

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

4 November 2015

**AUTHOR/S:** Planning and New Communities Director

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**Application Number:** S/1515/15/OL

**Parish(es):** Sawston

**Proposal:** Residential Development and Associated Works including Access

**Site address:** Land Off Mill Lane

**Applicant(s):** Manor Oak Homes

**Recommendation:** Delegated Approval

**Key material considerations:** Housing Land Supply  
Principle of Development  
Housing Land Supply  
Proposed Green Belt  
Character and Appearance of the Area  
Density  
Housing Mix  
Affordable Housing  
Developer Contributions  
Design Considerations  
Trees and Landscaping  
Biodiversity  
Highway Safety  
Flood Risk  
Neighbour Amenity

**Committee Site Visit:** Yes

**Departure Application:** Yes - outside village framework

**Presenting Officer:** Karen Pell-Coggins

**Application brought to Committee because:** The application is a departure to the development plan.

**Date by which decision due:** 22 September 2015

### Executive Summary

1. This proposal, as amended, seeks permission for a residential development outside the Sawston village framework and in the countryside. This development would not normally be considered acceptable in principle as a result of its location. However,

two recent appeal decisions on sites in Waterbeach have shown that the district does not currently have a 5 year housing land supply and therefore the adopted LDF policies in relation to the supply of housing are not up to date. The NPPF states that there is a presumption in favour of sustainable development and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. In this case the adverse impacts of the development in terms of limited visual harm are not considered to demonstrably outweigh the benefits that consist of a contribution of 48 dwellings towards the required housing land supply including 19 affordable dwellings, a location with good transport links and a range of services, and creation of jobs during the construction period that would benefit the local economy. Given the above balance, the application is recommended for approval.

### **Planning History**

2. S/2832/88/F - 44 Houses and 6 Bungalows - Refused  
(outside village framework, area of restraint south of Cambridge, scale of development for village, impact upon foul drainage)

### **National Guidance**

3. National Planning Policy Framework 2012  
National Planning Practice Guidance 2014

### **Development Plan Policies**

4. **South Cambridgeshire Local Development Framework Core Strategy 2007**  
ST/2 Housing Provision  
ST/4 Rural Centres
5. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
CH/2 Archaeological Sites  
NE/1 Energy Efficiency  
NE/3 Renewable Energy Technologies in New Development  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/11 Flood Risk  
NE/12 Water Conservation  
NE/14 Lighting Proposals  
NE/15 Noise  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact

6. **South Cambridgeshire Local Development Framework Supplementary Planning Documents**

Open Space in New Developments SPD - Adopted January 2009  
Biodiversity SPD - Adopted July 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Affordable Housing SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010

7. **South Cambridgeshire Local Plan Submission 2014**

S/3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/7 Development Frameworks  
S/8 Rural Centres  
HQ/1 Design Principles  
H/7 Housing Density  
H/8 Housing Mix  
H/9 Affordable Housing  
NH/2 Protecting and Enhancing Landscape Character  
NH/4 Biodiversity  
CC/1 Mitigation and Adaptation to Climate Change  
CC/3 Renewable and Low Carbon Energy in New Developments  
CC/4 Sustainable Design and Construction  
CC/8 Sustainable Drainage Systems  
CC/9 Managing Flood Risk  
SC/6 Indoor Community Facilities  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
SC/10 Lighting Proposals  
SC/11 Noise Pollution  
SC/12 Contaminated Land  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision  
TI/8 Infrastructure and New Developments

**Consultation**

***Amended Plans***

8. **Trees and Landscapes Officer** - Comments that the aboricultural report as amended is a viable solution and has no objections subject to a condition to ensure that the report is strictly followed.
9. **Ecology Officer** - Comments that an objection was previously raised as further work is required. However, given that the application is at outline stage, there would still be an opportunity to accommodate any badger setts should they be found on site in the layout at the reserved matters stage. Although there are mammal tracks, neither ecologists suspects that a main sett is present. Requires a condition for a repeat badger survey to be carried prior to the commencement of any development with mitigation measures if necessary. The site was visited in mid-July and there was a limited amount of bat activity. Although the sheds provide range of roost opportunities, neither ecologists suspect that it is likely that the sheds are being used as a maternity roost site. Requires a condition for bat emergence surveys prior to any works on site

and mitigation measures if necessary.

10. **Cambridgeshire County Council Flood and Water Team** - Comments that it has now been demonstrated that surface water can be managed on the site. Requires conditions for a detailed surface water drainage scheme in accordance with the revised Flood Risk Assessment to include a restriction of 2.5l/s run-off and details of the implementation, management and maintenance of the surface water scheme.
11. **Cambridgeshire County Council Transport Assessment Team** – Comments that no objections are raised to the revised transport statement subject to the travel plan being secured through condition or section 106.
12. **Cambridgeshire County Council Rights of Way Team** - Comments that public footpath number 7, Sawston runs along the eastern boundary of the site. The proposal has the public footpath included in the design that is welcomed. However, advises that the proposed upgrading of the public footpath as set out in the transport and planning statements needs a separate consent. Also requests informatives in relation to points of law with regards to the footpath.
13. **Section 106 Officer** - Comments that Sawston Parish Council considers that the scheme requires the provision of a replacement multifunctional pavilion at Mill Lane recreation ground which in addition to providing changing facilities will include a hireable community space for wider functions and events. Quotes have been obtained for the cost of the new pavilion which is expected to be up to £360,000.

Prior to 6<sup>th</sup> April 2010, the Council would have sought offsite sports and indoor community space contributions in accordance with a standard formula which, due to its nature, would at times result in contributions that were not sufficient to finance a new item of infrastructure. This meant that Parish Councils would often rely on several schemes coming forward (or identify other funding opportunities) in order to achieve their ambitions. Were those contributions to apply today the offsite contribution secured would be considerably less than that being sought (in the region of £100,000).

The community infrastructure levy regulations 6th April 2010 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (i) Necessary to make the development acceptable in planning terms;
- (ii) Directly related to the development; and
- (iii) Fairly and reasonably related in scale and kind to the development

It has been said that the existing pavilion is not DDA compliant and is of a poor state. At the same time the changing rooms do not meet necessary standards to allow the football team (Sawston Rovers) to compete at a higher league than they currently play. The District Council has not undertaken any sort of structural review of the pavilion.

Officers are not aware of any other development being proposed in Sawston which would directly relate to Mill Lane recreation ground and therefore there is a view that this development should provide for the full cost of associated infrastructure. At the same time Sawston Parish Council have not said that they have access to other funding sources in order to match fund the pavilion.

On the other hand a view could be taken that as 50 dwellings does not, in itself, give rise to a sport pavilion that the contribution should only reflect a proportion of the cost.

As the decision maker, Members need to determine whether a financial contribution of £360,000 (i.e. funding the total cost of a replacement pavilion) satisfies the 3 tests as set out above and that, in the absence of the full contribution being secured, planning permission would be refused.

### ***Original Plans***

14. **Sawston Parish Council** - Recommends refusal and makes the following comments:  
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“Object due to flood risk. From local knowledge (from the residents living there), it suggests this is a high risk area. If this is approved, we want this looked into again. Also we need to highlight close proximity from No. 43 Mill Lane to the new proposed access road”.
15. **Planning Policy Officer** - Comments that the Council cannot currently demonstrate a 5 year housing land supply. Therefore the adopted LDF policies in relation to the supply of housing are not up-to-date and the presumption in favour of development set out in paragraphs 14 and 49 of NPPF apply. An assessment should be made of whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the NPPf as a whole. The site was assessed in the SHLAA and was found to be a site with limited development potential meaning that it is capable of sustainable development but there are a number of constraints and impacts. The site was included in Issues and Options 1 but was not allocated due to flood risk.
16. **Urban Design Officer** - Comments that the access point is the only available and that it is disappointing that there is no link to the south to better integrate the development / increase permeability but the pedestrian link to the existing footpath is positive and should be retained. The suggested number of dwellings and density appears appropriate although at the top end of what could be achieved without compromising design quality given the constrained nature of the site. A maximum height of two and a half storeys is appropriate but careful attention needs to be paid to the proximity to neighbouring properties. The organic curvilinear figure ground response is not typical of Sawston which follows a more grid like pattern of development fronting roads. The entrance to the development is long and narrow with little surveillance. A focal building should be provided at the end of the entrance road. All open space should be well overlooked.
17. **Trees and Landscapes Officer** - Has concerns that the access would affect the adjacent Beech trees numbers T1 to T5 subject to a Tree Preservation Order and the dwellings are located too close to the adjacent Ash trees numbers T19 and T20 that are of low value.
18. **Landscape Design Officer** - Comments that the site is located within the East Anglian Chalk Landscape Character Area. The landscape characteristics of the site and surrounding area include low lying, gently rolling topography, a productive intensively farmed agricultural landscape, medium/large scale regular field pattern defined by hedgerows. Has no objections in principle as longer distance views are contained within the residential properties to the north, east and south and long distance open views would not be affected. To reduce the landscape and visual effects, it is essential that existing boundary planting is retained and enhanced with no loss to key landscape features. There are a number of mature trees with Tree Preservation Orders within the site that should be protected and retained. Suggest conditions in relation to hard and soft landscape works, surface water drainage, no dig

construction within the root protection area, boundary treatments, external lighting, waste provision, cycle storage, bat and bird boxes, log piles and hedgehog/insect houses, swale pond and a landscape visual impact assessment.

19. **Ecology Officer** - Comments that the site has been visited and it is apparent that badgers move across the site and it is possible that they have a sett on site (which may be currently obscured by tall vegetation). Requires a full assessment of the site for badgers prior to the commencement of development. The site is largely grassland with a number of former shed-like buildings upon it. The buildings have many features that could be used by roosting bats. As such a bat survey including evening emergence surveys should be undertaken prior to the determination of the application and further surveys prior to the commencement of development. The grassland is of low ecological value.
20. **Affordable Housing Officer** - Supports the proposal and comments that there are 1700 residents on the register and the proposal would meet the 40% affordable housing requirement set out under Policy HG/3. The proposed mix of 5 x 1 bedroom flats, 6 x 2 bedroom flats, 4 x 2 bedroom houses and 4 x 3 bedroom houses would be reflective of the higher demand for smaller units in this specific location and across the district as a whole. The tenure split should be 70/30 in favour of social rented.
21. **Section 106 Officer** - Has met with Sawston Parish Council and has been advised that the necessary mitigation for the development would be the redevelopment of the pavilion to ensure provision of community space and sports space. The current pavilion fails DDA compliance and also becoming unfit for purpose. This would contribute towards a sustainable and integrated community. In addition, the Parish Council would find alternative funds to further improve the existing nearby recreation area so that the development would not need to contribute towards open space.
22. **Environmental Health Officer** - Comments that it is inevitable that there will be vehicle movements along the access road next to the neighbour at No. 43 Mill Lane. However, Mill Lane already generates degree of traffic noise. Due to the size of the proposals any vehicle movements along the proposed access road will only result in a negligible increase in traffic noise levels in the area and at existing residential premises. There will be intermittent vehicle noise associated with individual vehicles manoeuvring along the access road but these will be relatively infrequent, highest a peak times and will not be constant. Such noise could be considered a negligible to low observed adverse effect. An upgraded absorptive noise barrier / fence could be considered along these adjacent neighbouring gardens to provide some additional protection at ground level only (no protection to upper floors) and minimise any negligible to low adverse effects. Has no objections in principle to the proposals subject to conditions in relation to hours of construction works and construction related deliveries, dust suppression measures, piling method statement, a construction programme, noise impact assessment for renewable energy measures such as wind turbines or air source heat pumps, external lighting, and a waste management and minimisation strategy. Also requests informatives.
23. **Contaminated Land Officer** - Recommends a condition for the investigation of contaminated land.
24. **Environment Agency** - Has no objections in principle subject to conditions in relation to surface water disposal and pollution control. Also requests informatives.
25. **Cambridgeshire County Council Flood and Water Team** - Objects to the application on the grounds of an unacceptable surface water drainage strategy within

the Flood Risk Assessment. It has not been demonstrated that the storage volume required to attenuate surface water run-off from the critical 1 in 100 chance in any year storm event with an appropriate allowance for climate change, can be provided on site and that it has not been demonstrated that the peak discharge rate for all storm events up to an including the 1 in 100 chance in any year storm event with an appropriate allowance for climate change, will not exceed that of the existing site.

26. **Anglian Water** - Comments that the sewerage system and waste water treatment centre at present has available capacity the flows from the development. However, comments that the surface water management strategy is unacceptable and requires a condition to a new surface water management strategy.
27. **Local Highways Authority** - Comments that it will not be adopting any part of the development as the proposed construction of the access due to the protection of the trees falls outside the highway authority's construction specification and carries too much risk. Request that the applicant provides a letter to state that the site will not be presented for adoption now or in the future. Requires conditions in relation to the provision of vehicular visibility splays in accordance with the submitted plan, the provision of a footpath to the fronts of plots 1 to 17 to link to the public footpath, the access falls, the access is constructed from bound materials, the junction has a 6 metre radius kerbs and a traffic management plan during construction. Also requests an informative with regards to works to the public highway.
28. **Cambridgeshire County Council Transport Assessment Team** - Comments that the level of car parking should be included within the assessment and it is recommended that provision is based upon the standards set out in the merging local plan but that an needs assessment is undertaken to investigate existing car ownership levels nearby to better establish an appropriate level of parking provision. Identification of walk and cycle catchments based upon real available routes and key origins within the catchments together with details of the quality of the routes is required. An analysis of bus stop locations, facilities at bus stops and distance to the bus stops measured from the centre and furthest point within the site are needed along with journey times to key employment destinations. States that person trip rates proposed are reasonable and that the application of the 2011 census mode share is acceptable. Requires that the trips on the network are distributed to provide an east/west divide to demonstrate the level of traffic travel through key junctions in the area. Requests a condition to secure a travel plan.
29. **Cambridgeshire County Council Historic Environment Team** - Has no objections and comments that the site has been subject to an archaeological evaluation that has not identified any significant archaeological remains in the area. No further investigation is required by condition.
30. **Cambridgeshire County Council Rights of Way Team** - Comments that public footpath number 7, Sawston runs along the eastern boundary of the site and the plan shows that the proposal would add a new access point on to the footpath for pedestrians only. It is noted that the proposal is to include the upgrading of the surface of the footpath and any changes need to be agreed with the Council to determine whether they are appropriate. Request informatives in relation to points of law with regards to the footpath.
31. **Cambridgeshire Fire and Rescue Service** - Requests a condition to ensure that adequate provision is made for fire hydrants.

## **Representations**

32. The **Local Member** has concerns regarding the lack of adoption of the new access road by the Local Highways Authority and the mechanism by which long term maintenance would be funded. Due to the cellular construction of the first 50 metres of the road in order to preserve the TPO trees on the adjacent site, the Local Highways Authority would not adopt the road as it would not meet its specifications. Lack of adoption of the road also implies that other services such as street lighting and possible foul and surface water drainage systems would also be unadoptable. The developer has suggested that future liability would be dealt with by establishing a management company of which all residents would be members and jointly fund repairs and maintenance through an annual charge on each property. Whilst this may be acceptable for the market housing, the development also includes affordable housing. The charge for these would fall on the RSL and it may be difficult to find an RSL that would take on this commitment. It would seem reasonable to ask the developer whether they have obtained any expressions of interest from any RSL that would enter into this arrangement. If not, this would imply an inability to comply with LDF policy Hg/3 and therefore constitute grounds for refusal.
33. 14 letters have been received from **nearby residents** together with two petitions with approximately 100 signatures. These raise the following concerns: -
- a) Traffic generation from development underestimated.
  - b) Additional traffic would raise safety concerns along Mill Lane.
  - c) Dangerous junction on to Mill Lane.
  - d) Narrow access to the site.
  - e) Assumed soil characteristics for the access.
  - f) Potential impact upon protected trees.
  - g) Height of dwellings visually overbearing
  - h) Scale of dwellings out of keeping with small dwellings in area.
  - i) Access runs along length of adjacent driveway.
  - j) Flood risk.
  - k) Impact upon sewerage works.
  - l) Loss of amenity to neighbours in terms of privacy, light and rural environment and an increase in noise and disturbance and proximity of access noise and disturbance, light and rural environment.
  - m) Health risk from SUDs system.
  - n) Poor ground conditions due to high water table and subsidence.
  - o) Site rejected in the Local Plan.
  - p) Errors in application.

### **Site and Surroundings**

34. The site is located outside the Sawston village framework and in the countryside. It measures 1.5 hectares in area and currently comprises an access off Mill Lane leading to an area of grassland with redundant agricultural buildings. A Tree Preservation Order covers a group of trees adjacent to the access to the site, a group of trees along the western boundary, two individual trees in the south east corner and a group of trees along the eastern boundary. A public footpath runs along the eastern boundary of the site. A drainage ditch runs along the southern boundary of the site. The site is situated within Flood Zone 1 (low risk).
35. Residential developments lie to the north, east and south of the site. Allotment land lies to the west.

### **Proposal**



36. The proposal seeks outline permission for the erection of up to 48 dwellings including the access. The layout, design and external appearance of site, and landscaping are matters reserved for later approval.
37. 19 dwellings would be affordable to meet local needs. The mix would be 8 houses and 11 flats. The tenure would be 100% social rented. 29 dwellings would be available on the open market. The mix is not known at this stage but would consist of a range of sizes and types of properties.
38. The dwellings would be arranged in a cul-de-sac with an area of public open space to the eastern side and a balancing pond in the south western corner. The dwellings would range from two storeys to two and half storeys in height. Materials would be characteristic of the surrounding area. Car and cycle parking would be in accordance with the Council's standards.
39. The access would be located between No. 43 Mill Lane to the east and the access to Nos. 47 and 49 Mill Lane to the west. It would replace the existing agricultural access. The access would be a single priority junction. The main carriageway would measure 5 metres in width. Vehicular visibility splays measuring 2.4 metres from Mill Lane x 43 metres along Mill Lane in both directions would be provided. There would be a 1.8 metres wide footpath from Mill Lane through part of the development. The public footpath link to Mill Lane from the north east corner would be upgraded and connect into the development.
40. The group of trees protected by a Tree Preservation Order along the access would be retained and protected by above soil surfacing within the root protection areas. The development would result in the removal of one category B tree (moderate quality and/or value), 5 category C trees (low quality and/or value) including the one of the individual trees protected by a Tree Preservation Order in the south east corner of the site and 3 category C group of trees (low quality and/or value).

### **Planning Appraisal**

41. The key issues to consider in the determination of this application are whether the principle of development is acceptable in the countryside taking into account the 5 year housing land supply, housing density, housing mix, affordable housing, developer contributions and and impact of the development upon the character and appearance of the area, design considerations, trees and landscaping, biodiversity, highway safety, flood risk and neighbour amenity.

### **Principle of Development**

42. The site is located outside the Sawston village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the emerging Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will permitted. The erection of a residential development of up to 48 dwellings is not therefore considered acceptable in principle. However, this is policy is considered out of date due to the current lack of a 5 year housing land supply.
43. Sawston is identified as a Rural Centre under Policy ST/4 of the LDF and Policy S/7 of the emerging Local Plan where there is a good range of services and facilities and residential developments with no limit on size are supported in policy terms in village frameworks. The erection of up to 48 dwellings in this location would not support the strategy for the location of housing across the district. However, this is

policy is considered out of date due to the current lack of a 5 year housing land supply.

### **Housing Land Supply**

44. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
45. On the 25 June 2014 in two appeal decisions for sites in Waterbeach, the Inspector concluded that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. This is against the Strategic Housing Market Assessment figure for objectively assessed needs of 19,000 homes between 2011 and 2031, which he concluded had more weight than the Core Strategy figure. It is appropriate for the conclusions reached within these appeal decisions to be taken into account in the Council's decision making where they are relevant. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF which states that adopted policies which are "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. Those policies were listed in the decision letters and are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/4, ST/6 and ST/7 but as a logical consequence of the decision these should also be policies "for the supply of housing".
46. Where this is the case, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted.

### **Character and Appearance of the Area**

47. The site is currently a piece of grassland that is situated outside the Sawston village framework and in the countryside. It is well contained being surrounded by residential properties to the north, east and south. The biggest visual impacts would be Mill Lane along the access and filtered views from the Fire Station, and the public footpath along the eastern boundary of the site.
48. The development is considered to result in a loss of openness and rural character that would change the appearance of the site when viewed from these public viewpoints. However, it would result in limited harm to the setting of the village given the visible backdrop of existing housing and lack of long distance views within the wider context of the site. The development is not therefore considered to harm the character and appearance of the area.

### **Housing Density**

49. The site measures approximately 1.5 hectares in area. The erection of 48 dwellings would equate to a density of approximately 32 dwellings per hectare (including the public open space). The net density would equate to 38 dwellings per hectare (excluding the public open space). This would be below the limit set out under Policy HG/1 of the LDF that seeks a density of at least 40 dwellings per hectare in the more sustainable villages across the district such as Sawston. However, it is considered to be acceptable with the character and appearance of the area and constraints on the site.

### **Affordable Housing**

50. 19 of the 48 dwellings would be affordable dwellings. This would comply with the requirement for 40% of the development to be affordable housing as set out in Policy HG/3 of the LDF and Policy H/8 of the emerging Local Plan to assist with the identified local housing need across the district. The mix is unknown at this stage but would address local needs. Confirmation is awaited from Registered Providers to ensure that the units would be taken on given that there may be higher service charges due to contributions towards the unadopted road.

### **Housing Mix**

51. The remaining 29 of the 48 dwellings would be market dwellings. The mix is not known at this stage but this would need to comply with Policy HG/2 of the LDF or Policy H/9 of the emerging Local Plan. This policy can be given some weight given that although a large number of objections were received, these are seeking additional flexibility above that set out in the policy.

### **Developer Contributions**

52. Developer contributions are likely to be required towards education, open space and community facilities to make the development acceptable in planning terms. The exact requirements would be subject to the needs of the village and a section 106 legal agreement as part of any consent. Affordable housing and an upgrade to the existing footpath from the north eastern corner of the site to Mill Lane would also be included.

### **Design Considerations**

53. The application is currently at outline stage only with access to be considered as part of any approval. All other matters in terms of the layout of the site, scale, external appearance and landscaping are reserved for later approval.
54. The comments of the Urban Design Team in relation to the form of the layout and focal buildings are noted and will be considered at the reserved matters stage. A condition would be attached to any consent to exclude the indicative layout submitted from the consent. The scale and heights of dwellings is not considered to be out of keeping with the character and appearance of the area.
55. The provision of of public open space on the site is satisfactory. This would need to include a Local Area of Play (LAP). The exact size is dependent upon the housing mix and will be determined at the reserved matters stage.
56. The indicative landscaping of the site is considered appropriate and a condition would be attached to any consent to agree the final details of the scheme.

### **Trees/Landscaping**

57. The proposal would not result in the loss of any important trees and hedges that significantly contribute towards the visual amenity of the area. The existing significant trees subject to Tree Preservation Orders would be retained and protected through conditions including details of no-dig construction and above soil surfacing construction within the root protection areas of the trees to reduce soil compaction and protect the roots together with tree protection fencing to protect the tree itself. The majority of the trees and hedges along the boundaries of the site that are in a good

condition would be retained and protected and new landscaping would be provided particularly along the western boundary and across the site to mitigate the impact of the development upon the surrounding area. The layout of the development is a matter reserved for later approval and the siting of dwellings could be revised to address the concerns raised in relation to the impact upon trees T19 and T20.

### **Biodiversity**

58. The site has ecological value as the existing buildings on the site have the potential for bat roosts and there is evidence of badgers crossing the site. The development is not considered to harm these wildlife habitats providing further surveys are carried out to determine the extent of the habitats and mitigation measures to ensure the habitats are protected or ecological enhancements provide suitable replacement habitats.

### **Highway Safety**

59. Mill Lane is a long straight road that leads from the A1301 Sawston bypass to the High Street. It is a fairly busy road that has a speed limit of 30 miles per hour.
60. The development would result in a significance increase in the level of traffic in the area. Cambridgeshire County Council Transport Assessment Team has confirmed that the roads have adequate capacity to accept this volume of traffic to ensure that the proposal would not be detrimental to highway safety.
61. The access width of the main road into the site at 5.5 metres would accommodate two-way traffic into the site and would be acceptable. The 2.0 metres footpath on the western side is adequate and would provide safe pedestrian movements. The proposed vehicular visibility splays of 2.4 metres x 43 metres in both directions are considered appropriate. The access would therefore accord with Local Highways Authority standards. The footpath required within the site would be considered at the reserved matters stage.
62. There are bus stops on the High Street approximately 700 metres to the east of the site. They give direct public transport access to Cambridge and Saffron Walden by a 20 minute service Monday to Saturdays. This is accessible by walking via a public footpath along Mill Lane.
63. The site is considered fairly sustainable given that it has access to a good public transport service within close proximity to the site by walking and cycling. This would ensure that there is not over reliance upon modes of transport such as the private car to travel outside the village. However, a contribution is required towards upgrading the public footpath to the village to encourage its use by the occupiers of the development. This is shown on the proposed plans and would be subject to a separate consent from the County Council to ensure that the surface meets the required standards.
64. The Transport Statement commits to the provision of a framework travel plan to encourage the use of alternative modes of transport other than the private motor vehicle for occupiers of the new dwellings prior to occupation. However, further details are required and a full travel plan would need to be submitted following first occupation of the dwellings. These would be conditions of any consent.

### **Flood Risk**

65. The site is located within Flood Zone 1 (low risk). The River Cam is the most

significant watercourse in the area that is located approximately 500 metres to the west and south west of the site. The southern boundary of the site comprises a ditch.

66. Mill Lane in Sawston suffered from flooding from the river in the past in 1918 and 1968. This was, however, before the bypass was built and a flap valve was installed downstream. Since that time, it has not flooded from the river. The development is therefore considered to be at low risk of flooding from the river.
67. However, the site is subject to flooding from surface water. Therefore, a robust surface water system needs to ensure that the development would not be at the risk of groundwater flooding. The surface water drainage system would comprise water storage tanks on the site in the form of a detention basin in the south west corner of the site with a flow control device to ensure that surface water discharging from the development would not exceed 2.5l/s run-off rates. The size of these storage tanks would ensure that they could accommodate surface water from a 1 in 100 year storm event plus climate change. The water would discharge to the existing ditch along the southern boundary of the site. The details would be agreed through a condition attached to any consent along with maintenance of the system.

### **Neighbour Amenity**

68. The increase in the use of existing field access to serve 48 dwellings is not considered to result in an unacceptable level of noise and disturbance that would harm the amenities of neighbours. Whilst it is acknowledged that the access would run in very close proximity to the boundary of the dwelling at No. 43 Mill Lane that has a bedroom window in its side elevation, a lounge and bedroom window in its rear elevation adjacent to the boundary and a rear garden, it is, on balance, considered satisfactory given that traffic already travels along Mill Lane in close proximity to the dwelling and a condition would be attached to any consent to secure boundary treatment in the form of a wall to provide a greater screen.
69. Whilst it is acknowledged that there would be a change in the use of the land from an open field to residential dwellings, the development is not considered to result in a significant level of noise and disturbance that would adversely affect the amenities of neighbours. A condition would be attached to any consent in relation to the hours of use of power operated machinery during construction and construction related deliveries to minimise the noise impact upon neighbours.
70. The impact of the development itself on neighbours in terms of mass, light and overlooking will be considered at the reserved matters stage.

### **Other Matters**

71. Anglian Water has confirmed that the Sawston Water Recycling Centre and the local sewerage system have available capacity for foul drainage from the development.
72. The development is not considered to result in a risk of contamination providing a condition is attached to any consent for an investigation into contamination.
73. An archaeological evaluation has been carried out on site. The proposal would not result in the loss of any important features of archaeological interest and no further works are necessary.
74. The SUDS system is not considered to cause a health hazard as the water discharged would be clean.

## **Conclusion**

75. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:  
ST/5: Minor Rural Centres – indicative maximum scheme size of 30 dwellings  
DP/7: Village Frameworks  
This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
76. This report sets out how a number of potential adverse impacts can be addressed. However, an adverse impact that cannot be fully mitigated is the limited visual harm arising from the development of the site and the impact upon the neighbour at No. 43 Mill Lane from noise and disturbance.
77. These adverse impacts must be weighed against the following benefits of the development:
- i) The provision of 48 dwellings towards the 1400 dwellings to achieve a 5 year housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
  - ii) The provision of 19 affordable dwellings towards the need of 1,700 applicants across the district.
  - iii) Developer contributions towards public open space and community facilities in the village.
  - iv) Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
  - v) Improvement of footpath to Mill Lane.
  - vi) Employment during construction to benefit the local economy.
  - viii) Greater use of local services and facilities to contribute to the local economy.
78. The adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Planning permission should therefore be granted because material considerations clearly outweigh the limited harm identified, and conflict with out of date policies of the LDF.

## **Recommendation**

79. It is recommended that the Planning Committee grants officers delegated powers to approve the application (as amended) subject to the confirmation that a Registered provider would take on the affordable housing units.

## **Conditions**

- (a) Submission of reserved matters details
- (b) Implementation of reserved matter consent
- (c) Approved plans
- (d) Layout excluded from consent
- (e) Access layout drawing number

- (f) Traffic management plan
- (g) Framework travel plan
- (h) Full travel plan
- (i) Boundary treatment
- (j) Hard and soft landscaping
- (k) Landscaping implementation
- (l) Tree protection in accordance with report
- (m) Badger Survey
- (n) Bat Survey
- (o) Ecological enhancement
- (p) Surface water drainage
- (q) Pollution control
- (r) Contamination investigation
- (s) Hours of use of power operated machinery and construction related deliveries
- (t) Dust suppression
- (u) Piling method statement
- (v) Construction programme
- (w) Waste management strategy
- (x) External lighting
- (y) Renewable energy statement
- (z) Water conservation strategy
- (zi) Fire hydrants
- (zii) Drainage during construction

#### **Informatives**

- (a) Public footpath

#### **Requirements under Section 106 of the Town and Country Planning Act 1990**

- (a) Affordable housing
- (b) Upgrade of Public Footpath
- (c) Education
- (d) Open space
- (e) Community facilities

#### **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.

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- South Cambridgeshire Local Plan Submission 2014
- Planning File References S/1515/15/OL

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