policy H/16. Policy H/16 allows for development of residential gardens where there would be no significant harm to the local area, residential amenity or any adverse harm to heritage assets, arising from the proposed siting, design, scale, and materials. Other matters covered by H/16 include safe vehicular access, on-site parking, and

impact on biodiversity. This will be fully assessed in the following sections of the report.

10.7 Furthermore, Oakington village is classed a group village in the settlement hierarchy, with policy S/10 supporting development of up to 8 dwellings within development frameworks. This shows that the quantum of development here is proportionate to the village, its facilitates and sustainability.

10.8 The principle of the development is therefore acceptable and in accordance with policies S/7, S/10 and H/16 of the South Cambridgeshire Local Plan (2018).

10.9 Design, Layout, Scale and Landscaping

10.10 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

10.11 The proposal seeks to subdivide the existing plot of No. 9 Longstanton Road and erect a new dwelling to the north within the garden of No.9. Previously a similar application was refused due to the proposal encroaching into the countryside and urbanising the plot, contrary to the character of the area. As the CLUED establishes the site as garden land, officers can no longer consider the proposal to encroach upon the open countryside.

10.12 The proposed single storey dwelling would have a simple pitched roof form utilising vertical timber cladding and would replace the existing garage which is located within the eastern section of the site, within close proximity of other built form. Given this alongside, the varied pattern of development within the immediate context, officers do not consider that the siting of the dwelling would be harmful to the character of the area. The character of the surrounding properties varies with both modern and traditional dwellings present. The proposed bungalow is in a tucked away location, not visible from Longstanton Road, only visible from the existing access to no.9, and from private land. Given this relationship, the design clearly draws inspiration from no.9 in terms of materiality with vertical cladding. Therefore, by virtue of the siting, scale, massing and design, officers consider that the proposal would not harm the character of the area.

10.13 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.

10.14 Trees

- 10.15 Policies NH/2, NH/4 H/16 and HQ/1 seek to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 10.16 The site contains several trees which contribute to the character of the site but are not visible from surrounding public viewpoints. As such, the amenity value attributed to the trees is limited to private views. These trees are also not protected by a tree protection order or by virtue of being within the conservation area.
- 10.17 The applicant intends on retaining the existing trees on site and the proposed dwelling would not extend to significantly closer to the trees on site. A condition to prevent machinery being located within 5m of the tree trunks is considered reasonable to prevent damage to surrounding trees.
- 10.18 Subject to conditions as appropriate, the proposal would accord with policies NH/2, NH/4, HQ/1, H/16 (vii) of the Local Plan.

10.19 Carbon Reduction and Sustainable Design

- 10.20 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.
- 10.21 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m² or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 10.22 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.
- 10.23 The Planning Statement details that the proposed dwelling would be prefabricated and energy efficient with a high level of insulation and air-tight construction. The dwelling would also utilise recycled grey water from the lake to the south-west of the dwelling for toilets; all rainwater would be directed into this lake and the design also incorporates solar panels for electricity generation.
- 10.24 No evidence has been submitted to demonstrate that the proposal would meet the required 10% carbon reduction from part L of building regulations and achieve water efficiency equivalent to 100 litres per person per day. However, officers are satisfied that the proposal can meet the policy requirements, and this can be secured via condition. These conditions are

reasonable and necessary to impose to ensure the development adopts sustainable design principles.

- 10.25 The applicants have suitably addressed the issue of sustainability and renewable energy and 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.

10.26 Biodiversity

- 10.27 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.28 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out that (set out estimated net gain) in the risk assessment for great crested newts that an offence is highly unlikely, that there are suitable habitats for reptiles on site and that the garage has a negligible bat roost potential.
- 10.29 A preliminary ecological appraisal and a ecological method statement for Great Crested Newts, reptiles and badgers has been submitted in support of the application.
- 10.30 The Ecology Officer has no objections subject to several conditions requiring:
- works to be carried out in accordance with the submitted preliminary ecological appraisal
 - submission of a scheme of ecology enhancements
 - submission of a lighting design strategy
 - biodiversity net gain if development is over 25m² of qualifying habitat
- 10.31 Officers note that these conditions differ to that previously recommended by the Ecology team with further details required on ecology enhancements and lighting. Given the scale and nature of the proposal alongside the existing circumstances, officers do not consider it reasonable or proportionate to require details of external lighting. Ecology enhancements were proposed within the preliminary ecological appraisal (PEA) and given that a condition will secure works to be carried out in accordance with the PEA, officers consider the submission of a scheme for ecological enhancements beyond what is in the PEA would be unreasonable and unnecessary.

- 10.32 A condition securing biodiversity net gain on site is considered reasonable and necessary given the scale of the development proposed.
- 10.33 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.

10.34 Water Management and Flood Risk

- 10.35 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 10.36 The proposed development would be sited within a Flood Zone 3 which means there is a high probability of flooding in this area.
- 10.37 The NPPF states that new development should be steered to areas with the lowest risk of flooding, and that development should not be permitted if there are reasonably available appropriate sites in areas with a lower risk of flooding. The PPG (Planning Practice Guidance) classes residential development as not compatible within a Flood Zone 3 and advises that residential development should not be permitted in this location.
- 10.38 There are two stages of assessment on flood risk for development in flood zone 3: a sequential test for the location of the development and the exception test to assess the wider sustainability benefits to the community that outweigh the flood risk.

Sequential test

- 10.39 The NPPF is clear that the sequential test is designed to steer new development to areas with the lowest risk of flooding and that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in the area with a lower risk of flooding. The PPG states that in high-risk areas (such as Flood Zone 3), development shall only pass the sequential test if there are no reasonably available sites in a low and medium risk areas.
- 10.40 The agent argues that the land is in the ownership of the applicant and the applicant does not own any other sites located in areas of low or medium risk which therefore means that the site meets the sequential test. Officers disagree and consider that the development fails to meet the sequential test. There are other areas nearby that are not within Flood Zone 3 where such development could and should be cited. In this instance there are other areas within the district that can supply the housing need and the LPA can demonstrate a 5-year land supply, so there is sufficient housing in the district outside of flood zone 3 to meet need/ demand. It is important to note the sequential test should be applied to the whole district and not just the application site or only land within the ownership of the applicant.

With the 5-year land supply demonstrated the development does not pass the sequential test. Overall, given the inability to pass the Sequential test in this case, the application is considered to fail to comply with the NPPF, PPG and policies S/7 and CC/9 of the Local Plan 2018.

Exception test

- 10.41 From the PPG, it appears that the exception test cannot be carried out in instances where the development fails the sequential test. Therefore, technically the proposed development fails the exception test.

Flood compensation and mitigation

- 10.42 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.43 The applicants have submitted a site-specific Flood Risk Assessment which details proposed flood mitigation measures for the proposed dwelling and floodplain compensation with a net gain of 100.9m³ of floodplain storage. The proposed dwelling would be set at 10.2 metres AOD which provides 980mm freeboard against a 1 in 100 year plus climate change level and significantly above any water level likely to occur at the site in a more extreme event (compared to the standard 300mm). The flood compensation consists of lowering ground levels of the lake adjacent to the site in the ownership of the applicant to provide additional flood storage. The dwelling would amount to a loss of 14.4m³ and the proposal would add 100.9m³ of storage. This would result in offsetting the flood impact arising from the location of an additional dwelling and would provide additional flood plain storage for the wider public / community.
- 10.44 The Environment Agency have no objection to the proposed development subject to a condition requiring compliance to the flood risk assessment including the compensatory flood storage proposed (as detailed in section 4.4 and in drawing no. 2941-03 Rev A in Appendix 14 of the FRA).
- 10.45 Taking the above into account, officers consider that there are material planning considerations which indicate the proposal should be supported on flooding grounds. The proposal demonstrates adequate flood mitigation for the proposed dwelling that will make it safe for its lifetime and delivers a flood storage betterment which will reduce the risk of flooding for the community. Therefore, officers consider that, while there is harm arising from the location of the development in flood zone 3, the flood compensation and mitigation measures proposed would outweigh this harm. The proposed development would therefore be acceptable in terms of flood risk.

10.46 There is conflict with the NPPF, PPG and policies S/7 and CC/9 arising from the location of the development. However, the proposed development, which includes mitigation and compensation, is considered compliant with policy when viewed as a whole.

10.47 Highway Safety and Transport Impacts

10.48 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.

10.49 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.

10.50 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.51 The proposal would utilise the existing access from Longstanton Road which is currently used by the occupiers of No. 9. The Highway Authority have objected to the application due to the lack of visibility for safe egress and ingress. However, this access arrangement in the previous application was considered acceptable and would not result in a highway safety impact. This is because the access is existing, there is adequate space to turn a motor vehicle around within the wider site and the use of the existing access would not overly intensity. It is concluded that the proposal would not have a detrimental impact upon highway safety within the local area. Since this application, there have been no changes in policy and the quantum of development remains the same.

10.52 The proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

10.53 Cycle and Car Parking Provision

10.54 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

10.55 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or

garage, for flats either individual lockers or cycle stands within a lockable, covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.

- 10.56 Two cycle stores are proposed one to the front of the property and one to the rear. This is sufficient to provide the minimum quantum required by policy. No elevational details have been provided for the cycle store to the front, these details will be secured via a condition which will also require the cycle stores to be erected prior to first occupation.

Car Parking

- 10.57 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage.
- 10.58 The proposal offers sufficient space to accommodate two parking spaces and therefore is compliant with this Policy and is acceptable in this sense.
- 10.59 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking. A condition will secure compliance to this.
- 10.60 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

10.61 Amenity

- 10.62 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 10.63 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.

Neighbouring Properties

- 10.64 No. 11 is north of the proposed dwelling. It was concluded that the previous proposal would not result in a harmful overbearing, overshadowing or overlooking impact to no.11. The proposed dwelling is sited in the same location and is taller than the previous proposal, but its

length has reduced. The proposed dwelling would also be angled away from the rear habitable room and patio of no. 11. When comparing the proposal to the existing garage, the proposed dwelling would have a ridge height 2m higher than the existing garage. However, the ridge would be sited approximately 3m further away from this common boundary with no.11 than the garage. It is also important to note that the proposed dwelling is set approximately 0.5m off the boundary whereas the existing garage is on the boundary and the proposed dwelling is comparable in length to the garage. Taking this into account, officers consider that on balance the increase in height would not result in a significant overbearing or overshadowing impact to no. 11's rear garden or habitable rooms. No windows are located on the northern elevation and roof lights are proposed to be above 1.7m (head height). As such, by virtue of the scale, massing, design and proximity to no. 11, officers conclude that the proposal would not harm the amenity of no.11.

10.65 No. 9 is south of the proposed dwelling. Given the scale, massing and design of the proposal in relation to no.9, officers are satisfied that a harmful amenity impact would not arise from the development.

10.66 The proposal is compliant with South Cambridge District Council Local Plan (2018) policies H/16 and HQ/1.

Future Occupants

10.67 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.

10.68 The gross internal floor space measurements for dwellings exceed the internal minimums detailed in policy H/12 and the National Space Standards (as shown below). All habitable rooms would experience a good outlook, light levels and ventilation. The rear garden would be a generous size for the intended occupiers, significantly exceeding the standard outlined in the District Design Guide for a rural setting which is 80m². Therefore, officers requested for the layout of the rear gardens to be amended to enhance the amenity for future occupiers.

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	4	6	1	99	172	+73

10.69 The proposal is compliant with South Cambridge District Council Local Plan (2018) policies H/16, H/12 and HQ/1.

Construction and Environmental Health Impacts

- 10.70 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.
- 10.71 The Council's Environmental Health Team have no objections to the proposal subject to a condition restricting construction hours and several informatives. Officers consider that, given the access to the site and the relationship between the site and its neighbours, this restriction on construction hours is reasonable and necessary to avoid excessive noise and disturbance to neighbours during construction.
- 10.72 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.

10.73 Other Matters

- 10.74 Bins are proposed to the front. No details of the enclosures are proposed. These will be secured via condition.
- 10.75 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.

10.76 Planning Balance

- 10.77 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

- 10.78 There is harm arising from the location of the proposed dwelling in flood zone 3. The NPPF is clear that the sequential test is designed to steer new development to areas with the lowest risk of flooding and that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in the area with a lower risk of flooding. The proposal fails to demonstrate that no other sites with a lower risk of flooding are reasonably available and therefore fails the sequential test.

Summary of benefits

10.79 While the proposed dwelling would fall within flood zone 3, to alleviate flood risk, flood mitigation measures for the proposed dwelling and flood compensation measures for the proposed dwelling and wider village are proposed. The flood compensation consists of lowering ground levels of the lake adjacent to the site in the ownership of the applicant to provide additional flood storage. The dwelling would amount to a loss of 14.4m³ and the proposal would add 100.9m³ of storage. This would result in offsetting the flood impact arising from the location of an additional dwelling and would provide additional flood plain for the public. This is given moderate weight.

Level band	Flood Storage Loss	Flood Storage Gain	Net Increase in Flood Storage at Site
8.8 to 9.02m AOD	0m ³	68.6m ³	68.6m ³
9.02 to 9.22m AOD	14.4m ³	46.7m ³	32.3m ³
Total	14.4m ³	115.3m ³	100.9m ³

Table 4.1: Summary of Flood Storage Gains at Proposed Development

- 10.80 The development would result in a sustainably constructed and designed home located in a reasonably sustainable location adjacent to the development framework boundary of a group village. This home would therefore have access to the facilities in Oakington, including the cycle way along the guided busway. The dwelling would be generous sized internally and externally, leading to a high amenity for future occupiers.
- 10.81 The proposed dwelling meets the definition of a self-build and there were 82 people added to the self-build register between 31/10/22 to 31/10/23 with the previous two years needs being unfulfilled. While the proposal would make a very limited impact on meeting this need, it still will aid delivery of one self-build home.
- 10.82 The proposal would also provide economic benefits through employment during construction as well as providing a further home to support the village economy.
- 10.83 When weighing up the harm against the benefits detailed above, officers conclude that the public benefits outweigh the harm in this instance.
- 10.84 These flood compensation measures will be secured via condition as they are integral to the tilting of the planning balance.
- 10.85 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to conditions.

11.0 Recommendation

11.1 Approve subject to:

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

Planning Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 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.

- 3 No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;

ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;

iii) Identification of the existing habitats and their condition on-site and within receptor site(s);

iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;

v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data

as appropriate to criterion v) shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

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

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

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

- 5 The development hereby approved shall not be used or occupied until a water efficiency specification, based on the BREEAM Wat01 Water Calculator Methodology, has been submitted to approved in writing by the local planning authority. The specification shall demonstrate the achievement of 2 credits for water efficiency (Wat01).

The development shall be implemented 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.

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

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

- 7 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.

- 8 The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure parking of cycles and covered refuse arrangements for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles and refuse in accordance with Policy HQ/1 and TI/3 of the South Cambridgeshire Local Plan 2018.

- 9 Prior to the occupation of the development hereby approved, an electric vehicle charge point shall be provided for the proposed dwelling. The active charge point should have a minimum power rating output of 3.5kW.

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

- 10 The development hereby permitted shall be in accordance with the Flood Risk Assessment dated October 2023, ref. 2941 - FRA Rev E, which includes the compensatory flood storage detailed in section 4.4 and in drawing no. 2941-03 Rev A in Appendix 14 of the Flood Risk Assessment. No development shall commence until these flood compensatory works have been provided and operational.

Reason: To prevent the increased risk of flooding in accordance with Policy CC/9 of the South Cambridgeshire Local Plan 2018.

- 11 All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (MKA

Ecology, February 2022) and Ecological Method Statement for great crested newt, reptiles and badger (MKA Ecology, September 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and reenacting that order with or without modification, no structure or enlargement to the dwellinghouse shall be erected and no ground raising shall take place below the flood contour line of 9.22mAOD, as delineated on drawing no. 2941-01 Rev D in Appendix 8 of the FRA, unless allowed by the granting of specific planning permission.

Reason: To ensure there is no loss of floodplain or impact on flood flow routes that could result in an increase in flood risk elsewhere in accordance with Policy CC/9 of the South Cambridgeshire Local Plan 2018.

- 13 No materials shall be stored within a 5 metre radius of any tree trunk during construction of the development.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (South Cambridgeshire Local Plan 2018 policies NH/2, NH/4, HQ/1, H/16).

- 14 No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments (including gaps for hedgehogs) to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 15 No dwelling, hereby permitted, shall be occupied until the curtilage of that dwelling has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to safeguard the privacy of adjoining occupiers in accordance with HQ/1 of the South Cambridgeshire Local Plan 2018.

Informatives

Noise impact

1. 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.

Air source heat pump

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.

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