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Mr Paul Sexton

The Planning Department
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

29th January 2015

Dear Mr Sexton

**Full Objection: Planning Application Ref. S/2791/14/OL
Land east of New Road, Melbourn**

I write on behalf of Melbourn Parish Council to submit the following **objection** to Endurance Estate's planning application (ref. S/2791/14/OL), on land east of New Road, Melbourn.

This letter has been prepared by Andrew Martin – Planning Ltd (AM-P), with input from Transport Planning Consultants Ltd (TPC) on transportation and highway matters. The letter supplements and expands on the points raised in Melbourn Parish Council's (MPC's) earlier 'holding objection'.

In summary, the letter identifies that the proposed development is contrary to the development plan and in the absence of any overriding material considerations, should be refused planning permission.

THE SITE AND PROPOSALS

The application site comprises 10.9 hectares (ha) of greenfield land, located adjacent to the southeast edge of the village of Melbourn.

The proposed development comprises a speculative outline planning application, made by Endurance Estates, for up to 199 dwellings, a care home of up to 75 beds, access, public open space and landscaping.

PLANNING LAW

Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs that where regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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In this case the 'development plan' comprises the South Cambridgeshire Local Development Framework (LDF) and in particular the adopted Core Strategy (2007), Development Control Policies DPD (2007) and Proposals Map (2011).

Significant 'material considerations' include the National Planning Policy Framework (2012), the National Planning Practice Guidance (2014) and the emerging South Cambridgeshire Proposed Submission Local Plan 'with illustrated changes' (2013/14).

PLANNING DESIGNATIONS

According to the adopted South Cambridgeshire Proposals Map (2011), the application site is located outside Melbourn's 'Development Framework' boundary. In planning terms the site is therefore part of the 'open countryside' where there is a general presumption against new development.

Furthermore, it is notable that the emerging South Cambridgeshire Proposed Submission Local Plan Proposals Map (2013) does not allocate the site for development and therefore it remains as part of the 'open countryside'.

A summary of the relevant policies from these documents is appended at Enclosure 1.

GROUNDINGS OF OBJECTION

The Principle of Development

Planning applications should be determined in accordance with the 'development plan' unless material considerations indicate otherwise (refer Section 38(6) of the 2004 Act).

In this case the 'development plan' identifies that the application site forms part of the open countryside (refer adopted Proposals Map (2011)), where there is a general presumption against new development. The corresponding 'development plan' policies are clear that:

- outside a Minor Rural Centre's development framework boundary, only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside will be permitted (refer Development Control Policies DPD (2007) Policy DP/7); and
- even within such a development framework boundary, the maximum size of a development scheme would be 30 dwellings (refer Core Strategy (2007) Policy ST/5).

It is therefore undeniable that Endurance Estate's planning application, for up to 199 dwellings outside the Melbourn development framework boundary and in the open countryside, is contrary to the 'development plan'.

The proposed development is also contrary to Policies S/7 and S/9 and the open countryside designation in the emerging Proposed Submission Local Plan (2013/14), a recognised material consideration.



Endurance Estate's planning case, as set out in Bidwell's Planning Statement (2014), appears to be that because South Cambridgeshire District Council (SCDC) cannot currently demonstrate a full five-year housing land supply, paragraphs 49 and 14 of the NPPF should be triggered. The argument being that the lack of a five-year housing land supply renders SCDC's housing policies out-of-date and therefore the presumption in favour of sustainable development applies.

However, the lack of a five-year housing land supply does not automatically make all greenfield / unallocated development proposals acceptable. In order for the NPPF's presumption in favour of sustainable development to apply, development must be 'sustainable'. If the development is not 'sustainable' then there is no prospect of the NPPF (a material consideration) overriding the development plan in this case or the principle of development being acceptable on this site.

To be considered 'sustainable', development must meet the three strands set out at paragraph 7 of the NPPF – i.e. the objectives set out under the economic, social and environmental roles. These are examined further below:

(i) *economic role*

According to the NPPF, the economic role involves contributing towards building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

It is notable that the proposed development provides no formal B-Class employment opportunities on-site. Instead, Bidwell's Planning Statement relies on the possible creation of temporary construction jobs and permanent care home (Class C2) jobs, to attempt to justify the development's economic role.

No analysis has been provided to quantify the number or type of construction jobs that could be accommodated on-site. Nevertheless, construction employment is by its very nature temporary and any on-site opportunities will be lost once the construction phase ends. It is also likely that the majority of construction employment will consist of transfers of existing employees from other sites, with few genuinely new construction employment opportunities created for local people.

Bidwells also refer to the proposed 75-bed care home and the possibility to create 40 full time equivalent jobs here. However, there can be no certainty that the proposed care home will be delivered, as Endurance Estates will be reliant on market interest and a specialist provider to come in and build / occupy such a unit, before any permanent employment can be created. In particular, MPC is mindful that there is no identified need for additional residential care home places in or around Melbourn village. Melbourn already has provision for the elderly in a 35-bed care home at Southwell Court and in 35 assisted living apartments at Moorlands. However, Metropolitan, the business which runs Southwell Court, has announced its intention to close the care home because it does not have enough residents and is therefore not financially viable. As such it is likely that, if approved, the proposed care



home will not be built-out and may ultimately end up as additional housing. This could result in no permanent employment opportunities being provided on-site.

Taking all of these points together, MPC submits that the proposed development will make no meaningful contribution towards building a strong, responsive and competitive economy. In turn the proposed development does not provide a clear economic role to meet the NPPF's 'sustainability' objectives.

(ii) social role

The social role involves supporting strong, vibrant and healthy communities by providing housing land to meet needs and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well being.

In this regard Bidwell's Planning Statement refers to the need for new homes, of all tenures and the NPPG's support for additional care places. Reference is also made to existing facilities in the village.

However, the fact remains that the proposed development makes no on-site provision for local retail, health, community or education needs, despite Endurance Estate's consultation leaflet (2014), which stated that similar 'community benefits' could be delivered on-site.

Furthermore, the scale of the proposed development is questionable. SCDC's Strategic Housing Land Availability Assessment (SHLAA) (2013) identified that, if allocated in the emerging Local Plan, the application site could have capacity for 200 dwellings. Presumably it is not lost on Endurance Estates that the threshold in the Proposed Submission Local Plan (2013/14) for the on-site provision of allotments and community orchards, sports pitches, other outdoor sport and neighbourhood equipped areas of play (NEAPs) stands at 200 dwellings (refer Figure 11). A planning application for 'up to 199 dwellings' could be considered by some to be contrived, in order to avoid providing the above open space typologies on-site.

The lack of any meaningful on-site provision for the community's needs is indicative of a planning application that is focused solely on delivering residential uses and the financial returns that these can provide, with little thought towards the creation of a sustainable community. This approach is inconsistent with the creation of a high quality built environment and should weigh against the proposal from a 'social role' perspective.

With no direct provision on-site, the proposed development will be reliant upon and place additional demands on existing services and facilities. However, in the context of Melbourn village and its surrounds, the application site is poorly located in relation to a number of these services and facilities. The site is located on the opposite side of the village to Meldreth railway station (at least 1.6 km by publically accessible routes), Melbourn Science Park (1.4 km), Melbourn Village College (1.2 km) and the shops, services and community facilities along Melbourn High Street (600 m to 1 km). These distances are unlikely to be



attractive to pedestrians on a regular basis and are likely to increase dependence on the private car, particularly during the cold and wet winter months.

In short MPC submits that the proposed development will not create a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well being. In turn the proposed development does not provide a clear social role to meet the NPPF's 'sustainability' objectives.

(iii) environmental role

The environmental role involves contributing to protecting and enhancing the natural, built and historic environment and as part of this to minimise pollution, mitigate and adapt to climate change and move towards a low carbon economy.

First and foremost the proposed development does not protect or enhance the natural environment. Instead it proposes to develop 10.9 ha of unallocated greenfield land, which currently forms part of the open countryside, for up to 199 dwellings and a care home.

According to the on-line Magic Map Application, the application site comprises Grade 2 agricultural land, which is among the best and most versatile agricultural land in the County. This agricultural land will be lost in perpetuity if the proposed development goes ahead.

Development on this scale will also have an inevitable landscape and visual impact, as the open and rural character of this part of the countryside is eroded through the urbanising appearance of new development. Although a landscape buffer is planned to minimise the visual impact of development from the south and east, it is doubtful whether this will be capable of screening the development in its entirety, particularly from the ridge of higher ground to the southeast of the site.

There is also a case to be made that development in this location will not help to minimise pollution or to mitigate and adapt to climate change, particularly if new residents are dependent on the private car.

On this basis MPC submits that the proposed development will not protect or enhance the natural environment, but instead will cause an adverse impact on the local environment, contrary to the 'environmental role' in the NPPF.

In summary, the proposed development does not accord with the majority of the economic, social and environmental objectives set out in paragraph 7 of the NPPF and as such does not qualify as 'sustainable' development under the NPPF's presumption in favour of sustainable development. It therefore follows that the development plan must prevail and that the principle of development is unacceptable in this case.

Prematurity

As officers will be aware, the examination into the soundness of the South Cambridgeshire Proposed Submission Local Plan (2013/14) is currently underway. Several weeks of further examination sessions are scheduled for February and March 2015. It will be for the



Inspector to decide whether the plan, including its housing numbers and allocations, is sound or not.

Whether or not additional countryside land should be released for strategic development and if so where, is a matter that ought to be considered as part of a local plan process, not via speculative planning applications. In this context Endurance Estate's planning application is premature and risks prejudicing the emerging South Cambridgeshire Local Plan and any decision or recommendations that the Inspector may make in the Spring / Summer.

Transport Impacts

TPC has reviewed the applicant's Transport Assessment, Travel Plan, Design and Access Statement and other supporting information and has identified three main concerns with the work undertaken so far. In summary:

1. The assignment of generated flows at the junction of Mortlake Street/High Street and the approaches to it is flawed and it follows that the junction modelling must be called into question. This should be reworked prior to any planning decision being taken as the junction is the most significant in respect of the village and its day-to-day operation, in traffic terms.
2. No mention has been made of the impact development generated traffic will have on local conditions outside of the junctions modeled, such as increased traffic passed the local school at peak times and the demand for parking at local amenities that are already under stress. This should be examined and appropriate measures suggested for dealing with any adverse impacts suggested and secured by agreement.
3. The proposed works and measures to mitigate impact are weak and ineffective with no guarantees of either their implementation or success. If consent is granted measures that are self enforcing with guaranteed benefits should be secured through appropriate agreement.

Until these issues are addressed, it is not possible to ascertain whether or not the proposed development complies with Policies DP/3 and TR/3 in the Development Control Policies DPD (2007) and emerging Policy TI/2 in the Proposed Submission Local Plan (2013/14).

A full copy of TPC's review is appended at Enclosure 2. MPC respectfully request that this enclosure is forwarded to the County Council's Highways Team for their consideration.

It is also noted that the County Council submitted its own consultation response to this planning application on 14th January 2015, which identified a number of concerns and inadequacies in the applicant's Transport Assessment and Travel Plan.

Village Character, Services and Facilities

Regard should be had to the wider impacts of the proposed development on the character of Melbourn, village life and its existing facilities.



Melbourn is large village and a Minor Rural Centre, but both the adopted Core Strategy (Policy ST/5) and emerging Proposed Submission Local Plan (Policy S/9) recognise that growth within such villages should be of a modest scale, i.e. schemes should not exceed 30 dwellings. This restriction ensures that the character of such villages is not harmed by excessive growth and recognises the limited capacity of many facilities in minor rural centres.

Notwithstanding that the proposed development is situated outside the village framework boundary, MPC also considers that a development of up to 199 dwellings is far too large and out-of-proportion for a village like Melbourn.

Growth on this scale would harm the historic and semi-rural character of the village and would introduce additional vehicle movements, noise and general activity, to the detriment of village life. Furthermore, insufficient evidence has been provided with the planning application to demonstrate that key village facilities have adequate capacity to accommodate the quantum of growth proposed, particularly in relation to early years provision, primary education and healthcare. To the contrary, the County Council's 14th January 2015 consultation response identifies that: early years provision in Melbourn operates at, or close to, capacity and there is limited opportunity for further expansion; and, Melbourn Primary School is already operating over capacity. The County Council concludes that the impact of the development may be challenging to mitigate, especially in terms of early years and primary provision.

This is critical, as the proposed development makes no on-site provision for local education needs or for wider health or community needs generally.

For these reasons MPC considers that the proposed development is contrary to Policy DP/3 (which refers to village character and community facilities) in the adopted Development Control Policies DPD and Policy SC/4 (which refers to the provision of services and facilities) in the emerging Proposed Submission Local Plan.

Landscape and Visual Impact

Bidwell's combined Landscape and Visual Appraisal and Design and Access Statement (2014) (pages 56-62) acknowledges that the proposed development will have a notable adverse impact on landscape and visual receptors. These include:

- slight negative impact on local landscape character;
- large negative impact on the character of the application site itself;
- slight negative impact on viewpoint no. 3 (right of way leading from Water Lane looking east towards the site); and
- moderate negative impact on viewpoints nos. 6 (on New Road adjacent southeast corner of wider field), 9 (on western boundary of site, looking southeast into site), 10 (on north east boundary of the site) and 11 (Victoria Close looking east towards the site).

These are also deemed to be the 'reduced' impacts, after mitigation and enhancement measures have been factored into the scheme. Bidwells refer to the landscape impacts as



“inevitable when undertaking any greenfield development” and to the visual impacts as “due to the sensitive nature of the viewer, such as local residents adjoining the application site to the north-west and in close proximity to the application site.”

However, there is no need or expectation for this site to be developed in either the adopted Core Strategy or the emerging Proposed Submission Local Plan. If left in its current use, these impacts would not occur. Therefore, the proposed development will create unnecessary landscape and visual harm to the surrounding environment and countryside, harm which should weigh against the proposals when a planning decision is made.

MPC submits that the landscape and visual impacts of the proposed development are contrary to Policy NE/4 in the Development Control Policies DPD and Policy NH/2 in the emerging Proposed Submission Local Plan, which are concerned with preserving and enhancing landscape character and the countryside.

Other Matters

MPC has a number of other concerns with the proposed development. These are set out in detail in MPC’s full response to the planning application, as appended at Enclosure 3. In addition to the points already raised in this letter, Enclosure 3 also includes, but is not limited to:

- the loss of a locally important tree, protected by Tree Preservation Order (TPO);
- the scope for eruption failures in the local sewage system, particularly on Thatcher Stanfords Close, through pump problems, excessive surface water runoff or blockages;
- numerous deficiencies in the applicant’s Flood Risk Assessment and Drainage Strategy, particularly in relation to potential off-site impacts and the scope for soakaways to deal with 1 in 100 year rainfall intensities; and
- other locally known highway concerns, including safety, abuse of one-way systems, rat-running and congestion.

Local Consultation

Once Endurance Estates made its intention clear to bring forward development proposals on the land east of New Road, MPC set up the Melbourn Futures Committee to carry out a public consultation in the village. The purpose of the consultation was to seek the views of local residents, businesses and organisations, with a view to informing MPC on whether to support or oppose the forthcoming planning application.

The consultation was carried out between 29th September and 13th October 2014 and administered by members of MPC and volunteers. Respondents were asked whether or not they supported the proposed development or whether they had no opinion and were invited to provide comments on why they held that view.

The outcome of the consultation was presented to MPC on 27th October 2014.



Of the total 1,648 individuals who responded to the questionnaire, 86% were against the proposed development, 10% were in favour, 2% had no opinion and 2% were spoiled. Of the 1,110 respondents who provided written comments, 991 (89.3%) were against the proposed development, 102 (9.2%) were in favour and 17 (1.5%) had no opinion.

The consultation results clearly demonstrate that the majority of local respondents are opposed to the proposed development. In view of these findings, MPC has also decided to oppose the proposed development, for the reasons set out in this letter.

SUMMARY

MPC **object** to the proposed development at New Road, Melbourn on the grounds that:

1. The principle of development is unacceptable because:
 - a. According to the adopted Proposals Map (2011) and Policy DP/7 in the Development Control Policies DPD (2007), the site is located in the 'open countryside' where there is a general presumption against new development;
 - b. The proposed development is contrary to Policies S/7 and S/9 and the open countryside designation in the emerging Proposed Submission Local Plan (2013/14); and
 - c. Notwithstanding any case on five-year housing land supply, the proposed development does not accord with the majority of the economic, social and environmental objectives set out in paragraph 7 of the NPPF (2012) and as such does not qualify as 'sustainable' development under the NPPF's presumption in favour of sustainable development.
2. The proposed development is premature and risks prejudicing the emerging Proposed Submission Local Plan (2013/14), its examination and any decision or recommendations that the Inspector may make in the Spring / Summer.
3. The applicant's Transport Assessment and Travel Plan: (i) are flawed where they assign generated flows at the junction of Mortlake Street/High Street; (ii) do not consider the impact of development generated traffic on local conditions outside of the junctions modeled; and, (iii) propose works and measures to mitigate impact that are weak and ineffective with no guarantees of either their implementation or success. Until these issues are addressed, it is not possible to ascertain whether or not the proposed development complies with Policies DP/3 and TR/3 in the Development Control Policies DPD (2007) and emerging Policy TI/2 in the Proposed Submission Local Plan (2013/14).
4. The proposed development is too large and out-of-proportion for a 'Minor Rural Centre' like Melbourn and will harm the character of the village, village life and place an additional burden on key village facilities, contrary to Policy ST/5 in the Core Strategy (2007), Policy DP/3 in the Development Control Policies DPD (2007) and Policy SC/4 in the emerging Proposed Submission Local Plan (2013/14).



5. The proposed development will create unnecessary landscape and visual harm to the surrounding environment and countryside, contrary to Policy NE/4 in the Development Control Policies DPD (2007) and Policy NH/2 in the emerging Proposed Submission Local Plan (2013/14).
6. MPC has a number of other concerns about the proposed development, including the loss of a locally important tree, the scope for failures in the local sewage system, deficiencies in the applicant's Flood Risk Assessment and Drainage Strategy and other locally known highway concerns.
7. MPC's 2014 consultation results clearly demonstrate that the majority of local respondents are opposed to the proposed development.

In conclusion, the proposed development is contrary to the statutory development plan and in the absence of any overriding material considerations, should be refused planning permission in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

MPC would welcome any updates over the coming months on the progress of the planning application. In the meantime, please do not hesitate to contact MPC or myself if you wish to discuss any matters in more detail.

Yours sincerely

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Cc. Melbourn Parish Council

Enclosure 1 – Planning Policy Summary

Enclosure 2 – TPC's Transport Review

Enclosure 3 – MPC's Response to Planning Application S/2791/14/OL