

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/2510/15/OL

Parish(es): Caldecote

Proposal: Outline planning permission for up to 140 residential dwellings (including 40% affordable housing), removal of existing temporary agricultural structures, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road, and associated ancillary works. All matters to be reserved with the exception of the main site access.

Site address: Land East of Highfields Road, Highfields, Caldecote

Applicant(s): Gladman Developments Ltd

Recommendation: Minded to Refuse

Key material considerations: The main issues are whether the proposed development would provide a suitable site for housing, having regard to the principles of sustainable development and housing land supply, scale of development and impact on character and landscape, residential amenity, drainage issues, services and facilities, access and transport, heritage assets and ecology.

Committee Site Visit: Tuesday 31 May

Departure Application: Yes

Presenting Officer: John Koch, Team Leader

Application brought to Committee because: The application is a significant departure to planning policy.

Date by which decision due: 28 December 2015

Executive Summary

1. This proposal, as amended, seeks outline permission (access only for approval) for a residential development of up to 140 dwellings outside the framework of a Group village and in the countryside, on a greenfield site, as identified in the adopted and emerging plans. The development would not normally be considered acceptable in

principle when set against current adopted policy as a result of its scale and location. It is recognised 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 considered not up to date for the purposes of the National Planning Policy Framework (NPPF).

2. However, the local planning authority must still determine the appropriate weight to apply to relevant development plan policies even where out of date. Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when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. It is considered that Caldecote is not a sustainable location for the scale of development proposed, having regard to the level of services and facilities in the village and the accessibility to necessary services and facilities by sustainable modes of transport.
3. While policies ST/6 and DP/7 7 of the adopted Core Strategy and adopted Development Control Policies DPDs in particular are considered out of date having regard to the NPPF, they continue to perform a material planning objective, consistent with the policies of the NPPF, in forming part of a suite of policies to control the distribution and scale of new housing by ensuring that development is sustainably located and unsustainable locations are avoided. The Policies thereby are afforded considerable weight.
4. In this case, the location and scale of the development are such that officers are of the view that the harm resulting from the unsustainable location significantly and demonstrably outweighs the benefits of the proposal. These include a contribution of up to 140 dwellings towards the required housing land supply, including the provision of 40% affordable dwellings, and the potential surface water drainage improvements proposed by the applicant.

Site and Proposal

5. The site comprises 7.17 hectares of agricultural land on the east side of Highfields Caldecote, at the north end of the village. The site is bounded on the east by Highfields Road, with residential properties opposite. To the south the site adjoins the boundaries existing residential properties in Clare Drive and Damms Pastures.
6. To the north the site adjoins an unadopted roadway leading from Highfields to St Neots Road, which serves a number of residential properties. It is also the line of Public Footpath No.1 Caldecote. To the west is agricultural land.
7. There is a tall mature hedgerow and ditch on the west boundary of the site fronting Highfields, and a hedgerow on the south boundary with existing properties. There is also a hedgerow on the western section of the north boundary, with a block of woodland planting on the eastern section of that boundary. The block of woodland planting extends along part of the east boundary, with the remainder of that boundary being more sporadically planted.
8. The outline application, with all matters reserved with the exception of access, proposes development of the site by up to 140 dwellings (including 40% affordable dwellings, removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation

and attenuation, vehicular access points from Highfields Road and associated ancillary works. Vehicular access will be from Highfields Road in two locations. The application includes an illustrative masterplan, which includes an area of public open space, incorporating an existing pond in the south west section of the site, with a community orchard and allotments in the south east corner.

9. The application is accompanied by a Planning Statement, Design and Access Statement, Landscape and Visual Assessment, Transport Assessment, Travel Plan, Ecological Report, Arboricultural Report, Phase 1 Site Investigation Report, Flood Risk Assessment, Heritage Assessment, Archaeological Assessment, Noise Assessment, Statement of Community Involvement, Sustainability Appraisal, Socio-Economic Sustainability Assessment, and Foul Drainage Report.

Planning History

10. On Friday 9 May 2016, officers received confirmation that the applicant has lodged an appeal against the Council's failure to determine this application. As such the Planning Committee cannot formally determine the application. It is, however, required to make a recommendation, to inform the Council's stance when the Secretary of State considers the appeal.
11. In addition, the applicant has recently submitted a duplicate application. This is, understood to be a negotiating tool for agreeing a smaller development on the site, should the original application be considered unacceptable by members. The latest application is currently at consultation stage.
12. There is no other relevant planning history for the site.

Planning Policies

13. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.
14. **National Planning Policy Framework
Planning Practice Guidance**
15. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
ST/2 Housing Provision
ST/6 Group Villages
16. **South Cambridgeshire LDF Development Control Policies, adopted July 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
SF/6 Public Art and New Development
SF/10 Outdoor Playspace, Informal Open Space, and New Developments

- SF/11 Open Space Standards
- NE/1 Energy Efficiency
- NE/3 Renewable Energy Technologies in New Development
- NE/4 Landscape Character Areas
- NE/6 Biodiversity
- NE/9 Water and Drainage Infrastructure
- NE/10 Foul Drainage – Alternative Drainage Systems
- NE/11 Flood Risk
- NE/12 Water Conservation
- NE/14 Light Pollution
- NE/15 Noise Pollution
- NE/17 Protecting High Quality Agricultural Land
- CH/2 Archaeological Sites
- TR/1 Planning for More Sustainable Travel
- TR/2 Car and Cycle Parking Standards
- TR/3 Mitigating Travel Impact
- TR/4 Non-motorised Transport

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**

- Open Space in New Developments SPD - Adopted January 2009
- Affordable Housing SPD - Adopted March 2010
- Trees & Development Sites SPD - Adopted January 2009
- Landscape in New Developments SPD - Adopted March 2010
- Biodiversity SPD - Adopted July 2009
- District Design Guide SPD - Adopted March 2010
- Health Impact Assessment – Adopted March 2011

18. **Draft Local Plan**

- S/1 Vision
- S/2 Objectives of the Local Plan
- S/3 Presumption in Favour of Sustainable Development
- S/5 Provision of New jobs and Homes
- S/7 Development Frameworks
- S/10 Group Villages
- S/12 Phasing, Delivering and Monitoring
- 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/6 Construction Methods
- CC/7 Water Quality
- CC/8 Sustainable Drainage Systems
- CC/9 Managing Flood Risk
- HQ/1 Design Principles
- HQ/2 Public Art and New Development
- NH/2 Protecting and Enhancing Landscape Character
- NH/3 Protecting Agricultural Land
- NH/4 Biodiversity
- NH/6 Green Infrastructure
- NH/14 Heritage assets
- H/7 Housing Density
- H/8 Housing Mix
- H/9 Affordable Housing
- SC/8 Open space standards
- SC/11 Noise pollution
- T/I Parking provision

Consultation

20. **Caldecote Parish Council** - objects strenuously to this application, and recommends that it be refused.
21. *Policy* – Housing development outside the village framework is not permitted.
22. This is a Greenfield site that was still used for arable farming up until 2014. The site is not within the development framework of the village as indicated in the 2007 Local Plan's Adopted Proposals Map published February 2012, and the Proposed Submission Policies Map of July 2013.
23. Policy DP/7 of the 2007 Local Plan says: Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
24. Policy S/7 of the emerging Local Plan (proposed submission with illustrated changes, March 2014) states: Outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
25. The application is not in line with the current Local Plan (2007) and Core Strategy DPD which states: ST/6 Group Villages includes Highfields Caldecote. Development or re-development up to a maximum of 8 dwellings, with a maximum of 15 dwellings where this would make best use of a Brownfield site.
26. The status of Caldecote as a Group Village is repeated at Policy S/10 of the emerging Local Plan.
27. Both the 2007 and the emerging Local Plan say that Group Villages are less sustainable than Rural Centres and Minor Rural Centres because they have fewer services and facilities. This indicates that growth beyond that permitted for Group Villages would not be sustainable in Caldecote.

Need

28. In South Cambridgeshire: The current Local Plan and the emerging Local Plan together demonstrate sufficient 5 year housing land supply for South Cambridgeshire, without the need for additional *ad hoc*, unsustainable developments of this nature.
29. There is no need for this housing in the village. There are already two potential other developments in the village that will bring approximately 68 homes, which is a 7% increase.
30. Total increase for the village if the Application is approved: 21%. There will be a corresponding 21% increase in pressure on all of the infrastructure and services for the village, all of which are already at capacity due to the huge growth in the size of the village (more than 300%) before the adoption of the 2007 Local Plan.
31. The Cambridge Acre Survey of housing need for Caldecote Village published in 2013 advises that there is need for only 13 more affordable homes. The Housing Statistical Information Leaflet published by SCDC in December 2014 increases this by 6 to 19. These can be provided either on the two existing planning applications or in the areas to be developed nearby such as West Cambourne. 40 affordable homes are clearly not needed for the village and sufficient supply will be created when other

developments in South Cambridgeshire are built in the near future.

32. Houses built to be sold into private ownership are not needed due to ongoing development of Cambourne West (3 miles away; 1,200 dwellings, Bourn Airfield (less than 1 mile away; 3,500 dwellings) and Northstowe.

Lack of sustainability

33. The NPPF outlines the three dimensions for sustainable development which are economic, social and environmental (page 2, para 7). This document, and in particular the issues outlined below, provides evidence that the proposal is not sustainable by any of these three dimensions.

Highways

34. One main entrance and exit way is provided. A secondary access road for emergency purposes is included. The plans do not indicate that safety of those using the development, or Highfields Road and pathways adjacent to it, has been considered.
35. A 14% increase in cars in the village, particularly using the junctions in the Access Solution will:
 - Increase danger on Highfields Road to pedestrians and other vehicles
 - Cause significant congestion through the village particularly in the morning when the majority of vehicles use the northern exit from the village to access the A428 to go to work
 - There are already significant safety issues along that part of Highfields Road – blind turnings at several points – and the development will exacerbate those problems.

Drainage – surface water

36. In August 2014 Highfields Caldecote experienced a serious flash flood which caused 11 houses on Highfields Road to be flooded internally and rendered uninhabitable for a period of months.
37. There have in the last 30 years been other flooding events that have affected homes and the northern and southern parts of the village regularly flood in times of heavy rainfall.
38. The plans as they appear on the SCDC planning website indicate a poorly thought through drainage system as it is reliant on ditches adjacent to the boundaries of existing properties. Further the boundary ditch system does not take account of:
 - The contouring of the land
 - The composition of the soil
 - The waterlogged nature of the land for the majority of the year
 - The volume of flow that will be generated during heavy rainfall on waterlogged soil
 - The run off via streams through the neighbouring village of Toft and into Bourn Brook which is known to suffer from flooding on a regular basis
 - The need to permanently maintain the system so that it does not silt up
 - The need to ensure against flood risk to houses in wider village and beyond

39. The proposed surface water system will lead to greater risk of flooding to houses surrounding the development, the remainder of Caldecote lying to the south of the site, and to Toft and outlying houses.

Foul water drainage

40. Bourn sewage works are at capacity and need to be upgraded to cope with increase in volume
41. The pumping station at the southern end of Highfields Caldecote is not working properly and more pressure on this is likely to lead to further leakage of sewage on to the road which may affect nearby homes. This already happens periodically, particularly when there has been a lot of rainfall.
42. No attempt to deal with these issues has been made by the applicant.

School places

43. School capacity – 210 current population -197
44. At least one new class would be added to the estimated influx of new children living on the development.
45. If the children living on the other two developments are added that would be a further 21 children, meaning closer to two classes will be needed. In practical terms this would require the school moving to a two form entry, i.e. a capacity of 420 pupils. The school site is clearly not large enough to cope with this expansion.
46. There is nowhere for parents to park at the school so Highfields Road will become more congested and dangerous.

Water and Gas supplies

47. The existing supplies of water from Bourn Reservoir Distribution Zone and the water towers that serve Cambourne may not be sufficient to supply the new development.
48. The plans propose taking gas supply from the existing supply on Highfields Road. There is no evidence the pressure will be sufficient for the new homes.

Doctor's surgeries

49. Comberton Surgery in Little Eversden has only 2 GPs and 9,214 patients. Bourn Surgery in Bourn has only 4 GPs and 5,936 patients. There is no surgery in Caldecote. The development will add further pressure to these surgeries by increasing the patient numbers by 336 at least. Adding the residents from the other two developments this swells to 500.

Public transport

50. Caldecote is served by a once a day bus service at the two stops on Highfields Road. On St Neots Road, villagers can catch the Citi 4 (every 20 minutes Monday-Friday) or the 1/3 (every hours Monday to Friday). Villagers report difficulty boarding the buses in rush hour because they are full before they arrive at the stop. There is no employment in Caldecote so those living on the development would need to travel to work outside. If they worked in Cambridge they would be faced with a choice of trying to catch a bus, which will probably be full; cycling 10km on roads without cycle paths,

or driving. The majority will drive because of the poor alternatives available to them. This will increase traffic danger and congestion in the village.

Conclusion

51.
 - i. The proposed development:
 - ii. Is not within the development framework under either existing of the emerging Local Plan and therefore should not be permitted.
 - iii. Is not sustainable in Highfields Caldecote.
 - iv. Would not be in line with decisions of the Planning Committee of SCDC over the last 10 years.
 - v. Is not needed or warranted by local residents (69 assertions of objection via the village Facebook page; 23 written objections; unknown number of objections to Gladman's webpage; consensus of opinion of the public (approximately 15 people) and full Parish Council at the meeting held on 5 November 2015 at which Gladmans were present.
 - vi. Will seriously increase flood risk to properties within the village and neighbouring settlement of Toft.
 - vii. Is not necessary in view of the fact that :
 - viii. There will be 3,500 new homes built on Bourn Airfield, less than a mile away
 - ix. There are multiple locations where planning is already being considered to comply with the Council's need to fulfil its 5 year housing supply – Northstowe, West Cambourne for example ;
 - x. It is on greenfield land, designated for agricultural use. Is out of character with the remainder of the village because of its high density housing.
52. **Cambridgeshire County Council Highways Development Control** – has no objection to the proposed accesses to Highfields Road, subject to conditions.
53. However, it strongly recommends that the applicant engages with the Council to progress a suitable internal arrangement prior to submitting a reserved matters application.
54. Originally commented that it did not accept the 'proposed' site access and more details was required i.e. written dimensions, radii, and with sufficient detail to be able to carry out a stage II Road Safety Audit, and not just suggested dimensions within a key at the side of the drawing.
55. Manual for Streets is not acceptable in this location and the Design Manual for Roads and Bridges be used.
56. It states that it has severe reservations with regards connectivity within the site as shown on the indicative master plan. The Highway Authority has a hierarchy which places pedestrian at the top of that hierarchy, and this is not addressed at all within the submitted drawing. It is strongly recommended that the applicant engage with the SCDC Urban Design Team and the Highway Authority to progress a more suitable internal arrangement.

57. **Cambridgeshire County Council Transport Assessment Team** – originally lodged a holding objection.
58. It did not accept the information in respect of existing traffic conditions, person trips, access by foot, cycle and public transport, impact assessment, accident data. It states that it did not review the Travel Plan given the other outstanding issues.
59. Following the receipt of additional information the Transport Assessment Team questions the low number of trips made by parent walking from the development to the primary school estimated by the report. Given the number of early years and primary school children identified as part of the education contribution calculation, would expect to be higher, and the figure is therefore not accepted. However, it states that it will be for the Travel Plan to encourage those travelling to the school to do so by sustainable modes.
60. The County Council is concerned by the connectivity of the site to the Sustrans recognised local on-road cycle route on St Neots Road and onward routes to Cambridge. The development does not propose any mitigation measures to encourage journeys by cycle. Therefore the developer will be required to provide a shared pedestrian/cycle facility on the west side of Highfields Road from the site entrance to the St Neots Road/Highfields Road roundabout through direct implementation prior to occupation of the development. This is to encourage residents from this development and existing residents in Highfields to travel by cycle in place of car, and further improve access and the attractiveness of the route to the bus stops on St Neots Road.
61. The developer is required to upgrade the two closest unmarked bus stops in Highfields Caldecote prior to occupation of the development through direct implementation. The design of the stops should be agreed with the County Council and Parish Council. It is recommended that the stops include flags, bus timetable information and bus shelters, subject to agreement with the County Council. A commuted sum will be secured towards the maintenance of any bus shelters installed.
62. The developer should provide a contribution of £27,000 to the County Council for the installation and maintenance of real Time Passenger Information at the Cambridge bound bus stop on St Neots Road.
63. The Travel Plan should be secured through planning condition or Section 106 for agreement prior to occupation of the development.
64. It confirms that its holding objection has been overcome subject to the above obligations
65. **SCDC Urban Design**

Layout and scale

66. Officers acknowledge that this is an outline application and the layout is indicative. However, it is important that it demonstrates how the 6 ha site can satisfactorily accommodate up to 140 dwellings taking into account the site's immediate and wider context. Some of the proposed grouping of dwellings is not considered satisfactory, and may result in poor quality private amenity space to most dwellings. Therefore it is important that at reserved matters stage the applicant work closely with officers on the layout to ensure that the standards set out in the SCDC District Design Guide SPD is

achieved.

67. To achieve the 140 dwellings as shown several of the 'dwellings' will be apartment blocks. There is a need to ensure that as the design progresses, there is sufficient space for car parking and communal amenity space for the apartment blocks.
68. Page 39 of the DAS states that the proposed development would comprise of three main character areas: Primary Route, Green Lanes and Village Green, however, officers do not consider Primary Route and Green Lanes to be appropriate areas as these are merely road networks. Character areas should relate to the site's immediate landscape or historic features.
69. In terms of building heights, Page 40 of the DAS states that the proposed dwellings will be 2-3 storeys in height. However, there are little precedents locally for 3-storey buildings. Therefore 3-storey buildings should be limited to a few key locations to form landmark buildings. It is important to note that the site remains a rural village edge and the scale of buildings must be appropriate to the location.

Public open space

70. The rationale of including a large area of informal open space incorporating a natural play space is supported. Officers also welcome the inclusion of Greenways to enhance the connectivity of the proposed development.

Public art

71. Preliminary information on Public Art should also be provided at Reserved Matters stage to show the types of public art that can be incorporated within the proposed development.

Design standard

72. The rationale of referring to Building for Life 12 in the design and layout of the proposed development is supported. However, to maintain impartiality, it is important that at Reserved Matters stage, and independent BfL assessor is engaged to score the development. In addition, at detailed design stage, the applicant should refer to the District Design Guide SPD which sets out design standards that new developments should aim to achieve, e.g. the minimum back-to-back distances between dwellings and minimum private garden standards.

Design review

73. It is disappointing that the applicant rejected the offer of presenting the proposed scheme to the Council's Design Enabling Panel at the pre-application stage in order to obtain an independent review of the design merits of the scheme. The applicant is encouraged to refer the scheme at detailed planning and design stage.

Conclusion

74. Officers do not object to the approval of the proposed outline planning application. However, it is recommended that a condition be placed to require the applicant to submit a design code at reserved matters stage to ensure that the aspirations for quality and quantity for the proposed development, as set out in the DAS, are actually realised in the final scheme

75. **SCDC Landscape Officer** - It is noted that the applicant has addressed points raised at the pre-application stage. These include retention of the Highfields Road frontage hedge, enhancement and thickening of boundary hedges, green connections across the site linking with the central green/public space and green footpath connections to the Public Right of Way to the east. However, there are still some areas that require further attention.
76. The allotments and community orchard are awkwardly sited. These would be better located on the eastern boundary where they can provide better access to residents, some screening to the development, and help integrate the proposed development into the wider landscape.
77. The attenuation pond is remote from the proposed development and the space in which it is set is not sufficiently large to develop and appropriate landscape setting. This pond will be better integrated with the landscape closer to the development.
78. The proposed development must allow sufficient space to provide a SuDs system in the form of swales or other open green areas. Piped drainage and storage crates should be avoided.
79. There appears to be limited space for street trees within the proposed development, especially large native trees which would link visually with surrounding woodland and hedgerows.
80. The proposed layout of the dwellings, particularly those facing the 'village green', appears over-complicated and will create a number of difficult spaces.

Conclusion

81. In principle, development would be possible on this site providing that a strong and comprehensive landscape scheme is provided. This must include sufficient space for screening and filtering planting on the boundaries, and space within the proposed development for large native trees.

SCDC – Ecology Officer

82. The development is near to a number of ponds, some of which have been identified as providing breeding habitat for the protected great crested newt. The applicant's ecologist has concluded that (with regard to great crested newt conservation)
83. Given the location and proximity of the ponds to the proposed development area it is likely that the very difficult to prevent an offence occurring under the Habitats Regulations in the absence of mitigation. It is therefore considered that a Natural England derogation licence will be required in order to comply with the relevant legislation.
84. Due to the clearance of terrestrial habitats that could be used as resting/hibernation places by GCN's, it is considered that a Natural England European Protected Species (EPS) licence will need to be secured for the proposals to proceed. A detailed mitigation strategy (Method Statement) will also need to be produced in support of the licence application. The mitigation approach will be to avoid killing or injuring GCNs and to minimise the impact on the GCN population in order to maintain their 'Favourable Conservation Status' in their natural range.
85. The following condition should be used to address this issue:

Where an offence under Regulation 41 of the Habitats and Species Regulations 2010 is likely to occur in respect of this permission, hereby granted, no works of site clearance, demolition or construction shall take place which are likely to impact upon any great crested newt (*Triturus cristatus*) unless a licence to affect such species has been granted in accordance with the aforementioned Regulations, and a copy thereof has been submitted to the local planning authority.

86. It is the intention that the existing on-site pond will be retained and enhanced, and incorporated into a scheme which provides habitat connectivity to the wider landscape. Enhancements in this area will include the thinning of over-shading vegetation and removal of silt and litter. Terrestrial habitat enhancement will include gapping-up of hedgerows, planting of native scrub species and provision of hibernacula and refuge piles.
87. An important question needs to be answered before we can consider natural habitat enhancement to the pond. What is the current water source? If it is supplied by local land drainage then that supply of water will need to be maintained. There is a serious risk that as land is built-up around the pond it will lose its supply water. A holding objection is raised until this matter is resolved.
88. Numerous field signs of badgers were recorded within the site, including a latrine, snuffle holes, paths, and a single main sett. The sett was recorded adjacent to the pond within dense scrub. Given the evidence of regular and continuous use, the sett is considered to be an active main sett. The current proposal is to retain the sett in situ. This matter should have a greater degree of consideration at this stage so that the applicant is clear as to how they will retain the badger sett amongst a residential development. A holding objection is raised as it is considered that this issue has yet been properly resolved. For example, what direction do badgers currently go when leaving their sett; how can this habitual route be maintained; what habitat connections/underpasses are to be provided so that the badgers can still have access to open countryside and areas for foraging; what forage area is to be retained for the badgers; what measures are to be put in place to stop badgers becoming a nuisance in people's back gardens of the properties nearest to the sett; what is the extent of undeveloped buffer zone adjacent to the sett? We should not allow this development to enclose this main badger sett without retaining meaningful feeding areas and connection to the wider landscape.
89. If this information cannot be provided then there is no reassurance that is required to conserve a main badger sett and we should refuse the application.
90. If the above matters can be addressed then it will be necessary to attach a pre-commencement condition as such:
91. Prior to any ground investigation, ground preparation works or development, a repeat badger survey of the site shall be undertaken. The results of the badger survey shall be provided to the Local Planning Authority for approval. If a new sett is discovered it may be necessary to propose specific mitigation measures. Such mitigation measures shall be agreed in writing with the Local Planning Authority prior to undertaking any activity likely to disturb badgers.
92. Trees within the site were mainly restricted to hedgerows. The hedgerows are a large size both in height and width. These hedgerows should be retained and not incorporated into private gardens so as to retain the rural feel to the edge of Caldecote, and to maximise the ecological value of the hedgerows. Has this been achieved in the layout?

93. Trees T1 and T2 have low bat roost potential but as they are expected to be retained they have not been surveyed in detail. Can it be confirmed that T1 and T2 will be retained and are not subject to disturbance (inc lighting) in any way?
94. The standard condition with regard to the control of vegetation removal during bird nesting season should be used.
95. A condition should be attached requiring a scheme of ecological enhancement to be submitted for approval. This scheme would clarify the extent of works to the retained pond, the scope of bird and bat box erection on retained hedgerow trees, and the extent of wildflower meadow habitats to be provided.
96. The indicative drainage strategy (within the DAS) shows the use of a remote off-site attenuation pond, Why is the pond located so far from the development? Why is the pond not integrated within the development so as to deliver biodiversity gain and landscape enhancement?
97. Furthermore, so as to further enhance green corridors through the site can it be confirmed that open ditch systems will be used as opposed to piped systems so as to provide habitat connectivity and to reduce the risk of great crested newts becoming trapped within piped systems as they move towards water bodies. Further clarity is needed on this matter otherwise GCN may come to harm when the issue could be designed out.

98. **Cambridgeshire County Council Education**

Early Years need

99. The development is expected to generate a net increase of 22 early years aged children. There is insufficient capacity in the area to accommodate these places, and only 10 can be accommodated. The identified project by the education team is to expand the existing facilities at Caldecote Primary School by 12 places. This work will involve the relocation of the boiler and internal modifications of walls, materials etc. The project, which is at a very early stage, will cost £240,000, hence the price per place is higher than the tariff which is used when the project is unknown.
100. The trigger point for the payment should be 50%. It confirms that there are not 5 signed S106 Agreements in place for this project.

Primary need

101. The development is expected to generate around 49 primary school places.
102. The County Council does not consider that there is a need to extend Caldecote Primary School, and that it can accommodate the pupils generated by this development within the school. It confirms that the current and future capacity has been looked at in more detail as a result of this application.
103. It states that Caldecote Primary School has a Published Admission Number (PAN) of 30 and a capacity of 210. The pupil role was 196 in January 2015 and 197 in September 2015. It is forecast to fall to around 180 by 2019/20. The school is recognised as good by Ofsted at its last inspection in September 2011.
104. In January 2015, there were 198 children aged 4-10 living in the catchment compared

to 196 on roll. 172 of the 196 pupils on roll came from within the catchment. The school took 10 children from Cambourne, but 6 children from Caldecote attended Cambourne schools. 13% of children from the catchment attended other schools. The catchment population is forecast to fall to around 175 by 2023/24.

105. The development is expected to increase the primary-aged population to around 210-215. Therefore, allowing for the forecast fall in the catchment population and out-catchment options, there should be sufficient space in the school to accommodate the children from this development. The situation will be tight, and there may be a need to plan to accommodate some year groups bigger than 30. Some children, who move into the development older than reception age, may not be able to gain a place if the school fills to its admission number with out-catchment options.
106. The additional primary aged pupils which the development will generate mean that neither the school nor County Council would look to provide an additional classroom. This would require a very complex class organisation, which would be financially unviable.

Secondary need

107. The development is expected to generate a net increase of 35 secondary school places. The catchment area is Comberton Village College, and it has been confirmed that there is sufficient capacity over the next five years to accommodate the places generated by this development

Libraries and Lifelong Learning

108. The proposed increase in population from this development (140 dwellings x 2.5 average household size = 350 new residents) will put significant pressure on the library and lifelong learning service in the village, which is currently served by 1 mobile library stop.
109. The County Council's proposed solution to mitigating this impact would be to enhance the existing mobile stop to serve the residents of the proposed development. A contribution of £4.08 per increasing population towards the cost of this project is required (total £1,428).
110. There are not 5 signed S106 Agreements in place for this project.

Strategic Waste

111. This development falls within the Cambridge and Northstowe HRC catchment area for which there is currently insufficient capacity. The development would require a contribution of £25,200. However, as the HRC already has 5 S106 contributions pooled the County Council is unable to seek a further S106 Strategic Waste contribution. The County Council H&CI Committee decision on 7 July 2015 is to depart from the existing policy that commits the County Council to providing new sites around Cambridge and at Northstowe, and instead use developer contributions to provide one new site to cover the Northstowe development and act as a replacement for Milton.

Monitoring Fees

112. The County Council will agree a monitoring charge by negotiation with the developer having regard to the complexity of development/resources e.g. multiple/different

triggers, size of development, ongoing monitoring etc. The basis of the charge would be an officer rate of £50 an hour. The monitoring fee for this S106 would be £700.

113. **Cambridgeshire Archaeology** – comments that the site is located in an area of high archaeological potential. Archaeological investigations to the south have consistently revealed evidence of Iron Age and Roman settlement and agriculture, as well as evidence of medieval and post medieval settlement and occupation. An archaeological evaluation along the A428 also revealed evidence of Iron Age and Roman settlement, and medieval and post-medieval occupation. In addition, within and surrounding the application area is evidence of medieval and post-medieval cultivation, present as ridge and furrow.
114. It is therefore recommended that the site is subject to an archaeological evaluation to be carried out prior to the granting of planning permission. The results should allow for fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains in the development area. An informed judgement can then be made as to whether any planning consent will need to include provisions for the recording and, more importantly, the preservation of important archaeological remains *in situ*.
115. The applicant has now carried out an archaeological evaluation and Cambridgeshire Archaeology has confirmed that it has identified that there is significant evidence for Late Iron Age settlement in the northern part of the site, but nothing that would prevent the development from occurring.
116. In view of this evidence it recommends that further archaeological work is required in advance of construction, which can be secured by a pre-commencement condition.
117. **Cambridgeshire County Council Flood and Water (LLFA)** – originally objected on the grounds that the applicant had not 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 appropriate allowance for climate change, can be provided on site.
118. Additionally it was not demonstrated that the correct number of SuDS treatment stages would be provided before discharge into a watercourse. Under the Water Framework Directive it is important that no activities such as development could cause detriment to the water quality or geomorphological status of a waterbody.
119. The applicant needs to demonstrate through its surface water strategy that the proposed development will not cause an increased risk of flooding from surface water. The surface water strategy should be carried out in accordance with the NPPF, giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer.
120. The surface water strategy should clearly show that surface water for up to the 1 in 100 chance in any year storm event, including an allowance for climate change, can be safely contained on site. It is acceptable to partially flood the site during this event, ensuring that buildings are not affected by flooding and the site can be safely navigated by users. Where this flooding will be within roads or pathways, the applicant must ensure that safe access and egress is still available. For residential developments a climate change allowance of 30% should be added to the peak rainfall intensities for the purpose of sizing the attenuation features.
121. It is strongly recommended that the applicant uses linear SuDs features such as swales to discharge water into the attenuation pond instead of a surface water drain.

Alternatively it is advised that the applicant provides source control upstream e.g. through the use of rain gardens, and then discharge into the attenuation pond via the proposed surface water drain. If these options are not practicable then the applicant should look to options such as dividing the attenuation pond into multiple ponds or wetland systems.

122. Under the requirement of the Water Framework Directive and as detailed in The SuDS Manual (CIRIA C697) the applicant must provide at least two levels of water treatment stages for the site prior to it entering the watercourse. This will improve the water quality of the water entering the pond and the watercourse.
123. The applicants approach to the site in relation to where the surface water outfall is located in the south-east corner of the site is supported. This will help to reduce pressure on the watercourse which runs along Highfields Road. The LLFA is aware of multiple incidents of surface water flooding to properties in this vicinity. The measures to further improve the drainage system around the site boundary, and to adjust levels on the Highfields Road watercourse to allow overtopping into this ditch system are also welcomed.
124. Following receipt of additional information/clarification from the applicant the LLFA initially confirmed that the applicant had met the minimum requirements of the NPPF, and its objection was removed, subject to a condition being included in any consent requiring submission of a detailed surface water drainage scheme. Before the scheme is submitted an assessment should be carried out of the potential for disposing of surface water by means of a sustainable drainage system, which should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event, plus a 30% allowance for climate change. The condition should require information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site, the measures taken to prevent pollution of the receiving groundwater and/or surface waters, and provide a management and maintenance plan for the lifetime of the development.
125. However, following the receipt of new information relating to potential drainage issues at the site, which were unrelated to its previous objection, the LLFA requested that a holding objection was re-imposed.
126. It commented that a number of large, shallow trenches had been excavated across the site which were, in places, filling with water. It was unclear what the precise source of the water was, however it could have been due to high groundwater levels in the area. Of those trenches inspected, the water level was estimated to be in the region of 0.6m below ground level. This was of particular concern as the proposed surface water drainage system includes an attenuation basin which is likely to be in excess of 0.6m deep. High groundwater levels across the site have the potential to compromise the adequate functioning of the proposed surface water drainage system.
127. A water table that is near to the surface has the potential to cause flooding or damage to deep SuDS features. An appropriate assessment (e.g. an intrusive site investigation) should be undertaken to determine groundwater levels across the site, and evidence should be provided to demonstrate that the proposed development and its associated drainage system will have no adverse impact on local flood risk either on or off the site (including from groundwater).
128. The presence of high groundwater levels does not preclude the use of SuDS altogether, however it must be ensured that features that are selected are appropriate

based on site specific conditions.

129. The LLFA has now advised that following further discussion with the applicant's drainage consultant, and the submission of a geological statement, it has been agreed that in addition to the proposed ditches along the north east boundary, the proposed development will provide land drainage as required to ensure any residual flows are safely conveyed through the development to the boundary ditch system.
130. Based on the above agreement, and the detail within the geology statement, the LLFA confirms that it is again satisfied that the applicant has met the minimum requirements of the NPPF and its holding objection is removed.
131. Any consent should include the condition referred to at paragraph 137 above.
132. **Drainage Manager** – supports the comments of the County Council as the Lead Local Flood Authority. It has thoroughly assessed the proposed surface water layout and investigated the concerns at local level. The Drainage Manager is happy that the application has been given due consideration and has no further comments.
133. **Environment Agency**
Foul water drainage

No objection to the proposed development in isolation. However, connection of foul drainage into the Bourn WRC may prejudice other allocated development sites which have been identified for connection into the STW.
134. Joint Position Statement on foul water and environmental capacity in relation to proposed development with South Cambridgeshire District issued by the EA and Anglian Water in Jan 2014, states that there is limited capacity at Bourn WRC.
135. Standard informatives are provided in respect of surface water drainage, potential ground contamination, and pollution prevention.
136. **Anglian Water** – The foul drainage from this development is in the catchment area of Bourn Water Recycling Centre, which currently does not have capacity to treat flows from the development site. Anglian Water are obligated to accept the flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should planning consent be granted.
137. The sewerage system at present has available capacity for these flows
138. **Environmental Health (Contaminated Land Officer)** – comments that the Phase 1 Geo-environmental assessment (desk study) makes recommendation for an intrusive site investigation and this should be secured by condition, and should include any contamination remediation measures required.
139. **Environmental Health Officer** – states that on balance there are no objections in principle to the development, but the following issues need to be considered and effectively controlled in order to protect the quality of life/amenity and health of existing and proposed residential uses/premises and the wider community/environment, and which are paramount in facilitating a sustainable high quality development.

140. Conditions should be imposed in respect of hours of operation of power driven machinery during the period of construction, noise attenuation measures for the new properties, artificial lighting details, no bonfires and burning of waste during the period of construction, and the use of driven pile foundations, and control of any noise generated by potential renewable energy technologies employed, should be included in any consent.
141. **Housing Development Officer** – comments that the proposed site is located outside of the village framework and should therefore be considered as an exception site for the provision of 100% affordable housing for the purposes of meeting the local housing need in Caldecote. This is in accordance with H/10 of the emerging Local Plan.
142. However, should this application not be determined as an exception site, then the council will seek to secure 40% affordable housing. The developer is proposing up to 140 dwellings, including 56 affordable properties, which complies with the 40% requirement.
143. There are approximately 1,700 applicants registered on Homelink who are in housing need in South Cambridgeshire. The greatest demand in South Cambs is for 1 and 2 bedroom units, however for such a large affordable housing scheme there should be a good mix of housing to ensure that the development is sustainable.' In order to ensure sustainable communities affordable housing should be integrated with market housing in small group or clusters between 6 - 8 units' as stated in Chapter 3, Paragraph 3.25 of the Affordable Housing SPD.
144. The preferred mix and tenure split is rented 14x 1 bed, 20 x 2 bed, 5 x 3 bed and shared ownership 10 x 3 beds and 7 x 2 beds. The district wide tenure split is 70/30 in favour of rented.
145. Properties should be built in accordance with the DCLG Technical Housing Standards and the national space standards.
146. A registered provider will need to be appointed to take forward the affordable housing. We would appreciate being notified once an RP has been appointed so that we can have further discussions with them over the delivery of the Affordable Housing and to ensure that the mix is in accordance with housing need.
147. The rented properties should be available to all applicants registered on Homelink in South Cambs and the shared ownership properties should be advertised through the homebuy agent operating in this region which currently is (Bedfordshire Pilgrims Housing Association)
148. The applicants have mentioned in accompanying information that they would consider providing a commuted sum in lieu of some on site affordable housing. This approach does not comply with policy. This is stated in Chapter 5, paragraph 5.21 of the Affordable Housing SPD 'It will not be appropriate for major developments (10 or more dwellings) to provide financial contributions in lieu of on-site provision.'
149. Therefore, full on site provision of the affordable housing should be provided.
150. **NHS England** – In an updated response, it concludes that the proposed development is likely to have an impact on the services of Comberton Surgery, which does not have capacity for the additional growth resulting from this development, which is expected to generate 343 residents.

151. A developer contribution of £47,040 is therefore sought towards mitigation of the impacts of the proposal, which would be by way of extension, refurbishment or reconfiguration at Comberton practice.
152. **Environmental Health (Public Health Specialist)** – comments that the submitted Health Impact Assessment has been assessed as grade A, which meets the required standard of the Health Impact Assessment SPD.
153. **Environmental Health (Air Quality)** – has no objection in respect of air quality. However, for the purpose of ensuring that the sensitive receptors within the vicinity of the development are not affected by the negative impact of the construction work, such as dust and noise, as well as ensuring that the applicant complies with the Council's policy on Low Emission Strategy for a development of this magnitude, conditions should be imposed requiring a Construction Environmental Management Plan/Dust Management Plan, and an electric vehicle charging infrastructure strategy and implementation plan.
154. **Cambridgeshire County Council – Asset Information Definitive Map Officer** – comments that the site is adjacent to Public Footpath No.1 Caldecote, It runs in an approximately north-easterly direction from Highfields Road along the northern boundary of the application site to St Neots Road. The Public Footpath must legally remain unobstructed and open for public access, Informatives should be included in any consent regarding the footpath.
155. **Crime Prevention Design Team, Cambridgeshire Constabulary** – no objection at the outline stage.

Representations

156. 42 letters have been received from occupiers of properties in Caldecote, and combined representation from 62 residents (some of whom have written individually and are included in the 42 letters), objecting to the application on the following grounds:
- a) Site is outside the village framework. It is a greenfield site and productive agricultural land. It is not included in the Draft Local Plan.
 - b) Contrary to the status of Caldecote as a Group Village – far greater than the 8 dwellings permitted. It is an unsustainable proposal. The 2013 SHLAA listed Caldecote as unsustainable for further development. Caldecote has suffered from continual piecemeal development and has grown too far too fast.
 - c) Too many dwellings on a small site. Density is too high. With an average of 2.4 persons per household it will result in an extra 330 people and may also mean 280 more vehicles. Density is higher than that of surrounding developments.
 - d) Represents a 14% increase in the population, which would cause a similar increase in demand for school places, waste, and traffic.
 - e) The Caldecote Local Housing Needs Survey 2013 only found a need for 13 new affordable homes in the village
 - f) Will adversely affect the character of the village which will change from relatively small one to a medium/large one overnight, and the surrounding

developments. It is out of scale and character with existing development.

- g) The representation on behalf of 140 local residents contains a detailed assessment of surface water drainage and flooding issues, and these are produced in full in Appendix 1. A summary of other drainage comments is set out below.
- h) Flooding – high water table – area prone to flooding. Extra drainage was installed in the form of a balancing pond and a powerful pumping station when the village was expanded previously, but this still does not cope in times of very heavy rainfall. In August 2014, houses along Highfields Road opposite the site suffered flooding both of their gardens and in many cases the houses themselves. Had this development existed the flooding would have been much worse. A development of this size on land which floods, and with additional hard landscaping, will make further flooding in the village more likely.
- i) The drainage system will be unsustainable and unmanageable with the current mains drainage being under Highfields Road, and partly in private ownership.
- j) Much of the existing flooding problems in the village is caused by the site being waterlogged due to its composition of heavy border clay, with the field to the east being the same. It is understood that archaeological digs on the site had to be aborted as the trenches filled with water, which is indicative of the existing situation. New hardstandings will create faster run-off and more flooding to properties downhill in Clare Drive and Damms Pasture.
- k) The applicants plans for a new ditch system on the southern boundary include a 90 degree bend which will inhibit flow, and the proposed system requires water go uphill towards the attenuation pond. As a result water will pool behind the north east corner of Clare Drive/Damms Close, causing flooding problems to adjoining properties
- l) The proposed attenuation pond may flood if it is not properly maintained. The Parish Council has carried out extensive investigations into the Award Ditch which runs north to South through the village, and established that there are a number of blockages and inadequate piping. This cannot be relied on to take any more water which will come from this development. There is no evidence that the proposed flood mitigation will mitigate the risk of flooding, and existing houses near the proposed new ditch will be at higher risk.
- m) The local pumping station requires pumping out regularly. It frequently breaks down, causing considerable leakage and nuisance. During flooding, or even heavy rain, sewerage overflows from the drains and from the pumping station. The Bourn treatment works is at capacity. The plans mention providing a pumping station, but it is not shown on the plans.
- n) When the village expanded in 1990's it was concluded that 400 extra houses were the maximum the village infrastructure could cope with. Anglian Water increased the supply of water to the village to cope with the increased demand in line with the agreed maximum expansion, however water pressure is still low
- o) Impact on local road systems, which are already at capacity. There is only one exit from the site. It is at the north end of the village – people commuting to work in the morning are likely to block traffic down through the village as they

leave the development. There is no evidence that the entrance and exit to the site will be safe for those using that road or Highfields Road. The access road should not be placed directly opposite and existing driveway.

- p) There is insufficient room for the pavement/walkway from the site along Highfields Road because there is a ditch where they want to place it. There are no proper cycleways from the village to Cambridge.
- q) Policies TR/1 and TR/2 of the adopted Local Development Framework state that permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport, or other non-car travel modes, and that development must be located and designed to reduce the need to travel, particularly by car. The submitted Transport Assessment (TA) estimates only 3 occupants will use the bus. The TA and Travel Plan suggest that in future many more people may use the bus, but refers to a survey of Suburban Areas and Edge of Town users. This usage stops at Hardwick, and the fare to Cambridge from Caldecote is twice that from Hardwick. Buses at peak times are full. There may be scope to increase the bus availability, but it is not in place, and in fact the timetable has been reduced, with fewer evening buses, and none on Sundays.
- r) Lack of parking provision.
- s) The Primary School is at capacity, and further expansion would be difficult.
- t) Impact of health services in the area. It is already very hard to get an appointment in less than two to three weeks.
- u) There is no doctor's surgery, library, post office or public house in the village, and only one shop. The bus only operates twice daily.
- v) Other village amenities are very limited – there is a social club and the village hall is already too small so that many events have limitations on entry. There will also be an impact on other local amenities such as play and youth activity, child care and the village hall. There are no proposals to expand these. Lack of facilities for younger persons will result in an increase in vandalism
- w) Currently the only S106 requirements for this development is to enhance the mobile library stops
- x) There are no places at the dentists in the area.
- y) Loss of privacy to adjoining houses due to increased noise and disturbance, overlooking and overshadowing.
- z) Adverse impact on quality of life for existing and proposed residents.
- aa) Adverse visual impact on the area/surrounding countryside. This will be severe, contrary to the conclusion in the Landscape and Visual Impact Assessment. The application refers to 2.5/3 storey high properties which are out of keeping with the village.
- bb) The scheme does not satisfy Building for Life criteria.

- cc) The amount of open space claimed (40.5%) is misleading as this includes all roadways, hedges, and drainage areas. The attenuation pond and drainage ditch, which are not suitable for public use.
- dd) Lack of local employment opportunities. People will have to travel outside the village for work.
- ee) Loss of hedgerow along Highfields Road to provide access will decrease attractiveness of the village, and affect habitat for the local wildlife. Great Crested Newts have been identified in the immediate area
- ff) Impact on badger sett in the middle of the site. The Ecological Report fails to identify a latrine on the immediately adjacent land.
- gg) Impact on other wildlife in the area
- hh) Archaeological site – Highfields Caldecote was likely the site of a Roman settlement and there may be a need for the land to be investigated before it is developed
- ii) Impact on social and police services in the area. Increase security risk to existing properties
- jj) There is already a play area for under twelves, a recreation and sports field, as well as a multiple use sports facility. Any additional area would be superfluous. It is proposed to put the play area close to houses, which will result in noise disturbance, and there are no security measures to prevent vandalism
- kk) There have been planning applications refused for development in Highfields since the development of Caldecote started for reasons of sustainability, drainage, lack of infrastructure, excessive growth in the village, and the traffic generated. An appeal was rejected in 2010 and included reasons of housing density; development in a group village contrary to the LDF Core Strategy; and “the lack of essential services and facilities within the village already mean that residents need to travel outside the village for their day-to-day needs.....proposed development would therefore amount to unsustainable development....”
- ll) Applicant’s Arboricultural Report refers to trees being retained which are within the gardens of adjoining properties, which are out of its control.
- mm) Flooding problems will affect property values and result in difficulties obtaining insurance.
- nn) Internet speed in the village is slow
- oo) There are other sites in the village that could be developed i.e. land between Clare Drive and Blythe Way. There are also sites at West Cambourne, Bourn Airfield and Northstowe that could be developed
- pp) 50% of residents who responded to the survey for the Parish Plan said that they did not want more houses.
- qq) The retained agricultural land will be less viable as arable fields, being not large in modern farming terms and the access proposed through the

development may prove impractical.

rr) Only reason for this application is the District Councils lack of a 5 year housing land supply, and delays in the Local Plan process. Residents have a right to feel aggrieved by this process, which is now having a direct impact on villages like Highfields Caldecote.

ss) Loss of view

157. 33 letters (21 from households in Caldecote and 11 from households in Hardwick) have been received supporting the application on the following grounds:

- a) The scheme includes 40% affordable housing element on site
- b) The development would make the community more self-sufficient/sustainable
- c) Established hedgerow and trees will be retained and improved to screen the site and reduce any visual impact.
- d) The entire site being developed for housing is within flood zone 1 (lowest probability of flooding). The proposals will provide a significant level of betterment to the surface water flooding situation in and around Highfields Caldecote. The application proposals provide a ditch system to the northern and eastern boundaries, allowing incoming land drainage flows to be directed away from the village into a watercourse system to the south east. This will lead to betterment in the village, particularly in an area of historical surface water flooding, which is a significant benefit.
- e) The development proposals provide 40.5% new public open space and a new equipped children's play area.
- f) A new public right of way will be provided across the site, improving connectivity with the existing footpath network.

158. The Headteacher, Caldecote Primary School in a letter to Cambridgeshire County Council, is concerned about the response of the Education Authority. The playgroup is on the school site, and there is no capacity for it to expand or use any other space on site. The current prediction for the reception class going forward is that it will be up to capacity (30) for the next four years. It is queried how the additional 12 places required will be accommodated.

159. There is concern about the additional 49 primary school places predicted, as for many years the demographer's predictions have been inaccurate. Caldecote is rated as 'good' at its last Ofsted, and more recently has been deemed to be outstanding by the Local Authority. The school is also within the catchment of Comberton Village College, and a high number of parents choose to send their children to Caldecote for that reason. Both these factors have an influence on the numbers. Admissions have informed the school that the classes that are "full" all have at least one child on the waiting list for that class. Some of these families have appealed and the school has been forced to go over the PAN of 30.

160. Even if the Year 1 and Year 5 classes were full to capacity this would only mean an additional 14 children, and the school would be extremely short of space. In 2012, when there were 207 children on the roll, it was a struggle to have the whole school assembly in the hall. The school only just managed to accommodate all its school

lunches, and that was prior to the Universal Infant Free School Meals. Since then it has to extend its lunch breaks in order to accommodate the increase in meal uptake.

161. A 20% increase in school numbers is unrealistic and unmanageable for many reasons:
- a) Space around the school for group or individual work.
 - b) A hall that is unable to accommodate over 200 children
 - c) Office capacity, including physical space, to accommodate the additional administration
 - d) Playground space as the field can only be used in the summer time
 - e) Car parking is a major concern; the increased pupil numbers would result in more traffic and congestion, resulting in increased probability of accidents
 - f) Increased numbers will require extra staff, and there is not sufficient parking for the staff already employed. Many have to park on the road causing a nuisance to residents and a hazard for children who have to cross to school between parked cars
 - g) Increase traffic will add to congestion that it contact outside the school, and will increase the potential of a serious accident.
162. Flooding – although the school has not suffered from a ground flood, the playground is constantly under water during the autumn and winter months. An engineer's report and investigations have been undertaken, but the conclusion is that it is a problem which is not easily solved, and is caused by the wider issues of flooding in the village. To address this issue would involve major engineering and reconstruction of the village drainage. More housing is going to increase the risk of flooding – how will this be addressed?
163. Sewerage – this is a problem across the village and the school is no exception, It regularly has problems with the toilets and sewerage backflow.
164. There are many other smaller building proposals around the village. If these are successful then the possible numbers of primary aged children far exceeds 49. There is no possibility that the school in its current form could contemplate accommodating this increase. It needs a substantial building programme, which is not feasible on the current site.
165. Councillor Tumi Hawkins urges the District Council to refuse the application on the following grounds:
- a) The proposal is for 140 dwellings in a village that is classified as a Group Village, Policy ST/6. Development allowable is up to an indicative maximum size of 8 dwellings on new sites, and up to 15 on brownfield sites.
- Group villages are by definition “less sustainable locations” for new development, having fewer services, allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village.
- Highfields Caldecote currently comprises circa 600 dwellings, no shop, no doctor's

surgery, a primary school that is full to capacity, no bus transport through the village, long-standing drainage problems, and a sewerage pumping station that is not fit for purpose.

Therefore, it is evident that adding a further 140 dwellings, an increase of 23% on the current numbers, will be extremely detrimental to the well-being of all residents due to the lack of services and facilities.

- b) The proposed development site is outside the development framework of Highfields Caldecote. Policy DP/7. Whilst the District Council may not currently have a 5-year housing land supply, the Council should be doing its best to preserve the integrity of the current policy.
- c) The is insufficient infrastructure capacity to support such a development
 - i) The primary school is full to capacity. The neighbouring schools in Bourn and Hardwick are also full to capacity. There is no space in the school grounds to extend the school (it has already been extended significantly when the three new housing estates were built).
 - ii) Residents of the village share the doctor's surgeries at Bourn and Comberton respectively. Both of these are already full to capacity. Comberton is facing having a development of up to 90 houses and will require the surgery to be relocated as there is no space to extend it. Likewise, Bourn surgery has no room to expand, and is prone to flooding.
 - iii) Poor Drainage has been a long standing problem in the village. The village was severely flooded in August 2014, and the ditches cannot cope with the surface water run-off when heavy rains occur. The subsoil is clay, which is impervious, and so rain water does not drain down into the soil. The land being proposed for development has a low water table and has standing water in most parts for most of the winter. Therefore, building on this land will only shift the water elsewhere and it is apparent from the submission that the mitigation proposal is not workable.
 - iv) In conjunction with the above drainage issue, the sewerage pumping station is not fit for purpose and has not been for several years. Anglian Water is well aware of the problem, and although pump parts have been replaced from time to time, the station is usually overwhelmed especially when incidents of heavy rain occur.
 - v) Transport – there is no bus service that runs through the village. The only available service being the No.4 bus that travels along the old St Neots Road. Residents have to walk anything from 10-20 minutes from their houses, just to get to the bus stop. The service is also expensive and unaffordable for some, who end up cycling or walking to Hardwick to take the bus as it is cheaper from there.
 - vi) There are no recreational facilities for young people (aged over 10). This means that parents end up having to take these children out of the village for leisure purposes. This adds to the traffic going in and out of the village.
 - vii) There are no employment opportunities in the village. It is expected that those who will be living in this development will be commuting to work, either to Cambridge and the surrounding business parks, or to the nearest train stations

to commute to London. The road infrastructure going into Cambridge is currently seriously deficient, especially along the A1303 Madingley Rise, and adding cars from this new development will only make that matter worse. The village in effect is being turned into a dormitory village.

viii) Cumulative development – there is an ongoing attempt by Banner Homes to build on the site 18-28 Highfields Road, and it is expected that this will be a development of at least 60 houses. Therefore, the prospect of a cumulative 200 houses being built in the village will swamp it and change its character.

d) The proposal for this site will result in an overdevelopment of Highfields Caldecote, especially in the light of the points made in c) i)-vii).

e) The proposed plan will materially change the character of the village. Highfields Caldecote has seen the size of the village trebled in the past decade and a half, from around 200 dwellings to the current 600 plus dwellings with the development of three new housing estates (Blythe Way, Clare Drive and Strympole Way). Any further development will be detrimental to the cohesiveness that is important to villages such as this.

f) Taken all together, it is my view that the proposal will create a development that is

- i) Contrary to policy
- ii) Will result in overdevelopment of Highfields Caldecote
- iii) Is not sustainable due to insufficient infrastructure
- iv) Does not enhance the character of the village
- v) Is severely detrimental to the amenity of existing residents

166. Cambridge Past Present & Future – does not support the application on the grounds of building outside the development framework. The overall shortage of new homes, including ones that are within reach of first time buyers is acknowledged, however the following concerns are expressed.

167. The site is outside the village framework; the site is not included in the Local Plan SHLAA nor is it included in the Errata; the proposal is speculative; there are considerable concerns about transport and infrastructure impact, especially in the light of the City Deal proposals.

168. A plan-led approach that includes sustainable development based on the adopted Local Plan is welcomed. However, in this particular case the proposal does not accord with this and should be refused.

Planning Assessment

169. *Housing Land Supply*

The National Planning Policy Framework (2012) (NPPF) requires local planning authorities to boost significantly the supply of housing, to achieve this a five-year housing land supply with an additional buffer, as set out in paragraph 47, should be identified and maintained.

170. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013

and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.

171. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted to 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.
172. However, the Court of Appeal has confirmed that even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies.
173. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/7, HG/1, HG/2, NE/2, NE/6 and NE/17 of the adopted Development Control Policies. Policies S/7, S/8, S/10 and NH/3 of the draft Local Plan are also material considerations but are also considered to be relevant (draft) policies for the supply of housing.
174. 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 (which includes land designated as Green Belt in adopted plans for instance).

Principle of development

175. The site is located outside the Caldecote village framework, although adjacent to it on its south and west boundaries, and in the countryside, where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 140 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply as set out above.
176. It falls to the Council as decision maker to assess the weight that should be given to the existing policies. The Council considers this assessment should, in the present application, have regard to factors including whether the policies continue to perform a material planning objective and whether it is consistent with the policies of the NPPF. Caldecote is identified as a Group Village under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan. These are the third of four categories of rural settlement and are less sustainable settlements than Rural Centres and Minor Rural

Centres, having fewer services and facilities and allowing only some of the day-to-day needs of residents to be met without the need to travel outside the village. As noted later in this report Caldecote has only relatively limited facilities and services, with no secondary school, doctor's surgery, very limited employment opportunities.

177. Development in Group Villages is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.
178. An appeal decision on another site in Caldecote in 2011 concluded that it was correctly identified as a Group Village when considered against the hierarchy of other villages in the District, and that the development proposed (97 dwellings) would conflict with that status, as Caldecote was considered to be a relatively minor and unsustainable settlement. That appeal pre-dates the Waterbeach appeal decisions referred to in paragraph 261 above and the NPPF, so can carry out little weight in the determination of this application, which must be assessed against current criteria.
179. Policy TR/1 states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands, unless the site has (or will obtain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. This policy is not considered to be out of date as it does not relate to the supply of housing, and is consistent with the aims of the NPPF.
180. The NPPF requires that 'planning policies and decisions should actively manage patterns of growth to make fullest use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.'
181. In this case the proposal to develop a scheme for up to 140 dwellings is not considered sustainable due to the relatively low level of services and facilities in the village and lack of employment opportunities, as highlighted later in the report. Therefore existing Policies ST/6 and DP/7 which form part of a suite of policies to control the distribution and scale of new housing can be afforded considerable weight since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided. When set against the NPPF the proposal also therefore fails as it cannot be considered to be a sustainable location capable of supporting a development of this size. These facts therefore are considered to outweigh the need for additional housing land in this instance.
182. Caldecote was not one of the villages reviewed in The Local Plan Village Classification Report June 2012, informed by the Village Services and Facilities Study, which looked at the settlement hierarchy in the adopted Core Strategy 2007, and as part of this considered where individual villages should sit within the hierarchy, as it has a population of under 2000, which was the lower threshold for the Report.

Deliverability

183. The applicant has stated it is likely that, subject to market conditions, on average around 25 to 30 market dwellings per annum would be completed. The affordable housing would be delivered alongside the market dwelling completions. Taking into account infrastructure delivery, it is anticipated that the development of the site would take around four to five years to complete.

184. If outline consent were to be granted, following the completion of a Section 106 Agreement, a reserved matters application would then need to be prepared and submitted along with an application to discharge any other conditions. The result will be that work is not likely to commence on site for some time following the granting of outline consent.
185. However, officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.

Sustainability of development

186. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.
187. Policy DP/1 of the adopted Local Development Framework and Policy S/3 of the Draft Local Plan set out the principle of sustainable development. Although in respect of DP/1 1a. the policy relates to the supply of housing, in that it refers to the sequential approach to development, and therefore in this respect can be considered out of date, the remainder of the objectives of the policy are consistent with the aims of the NPPF in promoting sustainable development. Officers are therefore of the view that this policy can be given significant weight in the determination of this application.

Economic

188. The provision of up to 140 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social

189. The NPPF states that the social role in achieving sustainable development is to support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of current and future generations, and by creating a high quality built environment, with accessible local services that support the community's needs and support its health, social and cultural well-being.

Provision of new housing

190. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 140 residential dwellings. 40% of these units will be affordable (up to 56 units). The applicant indicates that the mix of market housing will be in accord with Policy HG/2, and this can be conditioned as part of any approval. Both Policy HG/2 and emerging Policy H/8 are considered to be policies for the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable, inclusive and mixed communities, which is consistent with the aims of the NPPF. Officers are therefore of the view that these policies can still be given considerable weight.
191. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 140 houses, including the affordable dwellings, is

a benefit and significant weight should be attributed this in the decision making process.

192. Public open space, a community orchard and allotments are shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. It is likely that the open space will be mainly utilised by occupiers of the proposed development, although it has the potential to be used by other existing residents, particularly those at the northern end of Highfields.

Services and Facilities

193. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising *'housing should be located where it will enhance or maintain the vitality of rural communities'*, and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
194. Highfields Caldecote is served by relatively few services and facilities. In the Village Services and Facilities Study, it is identified as having a Primary School, village store, hairdressers, social club, village hall/community. It has a Church although this is in the older part of Caldecote, 3km south of the site. There is no secondary school, doctor's surgery or post office. There is a mobile library service once a month. Residents are therefore required to commute outside the village to access many day-to-day services. The Primary School is within 800m of the site
195. Officers are aware that the village shop has very recently closed, and given the current uncertainty as to whether it will re-open, the weight to be given to this as a local facility is substantially reduced when considering current application. It could be argued that the introduction of an additional 140 houses into the village will aide the viability of the village store. However, there is currently no evidence to demonstrate that this additional level of development would secure the long-term viability of the store, and given the period of time that will elapse between the granting of any outline planning permission and built development on the site (and then at the suggested rate of 25-30 market dwellings per annum), the future of the village store is likely to be determined prior to any impact of these new dwellings. In addition to the now closed village store there is a shop at the petrol filling station on the old St Neots Road, which sells foodstuffs, which is 850m from the centre of the site.
196. There are very limited employment opportunities within the village itself, although there is some employment activity on Bourn Airfield to the west. However, it should be noted that one of the former larger employment premises is currently closed and semi-derelict.
197. The 2011 census data indicated that 74.7% of the working population travelled to work by car or van, which is above the District figure of 67.87%. Only 4% travelled to work by bus, 3.3% by train, 3.1% by bicycle and 3.0% by foot.
198. There is bus service along Highfields Road, once a day Monday to Friday in each direction, from Boxworth to Cambridge (via Cambourne), with the bus stop located 300m south of the site entrance. In addition the Citi 4 service operates along St Neots Road. This provides a service every 20 minutes Monday to Saturday, hourly on Sundays, and runs between Cambridge and Cambourne. The bus stops are located at the junction of Highfields Road and St Neots Road, and are approximately 800m from the centre of the site.

199. Officers are of the view that the limited bus service through Highfields, and the distance of bus stops on St Neots Road from the site (twice the recommended maximum walking distance) is such that it will not encourage residents of the new development, although closer to the St Neots Road stops than most of Highfields, to use the bus as an alternative to the private car for most day-to-day journeys.
200. As outlined below County Council's Transport Assessment Team is suggesting the introduction of shelters at the existing bus stops in Highfields, and the provision of a footpath/cycle link on the east side of Highfields, from the site entrance to St Neots Road. Whilst this will improve accessibility and usability of the existing services officers are of the view that it will not materially increase numbers choosing to travel by bus.

Education

201. Cambridgeshire County Council is seeking a contribution towards the early years contribution, however no contribution is sought for either the Primary School in Caldecote, or secondary facilities at Comberton Village College, where it states that adequate capacity exists to cater for the additional number of pupils expected as a result of this development.
202. In respect of the capacity of Caldecote Primary School this position is contested locally, however the justification for the County Council's position is set out in paragraphs 114 – 119 above. It states that currently there is a forecast fall in the catchment population and out-catchment options, and that therefore there should be sufficient space in the school, although it recognises that the situation will be tight.
203. As such officers are of the view that a contribution towards Primary School infrastructure cannot be required. Appendix 2 provides details on planning obligation requirements.

Access and Transport

204. The County Council's Highway Control Officer has not objected to the principle of development, and has agreed the details of the proposed accesses to Highfields, which are submitted for approval at the outline stage. The conditions requested can be included in any consent
205. The County Council's Transport Assessment Team has considered the application in terms of traffic generation and impact on the existing highway network in the vicinity, and has raised no objection to the scale of development proposed.
206. In order to improve connectivity of the site it is seeking mitigation in the form of the provision of a shared pedestrian cycle facility on the west side of Highfields from the site entrance to the junction of Highfields with St Neots Road. This can be secured by condition.
207. Improvements to the two closest bus stops to the site in Highfields are requested by provision of shelters. Again this can be secured by condition.
208. A condition should be included in any consent requiring submission of a Travel Plan for approval.

Environmental

Impact on character of the village and landscape

209. The application proposes new housing at a density of approximately 33 dwellings per hectare (dph). Policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances.
210. Both Policy HG/1 and H/7 are considered to be policies that relate to the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to the need to respond to local character, which is supported by the aims of the NPPF as identified below. Policies DP/2 and DP/3 are not considered to be housing supply policies and are not therefore considered to be out of date. Officers are of the view that considerable weight can therefore be given to Policy HG/1 and H/7 where the proposed density of a particular development compromises local character and the aims of paragraph 58 of the NPPF which states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.
211. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
212. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
213. The site currently has a very rural character with the mature planting and grass verge along the Highfields from frontage, which contribute significantly to this character.
214. The northern section of the site is well screened on the west, north and east boundaries by existing planting, such that any long distance views of the proposed development will be softened. The retention and reinforcement of existing planting can be secured by condition
215. Development of the site will require the provision of two access points to Highfields, which will result on the loss of sections of the existing frontage planting. This, coupled with the need to provide footpaths along the Highfields frontage, both to connect to the existing footpath on the east side of the road, which currently ends just north of Clare Drive at the south end of the site, and north from the site to provide improved pedestrian and cycle access to St Neots Road, will detract from the existing rural character of the site frontage, introducing a more urban form.
216. The existing footpath on the west side of Highfields is narrower than the width now sought by the Highway Authority, with a equal width of grass verge separating it from the carriageway. This helps to retain a more rural character, but which could not be repeated on this east side of road within the available width of the public highway.
217. The Landscapes Officer has not objected to the principle of development of this site for the number of dwellings proposed, although there are a number of areas highlighted where further thought is required to the layout at the reserved matters

stage.

218. The land to the east of the site does slope away to the south east, and it will therefore be important that there is sufficient space allowed for new planting on the east boundary of the site, particularly along the southern section of the east boundary, where there is less existing planting, in order to mitigate impact of the new development on the adjoining countryside. The ridge heights of proposed dwellings should be lower closer to the boundaries of the site.
219. The Urban Design Team has indicated that the site can accommodate the number of dwellings proposed, and has not objected to the outline application. It recommends that a condition is included in any consent requiring submission of a design code for the site.

Residential amenity

220. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.
221. In this case the main direct impact of the proposed dwellings on residential amenity in terms of overlooking, overbearing, or loss of light, will be to existing properties to the south in Clare Drive and Damms Pastures, and officers are of the view these matters could be addressed at the reserved matters stage. Drainage issues are considered later in the report

Surface water drainage

222. The site lies in Flood Zone 1. However, there is a history of surface water flooding problems in Highfields, which have been well documented in the local representations received.
223. In considering the planning application the Local Planning Authority has to be satisfied that the applicant has demonstrated that any surface water from the development site can be appropriately dealt with within the site, and will not result in an increase in the existing greenfield run-off from the site. An applicant cannot be required to include within a scheme additional measures that might help alleviate existing flooding problems in the area, but is required to demonstrate that any new development will not exacerbate any existing problems in the area.
224. In this case the applicant has outlined a surface water drainage strategy for the site to deal with projected surface water from the site, whilst at the same time providing potential improvements to existing surface water drainage and flooding problems in the area. This is however disputed in the local representations, as detailed in Appendix 1 and in Representations above.
225. The applicant has submitted a Flood Risk Assessment. The applicant states that, in addition to dealing with surface water run-off from within the site by directing greenfield run off from the site, a ditch system is proposed along the northern and eastern boundaries, allowing incoming land drainage flows to be directed away from the village into a watercourse system to the south east. An attenuation pond is proposed on land to the south east of the main body of the site. The applicant states that this will lead to floor betterment, particularly in an area of historical surface water

drainage flooding, which it considers to be a significant benefit.

- 226. The Lead Local Flood Authority has twice raised holding objections to the application, but following the receipt of further information/clarification from the applicant it has withdrawn these. It is of the view that the applicant has carried out the minimum requirements of the NPPF at the outline stage, but states that surface water drainage can be dealt with but condition, which should include maintenance.
- 227. The Council's Drainage Manager accepts that the application demonstrates that surface water from the proposed development can be dealt with, and supports the position of the LLFA.
- 228. The local representations express concern that additional development in this area of Caldecote is going to exacerbate the existing flooding problems in the village, and have questioned whether the mitigation scheme suggested by the applicant will work in practice.
- 229. The local concerns regarding flooding are well founded as there are well documented instances of flooding problems to existing properties in Highfields. Both the LLFA and the Council's Drainage Manager are aware of these concerns when considering the application.
- 230. Officers are therefore of the view that an objection on drainage grounds cannot be sustained, and that weight should be given in the planning balance to the applicant's position that the scheme has the potential to deliver drainage betterment for Highfields.
- 231. A detailed surface water drainage scheme can be secured at the reserved matters stage. However, given the local concerns the wording of the condition should set out the drainage measures that scheme should include, as well as providing a management and maintenance plan for surface water drainage system for the lifetime of the development.

Foul water drainage

- 232. Anglian Water has stated that there is insufficient capacity to deal with foul drainage from this development at Bourn Water Recycling Centre. However, it states that it is obligated to accept the flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should planning consent be granted. This can be dealt with by condition.

Heritage Assets

- 233. The archaeological investigation of the site, requested by the County Council, has been undertaken, and the results submitted for further consideration. The further comments of Cambridgeshire Archaeology will be reported.

Ecology

- 234. The application is accompanied by an Ecological Report. The Ecology Officer has lodged a holding objection on the basis that the applicant has not adequately address the potential impacts of the proposed development on the badger sett within the site. Additional information has been provided by the applicant and an update will be provided

235. The Ecology Officer is of the view that matters relating to the protection of Great Crested Newts, bats and breeding birds can be addressed by condition. Conditions should include a scheme of ecological enhancement. Thus while policy NE/6 is to be regarded as a housing supply policy and is therefore considered to be out of date, no harm has been identified in this instance, which would prevent the application from being approved.

Renewable Energy

236. The applicant has indicated that a number of potential measures to ensure that the development complies with the Council's Renewable Energy requirements will be explored and detailed as part of a reserved matter application.
237. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities.

Protecting High Quality Agricultural Land

238. The site is classified as Grade 3 agricultural land. Policy NE/17 states that planning permission should not be granted for development that would result in the irreversible loss of Grades 1, 2 or 3a, unless the land is allocated for development, or sustainability considerations and the need for development are sufficient to override the need to protect the agricultural value of the land.
239. Policy NE/17 is considered to be a policy that restricts the supply of housing, and is therefore considered out of date. However, as the site is shown as Grade 3 land Policy NE/17 does not apply

Planning Obligations

240. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, LPAs had been able to combine planning obligation contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are no longer able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.
241. The Council can confirm that there have been 5 Section 106 agreements in respect of developments in the village of Caldecote since 6 April 2010 contributing towards (i) offsite open space and (ii) offsite indoor community space improvements. As such the CIL Regulations prevent the LPA from lawfully securing further tariff style contributions towards unidentified offsite open space improvements in accordance with development control policies and the open space in new development SPD.
242. The LPA recognises that the Planning Practice Guidance requires that 'In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind'. It goes on to say that 'Planning obligations must be fully justified and evidenced' and as such the LPA take the view that a project should be identified in order to ensure CIL

compliance.

243. Appendix 2 provides details of the developer contribution required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF.

Benefits of the development

244. The applicant considers that the following benefits will arise from the proposed development.
245. Delivering market housing to meet an identified need, in an area where there has been historical substantial under delivery.
246. The application would deliver 40% affordable homes and provide a full range of affordable housing at a time when other schemes might be unable to deliver a policy compliant level of affordable housing. In circumstances where there is a chronic shortage of affordable housing in the Cambridgeshire area (as confirmed by both the SHMA and EIP Inspectors preliminary conclusions) this should be regarded as a significant benefit which weighs heavily in favour of the application proposals.
247. The site will provide 40.5% open space for the benefits of new residents and the existing wider community.
248. Allotments – the proposal will provide an area of allotments, something which the Parish Council has expressed a wish to see.
249. Accessibility – the proposal site is within both walking and cycling distance to the main facilities and services within the village.
250. Highways – the development will provide an appropriate contribution towards the highway improvement works, identified by the Parish Council.
251. New homes bonus of £1.3m and the wider economic benefits associated with construction and job creation.
252. Ecological benefits through the protection and enhancement of existing wildlife corridors and provision of new green infrastructure within the development.
253. Flood alleviation – The site will alleviate existing problems in Highfields Road with surface water drainage and will also discharge surface water from the site into a SuDS at less than greenfield rate. This will provide significant benefits to the local community immediately surrounding the site. An appropriate contribution towards a flood alleviation scheme of Highfields Road will also be made.
254. The applicant considers that there are no significant and demonstrable impacts that would outweigh the benefits of granting planning permission when assessed against the NPPF as a whole. The proposals constitute sustainable development in the context of the three dimensions of sustainable development; environmental, social and economic.

Recent Appeal Decisions

255. The officer's recommendation for refusal on a similar, albeit considerable smaller proposal in Balsham, as published for the purposes of the June 2016 Planning

Committee, was subject to challenge from the applicant. That led to the application being deferred from consideration at that time. As a consequence this application was also deferred from being considered.

256. The challenge to the other application referred particularly to recent appeal decisions within the district at Foxton (APP/W0530/W/15/3084325) and Swavesey (APP/W0530/W/15/3139078) and the relevancy of these decisions in the determination of the application.
257. The Foxton appeal decision related to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Shepreth Road, within the countryside. Foxton is a designated Group Village. The appeal was dismissed with the inspector concluding, due to serious harm to the setting of the grade II Foxton House, the proposal does not comprise sustainable development.
258. The Swavesey appeal decision related to an application for outline planning permission for up to 30 dwellings, at 18 Boxworth End. The majority of the site is located within the countryside. Swavesey is designated as a Group Village. The appeal was allowed and planning permission granted, with the inspector concluding that the development would represent sustainable development.
259. The challenge has raised that in both instances “limited” weight is given to the out of date policies DP/7 and ST/6 and that development of the scale proposed was not considered to result in harm by way of an unsustainable location. This could be construed as comparable to this application given that Swavesey and Foxton are designated similarly as Group Villages within the adopted Core Strategy. The Foxton appeal started on the 31 July 2015, with statements due on the 11 September 2015 and the inquiry evidence given on the 12 January 2016 and held on the 9 February 2016. The Swavesey appeal started on the 14 December 2015, with final comments due on the 19 February 2016.
260. Given those dates of the appeals, as referenced above, it is considered that the applications and appeals pre-date the Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes) dated 17th March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspectors assessment of theses particulars, did not benefit from this ruling and in particular to recognition by the Court of Appeal that out of date housing supply policies can still be given weight – even considerable weight – if they still maintain a planning function.
261. Another appeal decision (APP/W0530/W/15/3138791) has only recently been issued in respect of a site in Duxford. The impact of that appeal decision on this application, will be provided in an update report and will be considered as part of the decision making on this application.
262. It is considered that the Core Strategy DPD objectives (ST/a –K) and the associated suite of policies ST/2 - ST/7 and Development Control Policies policy DP/7 maintain an important and valid planning function because they ensure that development is sustainably located and unsustainable locations are avoided. This matter was not addressed or considered in the two appeals. As such, the relevance of those earlier decisions and the desirability in principle of consistency in decision making is outweighed by the fact that this important factor was not addressed or considered in earlier appeal decisions. Following the decision of the Court of Appeal, it is necessary in all cases to consider what weight should be attached to out of date housing supply policies having regard inter alia to whether they still fulfil a planning function.

263. With respect to those appeal sites not being considered unsustainable locations, their individual merits in terms of availability and accessibility of services, public transport links and employment opportunities are not comparable in this instance. Furthermore, each site is assessed on its individual merits.
264. A note of advice, addressing the matters raised by Rupert Warren Q.C on behalf of the applicants for the site at Balsham, has been prepared by Douglas Edwards Q.C on behalf of the Local Authority, dated XX June 2016. The note of advice has informed the approach to this recommendation to Planning Committee.

Conclusion

265. 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:
266. ST/6: Group Villages – indicative maximum scheme size of 8 dwellings
DP/1 – Sustainable Development
DP/7: Village Frameworks
HG/1: Density
HG/2: Housing Mix
NE/6: Biodiversity
NE/17: Protecting High Quality Agricultural Land
CH/2: Archaeological Sites
267. 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.
268. For the reasons outlined above, officers are of the view that significant weight can be given to Policies ST/6, DP/7 and HG/1 in this case. Officers have identified in the report the areas where they consider that significant and demonstrable harm will result from proposal, in terms of the unsustainable location for a development of the scale proposed, given the relatively low level of services and facilities available. Officers have based the first part of this conclusion on the specific circumstances of Caldecote, taking into account that Caldecote is not considered a sustainable location for development of this scale as outlined in the planning assessment.
269. In making the planning balance any adverse impacts must be weighed against the potential benefits of the development outlined in the preceding section of this report.
270. In this case the adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits of the development (as summarised in the paragraphs above) when assessed against the policies in the NPPF taken as a whole. Although the development would provide a large number of dwellings to meet the identified shortfall in supply and this is a benefit, this increase would equally compound the concerns that Caldecote is not a sustainable location for the scale of development proposed.
271. Planning permission should therefore on balance be refused because material considerations do not clearly outweigh the substantial harm identified, and conflict with out of date policies of the LDF. Officers have outlined in the above paragraphs why Policies ST/6, DP/7 and HG/1 should still be given significant weight in this case.

Recommendation

272. Officers recommend that had the Planning Committee still had powers to formally determine the application that it should have been refused for the following reasons.

That Members are minded to refuse for the following reason:

1. Caldecote is identified as a Group Village in the Adopted Core Strategy DPD 2007, where Policy ST/6 states that development is normally restricted to groups of a maximum scheme size of 8 dwellings within the village framework. The proposed site is outside the village framework of Caldecote where DP/7 of the adopted Development Control Policies DPD development restricts development to uses which need to be located in the countryside. The Council recognises that the aforementioned policies are currently considered out of date, and that the application therefore needs to be determined in accordance with paragraph 14 of the National Planning Policy Framework, with the presumption in favour of sustainable development, unless the development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. However, the Council is of the view that considerable weight can be given to Policies ST/6 as it continues to fulfil a planning objective in and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner. Some weight can also be given to Policy DP/7 as it continues to fulfil a planning objective of limiting development, and is also consistent with the NPPF presumption in favour of sustainable development. The Council also recognises that Policy DP/1 is out of date in so far as DP/1 1a. relates to the supply of housing, however in all other respects the Council is of the view that Policy DP/1 is consistent with the aims of the NPPF in respect of the presumption in favour of sustainable development, and therefore significant weight can be given to Policy DP/1 as it continues to fulfil a planning objective consistent with the NPPF.

In this case the scale of the development proposed is not considered to represent a sustainable form of development as Caldecote has been identified as not being a sustainable location for the scale of development proposed. Although some local community and social facilities are available, the services in Caldecote have been found deficient in several areas, which are likely to generate regular journeys, which are not likely to be made other than by the private car. These are the lack of significant sources of employment in the vicinity, the nearest secondary school being Comberton Village College, lack of a doctors surgery and that anything other than the most basic shopping trip not being able to be fulfilled other than by use of the private car. On this basis the proposal is considered to materially and demonstrably conflict with the aims of the NPPF as it fails to meet the environmental role of sustainable development and Policies ST/6, DP/1, DP/7 and TR/1 of the adopted Local Development Framework 2007, which are all policies which are considered to fulfil a planning objective in terms of securing development is located sustainably. Any benefits arising from the development are considered to be significantly and demonstrably outweighed by the identified harm.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/2510/15/0L

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