

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 September 2011

**AUTHOR/S:** Executive Director (Operational Services) /  
Corporate Manager - Planning and New Communities

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**S/0983/11 –MILTON**

**Outline application for demolition of existing buildings, removal of existing pylons/masts from training grounds, and construction of up to 89 dwellings (including affordable housing), restoration of North Lodge, restoration of Humphrey Repton Landscape, provision of formal and informal open space including sports pavilion and children's play equipment, provision of associated landscaping and improvements to existing access  
At EDF Depot, Ely Road, Milton, Cambridge  
For Helical (Milton) Ltd.**

**Recommendation: Delegated Minded to Approve**

**Date for Determination: 12 August 2011**

**Notes: This Application has been reported to the Planning Committee for determination because the recommendation of approval is contrary to that of the Parish Council and is a departure to the development plan.**

**Major application**

**Departure**

**Site and Proposal**

1. The site lies to the north of the main village of Milton and in the Green Belt. It measures approximately 8.2ha in total and comprises 2 adjoining areas of land. Access is gained off the west side of Ely Road, between Milton Hall and the College of West Anglia. To the north of the access is a 0.75ha open area of land, partly comprising a disused and overgrown car park, and the vacant North Lodge to Milton Hall. North Lodge also has a separate pedestrian access via historic gates on Ely Road. Trees and hedges mark the boundaries to the road (west), north and east. The second area of the site lies beyond the first area, but south of the access / behind Milton Hall. It is the larger area and comprises a disused depot with several utilitarian buildings and hardstandings. This built development is located in the distinct area occupying approximately the north-west quarter of the site. The remainder of the site is open grassland and with a significant tree belt and lake along the southern boundary. This is said to be a landscape designed by Humphrey Repton for Milton Hall. It is presently also occupied by many overhead power lines and telegraph poles, associated with its former use by EDF as a training facility. These would be removed as part of the application proposal. Adjacent to the northern boundary of the site is a tall telecommunications lattice mast with many attachments and associated buildings around its base. These would all be retained as part of the proposal.
2. To the south of the site is the Milton Children's Hospice and beyond that the built up residential area of the village. To the west are All Saints Church and Milton

Hall with its modern office wing extensions projecting towards the site, along with a further modern office building with its car park. To the north is the College of West Anglia. Most of the north, east and part of the southern boundaries back onto open agricultural land (apart from some riding stables to the north of the mast area), with the railway lying further east and the site for the Cambridge rowing lakes beyond that.

3. The southern and western parts of the site lie within the Conservation Area and in close proximity to three listed buildings, Milton Hall (Grade II), All Saints Church (Grade II\*) and North Lodge (Grade II). Trees within the Conservation Area are afforded statutory protection. The site also lies within Flood Zone 1 (low risk).
4. The outline planning application, validated on 13 May 2011, seeks permission for the demolition of all buildings apart from North Lodge and those associated with the transmitter mast, the removal of the pylons / telegraph poles and overhead lines from the site, the construction of 89 dwellings of which 35 units (39%) would be affordable, the restoration of North Lodge for use as a single dwelling, provision of formal and informal open space with associated pavilion and equipped play area, associated landscaping including restoration of the Repton-style landscape. All matters are reserved apart from the details of the access into the site, but illustrative material has been submitted to show how the built development could be accommodated within the area occupied by the current buildings.
5. The main area for housing development is 3.28ha in size. The erection of 89 dwellings equates to a density of 27 dwellings per hectare.
6. The application is accompanied by supporting documentation including a Planning Statement, Design and Access Statement; Heritage Appraisal; Heritage Design Report; Landscape and Visual Assessment; Affordable Housing Statement; Flood Risk Assessment; Human Health Risk Assessment; Site Investigation, Risk Assessment and Development of Remediation Strategy; Archaeological Evaluation Report, Aerial Photographic Assessment, Geophysical Survey and Archaeological Desk-Based Assessment; Transport and Accessibility Report; Residential Travel Plan; and Ecological Appraisal. Also submitted are parameter plans for land use, building heights and housing mix.
7. A section 106 Agreement would accompany any grant of permission, and this would require a pavilion with parking and cycle parking, 2 football pitches and a play area. These are shown on the proposed plans. A bus stop on Ely Road is also proposed.

### **Relevant Planning History**

8. Outline permission was granted in 2009 (ref. **S/1601/09/O**) and detailed permission for all reserved matters except landscaping in 2010 (ref. **S/1730/09/RM**) for the redevelopment of the site for 101 retirement units (including the restoration of North Lodge as one unit), facilities building, warden's accommodation, playing fields, pavilion play area and landscaping. This has not been implemented due to market conditions.
9. Earlier planning history from the 1990s associated with the Eastern Electricity / EDF use includes the erection of office and store buildings, the use of a building as a training school, and a 3m high perimeter security fence. Prior to the training facility use, it was a depot for the storage and distribution of materials and a base

for operations in connection with the maintenance of the electricity supply network.

10. Other planning history relates to the telecommunications mast, various antennae and associated equipment cabin buildings.
11. North Lodge obtained listed building consent in 1994 and 2002 for works including alterations and reinstatement of chimneys, doors and windows, walls and gates, and a damp proof course. Planning permission was granted in 2002 for a garage/utility room and fences and gates.

### **Planning Policy**

12. National Policy  
**PPG2: Green Belts**  
**PPS3: Housing**  
**PPS7: Sustainable Development in Rural Areas**  
**PPS13: Transport**
13. South Cambridgeshire Local Development Framework Core Strategy 2007  
**ST/1 Green Belt**  
**ST/2 Housing Provision**  
**ST/3 Re-Using Previously Developed Land and Buildings**  
**ST/6 Group Villages (including Milton)**
14. South Cambridgeshire Local Development Framework Development Control Policies 2007  
**DP/1 Sustainable Development**  
**DP/2 Design of New Development**  
**DP/3 Development Criteria**  
**DP/4 Infrastructure and New Developments**  
**DP/6 Construction methods**  
**DP/7 Development Frameworks**  
**GB/1 Development in the Green Belt**  
**GB/2 Mitigating the Impact of Development in the Green belt**  
**GB/5 Recreation in the Green Belt**  
**HG/1 Housing Density**  
**HG/2 Housing Mix**  
**HG/3 Affordable Housing**  
**ET/6 Loss of Rural Employment**  
**SF/6 Public Art**  
**SF/10 Outdoor Play Space, Informal open Space and New Developments**  
**SF/11 Open Space Standards**  
**NE/1 Energy Efficiency**  
**NE/2 Renewable Energy**  
**NE/4 Landscape Character Areas**  
**NE/6 Biodiversity**  
**NE/9 Water and Drainage Infrastructure**  
**NE/10 Foul Drainage**  
**NE/11 Flood Risk**  
**NE/12 Water Conservation**  
**NE/14 Lighting Proposals**  
**NE/15 Noise Pollution**  
**CH/1 Historic Landscapes**  
**CH/2 Archaeological Sites**  
**CH/3 Listed Buildings**

**CH/4 Development within the Curtilage or Setting of a Listed Building**  
**CH/5 Conservation Areas**  
**TR/1 Planning for More Sustainable Travel**  
**TR/2 car and Cycle Parking Standards**  
**TR/3 Mitigating Travel Impact**  
**TR/4 Non-Motorised Modes**

15. District Design Guide SPD - Adopted March 2010  
**Trees and Development Sites SPD (2009)**  
**Open Space and New Developments SPD (2009)**  
**Landscape in New Developments SPD (2010)**  
**Listed Buildings SPD (2009)**  
**Development Affecting Conservation Areas SPD (2009)**
16. **Circular 11/95 (The use of Conditions in Planning Permissions)**  
Advises that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.
17. **Circular 05/2005**  
Advises that planning obligations must relevant to planning, necessary, directly related to the proposed development to be permitted, fairly and reasonably related in scale and kind and reasonable in all other respects.
18. **The Town and Country Planning (Consultation) (England) Direction 2009**  
This sets out the circumstances in which local planning authorities are to refer to the Secretary of State applications for planning permission, including those decisions which are departures from the development plan.

**Consultations**

19. **Milton Parish Council** recommends refusal of the application on the following grounds:
  - (a) Traffic – the two junctions Knights Way/Ely Road/High Street and Landbeach Road/Humphries Way/A10 are difficult junctions to negotiate at peak hours. As most of the traffic emanating from this development will use these two junctions and almost certainly at peak hours it is imperative that a scheme to alleviate the difficulties at these junctions is designed.
  - (b) Parking spaces allocated are inadequate especially as the trend is for householders to use their garages for purposes other than parking their cars.
  - (c) Details of the S106 Agreement must be re-negotiated. We prefer that to happen before the full planning application is granted.
  - (d) The terrace facing along the southern side is completely out of keeping with anything else in the village. We believe that this should be “broken” up.
  - (e) We would like the rest of the grass areas made available for recreation use – not just the area to the east of the development.
  - (f) As the site is partly in and adjacent Milton’s Conservation Area and Green Belt, underground cables should be installed as part of the design.

The agent has addressed these points directly with the Parish Council and any further comments from the Parish Council will be reported by way of an update.

20. **Local Highway Authority** requests conditions regarding contractors' traffic, delivery routes to avoid the village of Milton, survey of the condition of Ely Road (for allocation of future repairs), and the provision of a highway design code to work to at the Reserved Matters stage. It is also considered that the proposed development will generate fewer vehicles than the extant consented use on the site. In addition to the provision of a new bus stop on Ely Road, in the vicinity of the site access, a residential travel plan should also be provided.
21. **The Environment Agency** has no objection, in principle, but would require further information demonstrating that the proposed development can go ahead without posing an unacceptable flood risk and/or risk of pollution to the water environment. The revised Flood Risk Assessment (FRA) is fully acceptable for the scale and nature of the development. It satisfactorily demonstrates that the site is still situated within Flood Zone 1 (low risk) and appropriately outlines a new surface water strategy that will be managed in a way so as not to adversely affect third parties, subject to detailed design.

As the matters referred to in the suggested planning conditions are not “reserved matters” as defined in the Town and Country Planning Act, 1990, it will be necessary to impose a separate condition for each issue to ensure that these matters are addressed by the future developers, namely a surface water drainage scheme, a scheme to deal with the risks associated with contamination and subsequent verification of any remediation required, and ecological enhancement.

22. The **County Council Rights of Way and Access Team** is concerned that the development only seems to be accessible from the main vehicle entrance. "We appreciate that the 'red line' limits what the developer can deliver (especially given the sensitivity of the hospice) in terms of access to (1) the village and to the country park and (2) to the proposed future site of the Sport Lake access paths (as screenshot below, from the Sport Lakes website), but we would suggest that there is considerable scope through negotiation with surrounding landowners for the County as Highway Authority to deliver this access through s106, in line with current Policy to help deliver a more permeable (for pedestrians, cycles, and possibly equestrians (noting the proximity to the College equestrian centre)) solution".
23. **Cambridgeshire County Council (as education authority)** had pre-application discussion with the agent and has agreed S106 contributions towards the provision of education arising from the development.
24. **Cambridgeshire County Council's Archaeologist** has no objection subject to a suitable mitigation strategy to preserve the archaeological interest of the area. It is concerned that several elements of the proposals may be in conflict with each other and that the applicant has not understood the implications of the development on the historic environment in relation to archaeology. A strategy is needed for the residential development footprint, football pitches and works to enhance the lakes and new landscape planting. It notes that parts of the site have been found to have significant contamination and in these areas specialised excavation apparatus and measures, prior to decontamination works need to be considered at an early stage as part of the strategy and developer's risk management. It is concerned about the implications of developing the football pitches and removing cables and telegraph poles due to the potential to disturb archaeological evidence relating to Roman settlement (a cropmarked site). A strategy for the laying out of these pitches e.g. drainage, levelling etc. is required to preserve in perpetuity the archaeological remains. Documentation incorrectly

states that archaeological investigations have been completed at the site. It acknowledges that it is suggested a staged archaeological condition would be required releasing land area by area and by stage of archaeological programme. It recommends that further information be sought prior to determination in the form of a considered strategy.

25. **The Housing Strategy Manager** notes that the district wide targets for tenure mix of new affordable housing is 70% social rent and 30% intermediate housing, however the greatest demand is for social rented properties. With the changes to the HCA funding it is accepted that this tenure mix may not be financially viable, and so the proposed 50/50 split is considered acceptable.

Proposals for the size of the affordable dwellings should be informed by the housing register data, and the village and parish housing needs surveys (were exception sites are proposed especially); the 2005 Milton housing needs survey states that 88% of households require 1 or 2 bedrooms and 11% require 3 bedrooms. The application proposes 6, 1no. bedroom flats, 12, 2no. bedroom flats, 12, 2no. bedroom houses and 5, 3no. bedroom houses. The dwelling size proposals for the affordable housing are in accordance with both the parish and district profile and are therefore acceptable.

There is no requirement for this site to be made available for people with a local connection to Milton, as the site is not an exception site. The dwellings would be open to all applicants who are registered on the Councils Home Link system. South Cambridgeshire District Council has a legal obligation to give reasonable preference to all applicants assessed and placed in the highest housing need.

The properties should meet the Homes and Communities Agency, Design and Quality Standards. The application proposes that the affordable housing will be integrated within the development in terms of spatial distribution and appearance and this proposed layout has the support of the affordable housing team.

Whilst this application does not quite meet the required 40% affordable housing the application is acceptable in terms of dwelling size, tenure split and distribution in relation to the proposed affordable dwellings.

26. **The Landscape Design Officer and Trees Officer** - Although the Landscape Plan is acknowledged as being illustrative, it, together with the other documents, should firmly establish intentions and principals regarding important landscape features and themes.

#### *North Lodge Area*

- 1) The car parking for North Lodge itself should be slotted between the trees south of the Lodge, rather than to the east where it will form a visual stop to the entrance roadway.
- 2) The Corsican Pine trees and significant apple trees south and west of the lodge should be retained (assuming a fair condition) – they are shown as removed on the Landscape Strategy Plan.
- 3) The area also contains some significant Pine and Pear trees, which I was not aware of, as they had not appeared on drawings presented at the meetings. These are described as in 'Good' condition (category B) in the tree report, and would be lost if the car parking (and SUDs) are constructed in the locations shown. I assume it is a principal that all good trees will be

retained unless their removal is essential for construction or enhances the landscape.

- 4) The balancing pond was also missed, as it is not particularly clear on figure 5 - Landscape Strategy Plan (I thought it was a patch of meadow!). This pond will need careful design as it will be the major landscape feature of the entrance to the site, and will form the foreground of views to North Lodge
- 5) As it is in such a sensitive location, I think there should be some description of how this feature is intended to look and whether or not it will contain permanent water - Balancing ponds can look fairly 'industrial'. Does the drainage system need to be split into NW and SW as shown? (D&AS page 48). A principal of the design was that surface water drainage is to be used to top up the lake levels. Will there be enough water from the SW area alone, particularly as a significant percentage will be lost due to evaporation, infiltration under car parks, in swales etc. If released slowly as suggested the water will also spend a considerable time underground in pipes and cells, reducing water quality.

#### *Main Development*

- 1) Further thought is needed to access and parking courts of the blocks immediately north of Milton Hall, and access to the parkland from the green space.
- 2) Some houses in the central area seem to be within 5 metres of the pylon with no screening between. A house in this area also has its rear garden filled with a garage.
- 3) Stronger Landscape treatments are needed where roads and car parking meet the parkland e.g. west of the playground and around the pavilion.
- 4) Parking courts back onto each other at the south-east end of the development – an inhospitable space which could use some landscape to break it up.
- 5) Trees should form part of the street scene along the main route – e.g. at traffic calming points.
- 6) Trees in the green fingers and along the southern edge will need to be carefully positioned to preserve the views between the farmland and the park.
- 7) Landscape not needed to the east of the pavilion – views needed over the sports pitches?
- 8) Trees around the pavilion – it was agreed to stop the main street with a main large, feature tree, possibly with other supporting trees. However, the planting to the east of the pavilion would block views to the pitches from the pavilion. Without knowing the layout of the pavilion, a principal of its construction could be a viewing/access area on its east side.

#### *Woodland and lake*

- 1) Some description of the type of surface water drainage throughout the site is needed, and how surface water will reach the lake.
- 2) Access to some parts of the woodland should be noted and south lakeshore should be noted and shown on the drawings, as previously agreed. As far as I am aware it has always been a principal of the design that there will be limited access to the southern shore of the lake and woodland. Figure 4.11 shows this. Residents and visitors will want to explore the woods to some extent and so this should be acknowledged and safe, low-key provision made by a replacement bridge (also for maintenance access) and bark paths through the woodland, occasional benches etc. Access would be discouraged to the eastern 60% or so of the woodland, which would be managed to enhance the ecological environment.

The Trees and Landscape Officer requires conditions regarding the management of the trees and lake, and the retention of 2 pine trees near The Lodge as they are significant in the setting of the Lodge and the wider street scene.

27. In response to comments from the agent some further comments were provided.

Most of the application does seem okay, but accepting that this is for outline and that the plans are 'illustrative' (although they should tally) there are principles which need to be established now e.g. that the drainage system will deliver sufficient good quality water to the lake (it looks like only a small percentage will make it) and that there will be some access to the woodland (people will go there anyway).

In relation to the balancing pond in front of the North Lodge is a significant feature. We will need some idea of what this will look like - i.e. not your standard balancing pond.

28. **The Principal Conservation Officer** - "The layout is more simplified than previously seen during pre-application meetings, which is an improvement. However, it appears much more cramped than the previous scheme. Because the previous scheme did not show many of the intended garage blocks, it would be helpful to distinguish between the colours of houses and garage blocks so we can get a more realistic comparison.

The location of individual trees is also better considered, although some areas still need to be revisited, as [the Landscape Design Officer] suggests, and the playground area trees should be relocated to better screen this from the main vista.

I would endorse [the Landscape Design Officer's] views but would have added concern regarding the balancing pond, which would be seen in the frontage of the site and in primary views of the listed North Lodge, and would ask for details to be made available to establish the principle. If you feel this can be covered by condition, it should specifically exclude the balancing pond subject to an acceptable scheme.

The Heights Plan and Land Use Plans are somewhat crude, as for instance it would not be appropriate to build to 1.5 storeys to the south of North Lodge. The Landscape Strategy Plan is much more useful to show the intent. It would also be helpful to have an overlay of the current site (as previously done for the retirement house scheme) in order to establish where and how far the current proposal extends beyond the current boundaries of built development, in order to



make an informed comparison. It does seem that the proposed development extends much further along the eastern boundary of Milton Hall and in a much more continuous character, which would intrude significantly into the main vista from Milton Hall.

The submission seems very short on illustrative sections to show relative bulks and extents of buildings. Whilst we discussed proposed development quite close to North Lodge, I was still asking for detail to establish the principle. I am concerned about proposed development of a similar scale or larger than North Lodge as close as shown on the land use plan, as it would appear as a backdrop to North Lodge when viewed from its original approach. An illustrative street view should be supplied showing the view and bulk of buildings to include North Lodge and the proposed courtyard range and to show a significant gap of wooded backdrop to the side of North Lodge."

29. The **Environmental Protection Officer** - notes the need for some remediation measures regarding contaminated land and recommends a condition to secure this.
30. Comments have not been received from Police Architectural Liaison Officer, Cambridgeshire Fire and Rescue Service, Ecology Officer, Lead Officers for Sustainability, Public Art, Sport and Leisure, Environmental Operations Manager. Comments are awaited from the Urban Design Officer and English Heritage. Updates will be provided.

### **Representations**

31. **Councillor Hazel Smith** - "The application is outline, and most details are reserved. Nevertheless there is detailed work in the design and access statement showing the workings that have led to a long terrace of houses being proposed fronting onto the parkland and sports pitches. This could not be more different from the cottagey design of the approved retirement development. Terraces like this are an urban feature not seen anywhere else in Milton. I do not feel this is appropriate in the Green Belt. The terrace wrapping round the corner facing the green area is an overly dominant feature which is longer than the full length of Milton Hall itself, and I am frankly surprised that the architects' discussions with SCDC planners have led to this proposal. The original more broken frontage with green fingers into the development would be more sympathetic. As the proposal is now for General Housing not over-55s, is there a good reason why we could not have further recreation uses (pitch markings perhaps) on the larger area between the housing and the lake?"
32. **The occupier of 37 Butt Lane** objects to the proposed change from a retirement village to general, including affordable, housing. The change in intended use combined with the changes to the travel plan since the bus services were massively reduced will lead to many more cars and car journeys in the village of Milton. The lack of retirement village will be unfortunate and a loss of a local amenity that would have been well used. Milton has a large amount of "affordable housing" i.e. 1 and 2 bedroom properties already.
33. **The occupier of 1 Knights Way** comments:

Having attended the Parish Council meeting with the developer's agents I have two comments to make. I am keen to see that the current tree coverage is maintained or improved. Heading north up Ely Road the current feeling is one of heading out into the country. I am concerned that the row of houses in the North

Lodge area of the application would change that feel entirely. As the current plans stand this row seems to be reasonably back from the road with trees retained in front of it. I am keen that this level of tree cover should become a requirement of the application. I would not like to see a show-home or large advertising boards placed on the roadside as the project progresses. My second concern regards the level of traffic. The developer's agents were keen to stress that the development represented a reduction in traffic from the previous commercial use of the site. My concern is around the timing of these journeys. Vehicles accessing a commercial site all day is very different from a number of vehicles leaving the site in a short period of time in the morning and returning in the evening. Currently the junction of Ely Road and the High Street gets very busy with college traffic and traffic accessing the office next to the planned development site."

### **Planning Comments**

34. Planning permission has previously been granted for the redevelopment of this site for housing (retirement village) including the renovation of North Lodge as a dwelling. The development area was strictly limited to the built up part of the site as it presently exists, to avoid encroachment into the open part of the Green Belt. The principle of redevelopment has, therefore, been accepted.
35. The main issues in this case are, therefore, related to the changes made in the current scheme and any policy changes. This is an outline application, with all but access reserved, so the application is generally to consider the principle of housing development and its impact on the landscape and historic setting in which it would lie.

### ***Green Belt – Inappropriate Development***

36. The site is within the Cambridge Green Belt. In determining applications for development the first consideration is whether the development can be considered 'appropriate', as defined in 'PPG2: Green Belts'. With the exception of the proposed sports pavilion and football pitches, the proposals are by definition 'inappropriate development'. It is noted that the existing land use is also 'inappropriate development'.
37. PPG2 advises that "...inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why planning permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations." A balancing exercise is required to ascertain whether the material planning considerations put forward by the applicants amount to very special circumstances that outweigh the harm to the Green Belt and other harm.

### ***Other harm***

### ***Openness of the Green Belt***

38. The development extends beyond the area of existing development and will include buildings that are taller than the existing industrial buildings. This will result in a harmful impact on the openness of the Green Belt.

## ***Countryside***

39. Countryside policy (Policy DP/7) limits development outside frameworks to that which is essential in the countryside. The aim of the policy is to protect the countryside from gradual encroachment, to guard against incremental growth in unsustainable locations. This site is however, a brownfield site, where some re-use of the existing buildings or limited re-development on a like-for-like basis could be supported (see Policies ET/7 Conversion of Rural Buildings for Employment and ET/8 Replacement Buildings in the Countryside). PPS7 "Sustainable Development in Rural Areas" takes a similar approach by favouring the re-use or redevelopment of buildings in the countryside for employment use. Notwithstanding, that is not what this application seeks, but it is acknowledged that there is an extant planning permission for a similar type of development on this site.

## ***Housing Provision***

40. Additional housing developments in South Cambridgeshire are currently required to meet a shortfall identified through the Regional Spatial Strategy. Any shortfall in housing provision within the current Local Development Framework process will, however, be made up from allocated sites and windfall sites at more appropriate and sustainable locations, in accordance with policy ST/2.
41. Milton is a group village where residential development within the framework is limited to 8 dwellings or exceptionally about 15 where it would make best use of a brownfield site. The site however, is not within the framework. Notwithstanding, the principle of re-development for housing has been established through the extant planning permission.
42. The main element of the proposal is housing, of which 54 units would be market housing and 35 affordable, equating to almost 40%.
43. Housing outside the development framework is usually required to be 100% affordable and to accord with the exceptions policy. I note the comments of the Housing Strategy Manager that this is not an 'exceptions' site. Officers agree as the proposal would not accord with the exceptions policy (due in part to the size of the scheme) and is being put forward as an exception to this and other housing settlement policies with very special circumstances as the justification. That said there remains a need to provide for affordable housing and in the view of officers an appropriate level would be 40% to accord with general affordable housing requirements. Viability has not been assessed as the proposal meets this requirement.
44. Within the market housing, Policy HG/2 sets targets for up to ten houses and then these targets become a guide for larger schemes. The submitted Housing Mix Parameters Chart shows a range of numbers for each of the houses sizes at this stage, since the actual number of units of each size would be determined through the design process at reserved matters stage. Nevertheless, the ranges shown would secure a mix of market houses of approximately 28-34% 2-bedroomed units, 15-18% 3-bedroomed units, and 37-40% 4-bedroomed units. This does not accord with the suggested mix and the developer has been asked to demonstrate why a mix closer to that of Policy HG/2 cannot be achieved. The final mix can be controlled through a condition. Members will be updated on this point.

45. It is noted in the Design and Access Statement that densities are likely to average approximately 27 dwellings per hectare (dph) which is broadly in line with the requirements of Policy HG/1.

### ***Design and Layout***

46. These matters are shown for illustrative purposes only, and would, therefore, be finalised through the reserved matters application. The overall theme is to provide some dwellings near to North Lodge in the form of a converted stable yard or similar. These would be a 1 and a 1/2 storey terrace of units with gardens and parking behind them in a walled courtyard. They would be positioned so as to avoid cutting into the view from the pedestrian gateway adjacent to North Lodge towards Milton Hall, and would be subservient to both these Listed Buildings. Parking for North Lodge would be provided adjacent to it, but the exact position would be finalised through the reserved matters application.
47. In the main area, the dwellings would be set in linked but distinctive areas. On arrival from the west would be higher density development, arranged to form a quadrangle by "borrowing" visually from the forms of the office wings at Milton Hall. Further east, the access road would lead towards the pavilion and pitches, through a built up area set in perimeter blocks. The layout has been negotiated to present a frontage to the open parkland and lake, rather than being inward looking. Negotiations also included the provision of green fingers into the development from the south, and these have evolved into two more robust fingers, which continue right through the whole site to the paddock land to the north. As a result the central section presently has a hard appearance, but this will be negotiated further through the reserved matters process. Ultimately, the layout shows how the dwellings can be accommodated within the developable area of the site.
48. There will also be some further negotiation required around the area of the lattice mast. At present, the development has been designed to screen it in closer views, but some of the associated equipment buildings would have a detrimental effect on the gardens of the properties adjacent, in particular where there are extraction units adjacent to a rear garden. Parking also requires further attention, but has been demonstrated to be able to be provided at a sufficient level to meet the Council's standards.
49. An update will be provided addressing the anticipated comments of the Urban Design Officer.

### ***Employment***

50. The principle of losing the employment provision on this site has been established through the extant permission.

### ***Listed Buildings and Conservation Area***

51. An update will be provided responding to the concerns of the Conservation Officer. The key areas raised are: inclusion and impact of garage blocks; trees to screen the play area from Milton Hall's vistas; the principle and detailed design of the balancing pond in the setting of North Lodge; heights, especially in relation to North Lodge, extent of development beyond the existing built area, the continuous nature of the parkland frontage; and need for illustrative sections,

especially of development in the North Lodge area.

52. Comments from English Heritage will be also be addressed by way of an update, if available otherwise the recommendation will be to allow officers delegated powers to approve subject to its response.

### ***Archaeology***

53. Clarification is required of the County Council's comments in relation to archaeology prior to issuing a decision. An update will be provided and further advice on how to proceed will be reflected in the recommendation and any subsequent decision.

### ***Highways and access***

54. Access is to be determined at this stage. The existing access to Ely Road is to be unaltered. The local highway authority has not objected subject to requested conditions and amendments that can be incorporated at the reserved matters stage in terms of the internal layout of the site. Less traffic would be associated with the development than the previously approved scheme, so there would be less impact on highway safety.
55. An update will be provided if the local highway authority responds to the applicant's response to its queries.
56. The extant permission secured permissive footpaths through the site. The footpath link to the lakes will be secured.

### ***Sustainability***

57. The provision of on-site renewable energy sources to meet 10% of the site's energy needs can be secured by way of a planning condition. At this stage this is intended to be provided through the use of solar panels. Water conservation measures would also be secured through a planning condition.
58. The site is considered to be reasonably sustainable due to its proximity to Milton and alternative means of transport.

### ***Flooding and Drainage***

59. The Environment Agency's comments are noted in relation to flooding and drainage and the views of the Council's Land Drainage Manager on the drainage proposals will be sought.
60. Further consideration to the detailed design and location of the balancing pond may be required to address the concerns in relation to the conservation of the built historic environment, landscape and ecology.

### ***Landscape and Ecology***

61. The Landscape Design Officer's concerns are noted and can be addressed through the submission of detailed schemes. It may however, be necessary to amend the parameter plans and an update will be provided.
62. The Environment Agency's comments on conservation issues, i.e. the need for enhancement of biodiversity through appropriate mitigation measures, retention

of existing wildlife corridors and habitats, can be addressed through conditions. It should be noted that conditions were added to the previous planning permission and, subject to confirmation by the Ecology Officer will be necessary to ensure that this development also accords with policy NE/6.

### ***Contributions***

63. The County Council has negotiated directly for an education contribution, which has been agreed between the parties as being a payment per dwelling, since the eventual number of dwellings may be less than 89 once the design of the scheme is finalised at reserved matters stage.
64. It would be inappropriate to request contributions towards a footpath / bridleway scheme to link the site to surrounding land uses, as there is no scheme worked up that can be costed and apportioned. However, the layout of the site does not prevent future involvement in discussions to achieve access beyond the boundaries of the site should the County Council progress this.
65. Open space is to be provided on the site in the form of the restored Repton Landscape, and an equipped play area would be provided adjacent to the proposed pavilion and pitches. It is acknowledged in the application that the LEAP is slightly smaller than the required standard, however, due to the otherwise generous provision of open space the shortfall of approximately 26sqm is likely to be acceptable. This will be confirmed with the Lead Officer for Sport and Leisure and an update will be provided.
66. It was agreed in the previous extant approval that public art provision would be secured. The application has not referred to this and this will be clarified and an update provided. This can be secured via planning condition or S106 if agreed in accordance with policy SF/6.
67. Other contributions towards waste receptacles and S106 monitoring would also be required.

### ***Green Belt - Very Special Circumstances***

68. The material considerations put forward which the applicant considers amount to very special circumstances, in summary, are:
  - (a) The lack of a 5 year housing land supply to meet adopted targets.
  - (b) Improvements to the landscape, including removal of pylons and associated equipment, restoration of the lake and its woodland setting.
  - (c) Provision of extensive recreational opportunities for local residents by way of sports pitches and informal access to woodland and grassland. Pitches to be made available on a managed basis to meet a specific local need.
  - (d) Restoration of North Lodge and rehabilitation of its setting – securing its long term future.
  - (e) Improvements to the setting of Milton Hall – screening of modern extensions to the Hall by way of 3-storey building adjacent and removal of pylons etc. and creation of a parkland vista.

- (f) Restoration of the parkland designed by Humphrey Repton, including lake and woodland which forms part of the setting of the Church, Milton Hall and North Lodge.
- (g) Delivery of 35 affordable homes off-site which would otherwise not be forthcoming.
- (h) Delivery of housing to meet the Regional Spatial Strategy target.
- (i) Contribute to the Council's sustainability objectives to increase the supply of housing near employment opportunities, reducing commuting.

Cumulatively the applicants suggest these outweigh any harm by way of inappropriateness and other harm identified.

69. Officers agree that there is merit in these other considerations. These cumulatively do amount to very special circumstances that are sufficient to clearly outweigh the harm by way of inappropriateness and the other identified harm in regard to openness of the Green Belt, countryside, employment, Listed Buildings, and housing provision.

#### ***Departure***

70. The application proposals amount to a departure to the development plan. Under the Town and Country Planning (Consultation) (England) Direction 2009, development which, by reason of its scale, nature or location, would significantly impact on the openness of the Green Belt should be referred to the Secretary of State. In this case, the proposals are considered to be of a nature and scale that the implementation of the development plan could be significantly prejudiced.
71. In addition, on the basis that very special circumstances have been provided that outweigh the harm it will cause, officers are minded to support the application. If approved, the application must be referred to the Secretary of State. Under the Green Belt Direction it must be referred as the proposals are for inappropriate development of more than 1000m<sup>2</sup> which will significantly impact upon openness of the Green Belt due to the height and footprints of buildings.

#### ***Conclusion***

72. The proposed redevelopment of the site would achieve improvements to the historic and landscape environments, the provision of housing including affordable housing, and the provision of community facilities and publicly accessible open space. Whilst all but access is reserved for future detailed applications, it is clear that the site's unique circumstances can accommodate the development in a positive and sustainable way.

#### ***Recommendation***

73. **Minded to approve subject to delegating:**
- (a) Addressing concerns in relation to conservation; landscaping and archaeology;
  - (b) Comments from English Heritage, Urban Design Officer, Principal Conservation Officer and the Local Highway Authority;
  - (c) Referral to the Secretary of State under the Consultation Direction; and

- (d) Appropriate safeguarding conditions; and Section 106 agreement addressing the following matters:
- i. Time limit for submission of reserved matters and commencement.
  - ii. Approved drawings including parameter plans.
  - iii. Housing mix.
  - iv. Highway conditions: contractor's traffic, delivery routes, residential travel plan, highway design code, condition survey of Ely Road.
  - v. Permissive footpath link to lake.
  - vi. Foul and surface water drainage and pollution control.
  - vii. Contamination investigation and radiation (including foundation design).
  - viii. Archaeological conditions.
  - ix. Schemes for the community facilities and open space.
  - x. Landscaping and tree protection.
  - xi. Ecology.
  - xii. Affordable housing scheme.
  - xiii. Education contributions.
  - xiv. Public art.
  - xv. Lighting.
  - xvi. Renewable energy and water conservation.
  - xvii. Other safeguarding conditions as required.

These conditions will be worked up and published in the written update report, along with any further consultation responses and associated requirements.

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