

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

13th May 2005

AUTHOR/S: Director of Development Services

**S/2379/01/O - Impington
Outline Application For The Development of a Residentially Led
Mixed-Use Sustainable Urban Extension On Land at Arbury Camp**

**Recommendation: Delegated Refusal
Date for Determination: 11th February 2002**

A Background and Update

1. This outline application was last reported to the February 2005 meeting when Members resolved
"in the absence of a signed Section 106 Agreement, or in the absence of one which provides an acceptable mechanism for the provision of 30% affordable houses which meets the agreed housing needs, the outline application be refused as contrary to policies CNF1 and HG7 of the South Cambridgeshire Local Plan 2004".
2. At the April 05 Committee Cllr Mason requested that Members be advised at the next meeting of progress on the signing of the S106 together with a report regarding the recent work undertaken starting work on site in advance of issuing any planning consent; principally the cutting of hedgerows and trees.
3. The application had been previously considered by the July and December 2003 meeting of Development and Conservation Committee (Items 1 and 18 respectively), when Members resolved to approve the outline application subject to, amongst other matters, the prior completion of a Section 106 Agreement including inter alia the provision of 30% Affordable Housing (270 houses). Matters have progressed satisfactorily with the formation of a consortium of Registered Social Landlords (RSL)/Housing Associations and identification of some 13 sites. Officers have worked closely with the Housing Corporation, and despite losing out on an initial round of grants, to date they still wish to provide funding and ensure the provision of a significant proportion (50%) of much needed social rented housing.
4. The Housing Corporation required that the Section 106 Agreement be signed by first the 28th January 2005, deferred to 28th February and again to 21st March to enable submission of grant confirmation with grant claims for the current financial year. This was not complied with but the Corporation are still indicating support for funding but now for the financial year 06/07. If the Section 106 agreement is signed within this year then arrangements can be made to roll the money forward to allow immediate funding to prevent delay to the provision of affordable housing.
5. The form and terms of the Section 106 Agreement, which will deliver a comprehensive package of infrastructure, community benefits and mitigate the effects of this development, have been agreed and concluded between the parties and engrossments have been signed in escrow by all parties with the exception of Unex.
6. Officers are continuing to work in a positive manner with all parties to secure a timely completion to this agreement, the Director of Development Services has been given

delegated powers of refusal should it be clear either that the RSLs will not be able to deliver the requisite number and appropriate tenures of affordable housing in conjunction with the rest of the development or that the s.106 Agreement is not completed. At the last Committee agreement was held up by one landowner Unex. Unex have signed the agreement but this is in escrow pending written instructions. Only when the agreement has been completed can the outline permission be issued.

B Hedgerow Removal

- 7 Full planning consent was given in 2003/4 for four accesses to the site including the loss of hedgerows to facilitate those accesses, subject to conditions which included measures to protect the remaining hedgerows and trees. A meeting was held on site on 4th February with representatives of Gallaghers and officers to agree the necessary work to cut the hedgerows to facilitate access to the site. Agreement was reached with Officers as to the necessary work with the understanding that this would occur before the start of the Bird breeding season which starts on 1st March. Work commenced the week starting 21st March and Officers were contacted by Local District and Parish Councillors and local residents.
A response from Gallaghers is attached to this agenda.
8. I am seeking reassurance from the Landscape Design Officer and Ecology Officer that the work undertaken is in accordance with the agreed plan. The Ecology Officer has commented that at the time of the works and with cooler weather than average for the time of year he does not believe that damage to nesting bird would have occurred. Whilst it is regrettable the work took place within the bird breeding season this authority has no powers of prosecution. Work has now ceased on site.
9. A verbal update will be given at the meeting with regards both the progress on the S106 agreement and the views of the Landscape Design Officer and Ecology Officer as to whether the work to the hedgerows has undertaken is in accordance with the agreed plan.

Recommendation

- A** That the previously agreed delegated powers (in agreement with the Chairman and Local Members) for refusal remain that in the absence in the absence of a completed Section 106 Agreement, or in the absence of one which provides an acceptable mechanism for the provision of 30% affordable houses which meets the agreed housing needs, the outline application be refused as contrary to policies CNF1 and HG7 of the South Cambridgeshire Local Plan 2004. Otherwise outline permission will be issued as previously approved by Members.
- B** For information. No action required

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref: S/2379/01

Contact Officer: John Pym - Senior Planning Officer
Telephone: (01954) 713166