

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 July 2016

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

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**Application Number:** S/3181/15/FL

**Parish(es):** Great Abington

**Proposal:** Erection of 20 Dwellings, Associated Access and Landscaping

**Site address:** Land to the North of Pampisford Road, Great Abington

**Applicant(s):** Hill Residential and Mr B.C. and Mrs R. Moore

**Recommendation:** Refusal

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

**Committee Site Visit:** 5 July 2016

**Departure Application:** Yes

**Presenting Officer:** Karen Pell-Coggins, Principal Planning Officer

**Application brought to Committee because:** The Local Member has requested the application to be considered by the Planning Committee.

**Date by which decision due:** 8 July 2016

### **Executive Summary**

1. This proposal, as amended, seeks permission for a residential development outside the Great Abington village framework and in the countryside. This development would

not normally be considered acceptable in principle as a result of its location. However, the district does not currently have a 5 year housing land supply and therefore the adopted LDF policies in relation to the supply of housing are not up to date for the purposes of the NPPF. However, the Local Planning Authority must still determine the weight to be applied to the policies even when out of date. In this case, considerable weight can be attached to these policies as they perform a material planning objective. However, given the scale of the development in relation to the sustainability of the location and that part of the site is allocated for residential development in the emerging Local Plan that was put forward by Great Abington Parish Council, the development of the site for residential purposes is supported in principle.

2. The NPPF states that there is a presumption in favour of sustainable development and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
3. Some adverse impacts that cannot be fully mitigated namely the visual harm to the rural character and appearance of the area through a poor quality layout and inappropriate landscaping together with harm to the occupiers of the new dwellings through an unsatisfactory relationship between a number of properties. These impacts are considered to demonstrably outweigh the benefits that consist of a contribution of 20 dwellings towards the required housing land supply including 8 affordable dwellings, a location with good transport links and a range of services, provision of open space, developer contributions towards community facilities and the creation of jobs during the construction period that would benefit the local economy. Given the above balance, the application is recommended for refusal.

### **Site and Surroundings**

4. The site is located outside of the Great Abington village framework and in the countryside. It measures 1.1 hectares in area and currently forms a meadow at the south western edge of the village. There is a high hedge and trees on the eastern boundary of the site adjacent the High Street that is subject to a Tree Preservation Order. A post and rail fence and sporadic landscaping form the southern boundary adjacent to Pampisford Road. The western boundary is open. Part of the northern boundary adjacent to No. 110 High Street comprises a hedge and part is open. No. 108 High Street is a listed building. The site lies within flood zone 1 (low risk). A public footpath runs from Pampisford Road to the High Street to the west of the site.

### **Proposal**

5. The proposal seeks the erection of 20 dwellings. 8 of the dwellings would be affordable in nature. The mix would consist of 2 x one bedroom flats, 2 x two bedroom houses, 3 x two bedroom bungalows and 1 x three bedroom house. The remaining 12 dwellings would be available for sale on the open market. The mix would consist of 3 x two bedroom houses, 4 x three bedroom houses, 3 x four bedroom houses and 2 x five bedroom houses. The layout would comprise houses fronting the High Street and Pampisford Road. There would also be an access road off Pampisford Road. The existing footpath would be extended from the High Street to Pampisford Road. The dwellings would be two storey in scale and have a maximum height of 9.8 metres. The designs would incorporate gables and dormer windows. The materials of construction would be red bricks/render and horizontal boarding for the walls and pantiles for the roofs. At least two parking spaces would be provided for each dwelling. The hedge and trees along the High Street would be removed. A replacement landscape buffer

would be provided along the High Street and a new landscape buffer would be provided along part of the northern, southern and western boundaries. A public open space would be provided on the site.

### **Planning History**

6. S/1465/87/O – One Dwelling – Appeal Dismissed  
S/1464/87/O – One Dwelling – Appeal Dismissed  
S/1463/87/O – One Dwelling – Appeal Dismissed

### **National Guidance**

7. National Planning Policy Framework  
Planning Practice Guidance

### **Development Plan Policies**

8. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**  
ST/2 Housing Provision  
ST/6 Group Villages
9. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
NE/4 Landscape Character Areas  
CH/2 Archaeological Sites  
CH/4 Development Within the Setting of a Listed Building  
NE/6 Biodiversity  
NE/11 Flood Risk  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards
10. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments SPD - Adopted January 2009  
Biodiversity SPD - Adopted July 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Listed Buildings SPD- Adopted July 2009  
Affordable Housing SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010
11. **South Cambridgeshire Local Plan Submission - March 2014**  
S/3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/7 Development Frameworks  
S/10 Group Villages

HQ/1 Design Principles  
 H/1j Allocation for Residential Development at Villages  
 H/7 Housing Density  
 H/8 Housing Mix  
 H/9 Affordable Housing  
 NH/2 Protecting and Enhancing Landscape Character  
 NH/4 Biodiversity  
 NH/14 Heritage Assets  
 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/9 Managing Flood Risk  
 SC/6 Indoor Community Facilities  
 SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
 SC/8 Open Space Standards  
 TI/2 Planning for Sustainable Travel  
 TI/3 Parking Provision  
 TI/8 Infrastructure and New Developments

## Consultation

12. **Great Abington Parish Council** – Recommends approval and comments that the Council was happy to see the changes that had been requested made to the design of the affordable homes. However as parking is a problem along the High Street in this part of the village, because it is particularly narrow and a parked car can stop the bus passing through the village altogether, additional parking on the plan for visitors to the new homes would be extremely helpful.
13. **Affordable Housing Officer** – Comments that if the application is to be determined in relation to the lack of a 5 year housing land supply rather than an exceptions site, 40% affordable housing is required. The development of 8 affordable units would meet Policy HG/3. There are 1700 applicants on the housing register and 22 with a local connection to Great Abington. The highest demand in the district is for one and two bedroom accommodation. Supports the revised mix of 2 x one bedroom flats, 2 x two bedroom houses, 3 x two bedroom bungalows and 1 x three bedroom house. The tenure split should be 70% rented and 30% shared ownership and therefore it is expected that 6 of the properties to be available for rent and 2 for shared ownership. The properties should be built in accordance with the DCLG Technical Housing standards and HCA design standards. A registered provider should be appointed to take forward the affordable housing. Whilst the properties should be open to applicants registered on home link who have a connection to South Cambs. However, priority should be given to those applicants with a local connection to Great Abington, because similar schemes in South Cambs. have been given approval on this basis.
14. **Urban Design Officer** – Objects to the application and comments that the proposal is not acceptable on a number of grounds. The frontage to Pampisford Road has been weakened as Plot 1 has been re-orientated and rear gardens extend along the boundary, the hard landscaping along the frontage of the dwellings on the High Street is extensive, the landscaping strip at the back of the footpath to the High Street is insufficient, Plot 5 is very close to the boundary with no space for landscaping, Plots 6 and 7 relate poorly to each other, the POS appears to be a left over strip of land rather than integrated into the scheme and there is no visitor parking.
15. **Trees and Landscapes Officer** – Comments that the entire hedgerow along the High

Street being removed. The preference is for retention of the hedge and bringing it back into management. Gaps for access to dwellings can be created through it. The retained sections can be protected and the details submitted are satisfactory.

16. **Landscape Design Officer** – Objects to the application on the grounds of its scale and layout. Comments as follows: -

The proposed development lies within the 'East Anglian Chalk' National Landscape Character Area. Key features of this Landscape Character Area are a wide, gently rolling landscape with large fields separated by clipped hedges. Vegetation and areas of woodland are sparse, but village edges and the valley bottoms of streams and rivers are often wooded features in the landscape. There are occasional sharper scarp slopes and hills, sometimes featuring distinctive hill-top 'hanger' woodlands.

The setting of both Great and little Abington villages are more heavily influenced by the detailed and intimate landscape of the shallow, wooded valley of the River Granta, which meanders east to west north of the site, and by the surviving parkland landscape associated with Abington Hall which lies between the two villages.

Approaches to the site - and to both villages - often feature tall hedges to both sides of the road, with limited views to the wider landscape. However, views north across the site from Pampisford Road do offer views of the wider landscape – to the chalk hills west of Balsham. Other wider views are available from the village edges, and from a spur of raised land forming part of the Granta Park campus to the west of the site.

The site itself is a small-medium sized, enclosed meadow, framed by mature vegetation but allowing views across an open foreground to dwellings at the village edge.

Mature trees and hedgerows run along the north, east and west boundaries. The southern boundary is largely open allowing views over the entire site. Views to the south from the site are limited by a tall hedgerow along the southern edge of Pampisford Road, and by the vegetation screening an abandoned railway line beyond. Set amongst and against the trees and hedgerows, the rear of dwellings along the high street are visible to the east, and the buildings of Newhouse Farm are visible to the west. The site serves to separate the farm from the western edge of the village.

This character and scale of enclosure (small-medium meadows and paddocks) is typical of the edges of many South Cambridgeshire villages, and announces the transition between the generally more large scale and open surrounding landscape and the more intimate character of the village and its immediate surroundings.

A public footpath runs along the western boundary of the site, connecting Pampisford Road with the High Street. There are uninterrupted views from this footpath across the entire site.

The meadows and paddocks at the village edge allow some permeability and separation, and serve as a setting for both the village and its associated outlying buildings. This is important to the character and setting of Great Abington and the site itself.

Development of the present scale and form will change the character of the site from an established, open meadow which marks the village edge and separates the High Street from the outlying buildings at New House farm, to a substantial urban extension

to the village.

The remaining meadow will become enclosed north of the proposed development, and the Pampisford Road frontage will become suburban in character, featuring large multi-vehicle driveways and an extended kerb and bitmac footway to New House Farm, this replacing the existing soft verge.

The current proposals will close over 50% of the Pampisford road boundary, and viewed from the east, will visually link the proposed development to Newhouse Farm. Long distance views to the wider landscape across the east and centre of the site will be blocked.

When viewed from approaches from the west, and from the Public footpath along the western boundary, views across the site will be dominated by the proposed development, particularly the large dwellings close to the western boundary.

The scheme will appear as an unscreened block of development set in a meadow at the edge of the village and a lack of perimeter landscape and removal of existing planting will mean that the adverse impact outlined in the LVIA will not be mitigated and the scheme will not be integrated into its landscape setting.

The hedge and trees along the boundary with the High Street would be removed with inadequate space for replacement planting, the site would be enclosed by close boarded fences, the landscape buffer is poor adjacent to Plots 5 and 9, the landscape buffer is within rear gardens and outside of the developers control and may not be maintained, the large areas of parking and entrances on the High Street would result in a suburban character, frontage tree planting along Pampisford Road should not be within rear gardens, space should be found within the development for native tree planting and tree planting along streets should respond to the village edge location, the pathway between Plots 13 and 15 runs too close to the dwellings, the POS has been re-located adjacent to the main spine road and should have a buffer adjacent to the dwelling.

17. **Ecology Officer** – Objects as amended to the removal of the hedge along the High Street and comments that such features should be retained as they are important for wildlife and the rural character of the edge of the village. Questions if the footpath could be behind the hedge. The design is weak as there is a lot of space for quality boundary planting and use of open space that has not been delivered in a very inspiring manner.
18. **Conservation Officer** – Comments as amended that the development would not impact upon the setting of heritage assets near the site. The dwellings along the High Street reflect the general character of linear development along the High Street but the development retains the dwellings outside the built form on the western side of the High Street that remains unaltered and undeveloped as paddocks.
19. **Environmental Health Officer** – Has no objection in principle subject to conditions in relation to the hours of construction work and construction related deliveries, method statement for piling foundations, measures to minimise the spread of air borne dust, a construction programme, a noise insulation scheme for the residential building envelope and traffic noise, electric vehicle charging points, details of external lighting and a noise impact assessment for renewable energy plant or equipment if an air source heat pump or wind turbine.
20. **Contaminated Land Officer** – Comments that that site is grassland that has

remained undeveloped from 1800 to the present day. The submitted report has not identified any levels of contaminants of concern deemed to represent an unacceptable risk to future site users or the environment. Suggests an informative in relation to any contamination found on site.

21. **Section 106 Officer** – Comments that there is a surplus of sports space and a deficit of children's playspace within the village. The existing community facilities are of good condition. However, the development is required to provide all forms of open space and community space to meet the needs of the development. The Parish Council has requested contributions towards identified projects in the village to mitigate the impact of the development.
22. **Local Highways Authority** – Comments that whilst the overall layout is acceptable, the length of the car parking spaces on Plot 7 may result in vehicles overhanging the public highway. Requires conditions in relation to full details of the layout of the site including roads (traditional construction 5 metre wide carriageway with 2 metre footway or shared surface 6 metre wide carriageway with 500mm strips either side), footways, cycleways, buildings, visibility splays, parking provision and surface water drainage; the provision of vehicular visibility splays; the provision of pedestrian visibility splays; a traffic management plan during construction, the access to fall away from the public highway; the access to be constructed from a bound material; the change from the traditional carriageway to shared surface in accordance with the Cambridgeshire County Council Estate Road Construction Specification; the removal of permitted development rights for additional accesses; and the provision of an uncontrolled crossing point on the High Street or footpath to link with the existing footpath. States that the Highway Authority will only adopt the areas of the development that provide a highway function. The extension of the carriageway and footway beyond the turning area required for a refuse vehicle outside Plot 9 may not fall within this category. Requests informatives with regards to works to the public highway.
23. **Cambridgeshire County Council Historic Environment Team** – Comments that the site lies in an area of high archaeological potential. Has no objections in principle but requires a condition in relation to an archaeological investigation of the site.
24. **Cambridgeshire County Council Growth Team** – Comments are awaited.
25. **Cambridgeshire County Council Flood and Water Team** – Comments that the minimum requirements of the NPPF has been met as it has been demonstrated that surface water can be dealt with on site by using permeable paving, soakaways, cellular crates and there will be a reduction in the run-off rate. In addition, the volume of run-off will be no greater than existing. Requires a condition for a detailed surface water drainage scheme for the site based upon the Flood Risk Assessment together with details of the long term maintenance arrangements for the surface water drainage system.
26. **Environment Agency** – Has no objections in principle subject to informatives.
27. **Anglian Water** – Comments that the foul sewerage network has the available capacity for the flows and it would be within the catchment of the Linton Recycling Centre waste treatment plant that will have the available capacity for the flows.
28. **Cambridgeshire Fire and Rescue Service** – Requests a condition in relation to the provision of fire hydrants.

29. **Development Officer** – The Health Impact Assessment is acceptable in relation to the Council's SPD.
30. **Huntingdonshire District Council Sustainability Team** – Comments on the revised statement are awaited.
31. **NHS England** – Comments are awaited.

### **Representations**

32. **Local Member** - Supports the application and makes the following comments: -

"I am aware that officers wanted to see the following to be incorporated into the revised scheme:

- The hedge along the High Street retained where possible subject to accesses off the High Street;
- Improvements to the landscape buffer
- A design solution in keeping with the area
- Houses should front the High Street;
- Access moved away from Pampisford Road to the High Street;
- Landscape buffer along the countryside enhanced further
- Removal of access provision to rear land.
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I would make the following observations:

i) Officers have noted that the hedge along the High Street has now been removed and the replacement buffer along the High Street is of poor quality and there is insufficient space for native hedge and tree planting.

In the view of many locals the existing hedge along the High Street is itself of poor quality and the revised plans show a landscape buffer with appropriate accesses for those houses that now front the High Street. The houses in the proposed development that do now front the High Street are buffered in such a way as to present a coherent view along the High Street with the existing houses directly opposite.

ii) Officers have described the new layout as 'not considered to be in keeping with the area. Houses should front onto Pampisford Road with gardens to the rear and not to the side.

There are about 18 to 20 existing dwellings on Pampisford Road in the vicinity of this proposed development. Some have gardens to the front and rear, some to the front and at least two properties are set at right angles to Pampisford Road. There are other examples within Great Abington of houses set at right angles to a road.

The site layout as originally proposed was criticised by a number of local residents because those houses immediately next to the High Street had their backs facing the High Street. This was the reason why Great Abington Parish Council originally did not support the plans. However, the revised plans turned these houses round to face the High Street, and as far as I am aware there have been no other local criticisms of the layout in broad terms.

iii) Officers consider that the access to the development should 'be moved away from Pampisford Road to the High Street'.



However, this would mean removing a considerable portion of the existing hedge on the High Street as the High Street is narrow at this point and the hedge is right on the edge of the road so a significant part of the hedge would have to be removed in order to provide appropriate visibility splays. In addition, as stated above, there are already 18 to 20 dwellings accessing directly onto Pampisford Road, a road that has a 30 mph limit and numerous speed cushions to slow traffic.

iv) Landscape buffer along the countryside enhanced further

I would suggest that this is subject to further discussion with the applicant.

v) Removal of access provision to rear land.

This is one reason where I do have sympathy with the officers' view, and I know that many local residents are concerned that if this application were to be approved it would thereby allow easy access to the land beyond and therefore the possibility of this larger piece of adjoining land eventually being built on. It must be borne in mind that the three areas of land identified and consulted upon locally were to meet the specific local need as expressed through a housing needs survey, and any attempt to build on this adjoining land would not be in accord with local views regarding the overall scale of development within the village.

However, there is an argument in favour of the road layout in the revised application in that it allows refuse /recyclables collection lorries to enter and turn safely within the site.

Whilst I do have some concerns about the road layout, I do not feel that these are sufficient to object to or refuse this application. Having made these comments and in view of the large measure of local support for this application as it now stands, I request that, if officers are minded to refuse this application, it goes to the SCDC Planning Committee for determination."

33. **Local Residents** - 8 letters of representation have been received that raise the following issues: -
- i) The affordable houses on High Street do not compliment existing housing stock on the High Street- lack of character;
  - ii) Insufficient parking for affordable houses that could lead to on-street parking;
  - iii) Loss of mature trees along the High Street in good condition;
  - iv) New hedge should be managed;
  - v) No consideration given to previous proposals for 12 dwellings to mirror the High Street and blend in with the existing development in the vicinity;
  - vi) Unacceptably high density/ overdevelopment;
  - v) Noise and disturbance from affordable houses;
  - vi) New footpath welcomed;
  - vii) Increase in traffic;
  - viii) Loss of rural character;
  - ix) Drainage needs to be within the site and not on neighbouring land and flood protection measures;
  - x) Noise and disturbance during construction;
  - xi) Loss of agricultural land;
  - xii) Greenfield site and potential brownfield site available;
  - xiii) Junction on to busy and fast moving traffic on Pampisford Road;
  - xiv) Loss of views from public footpath;
  - xv) Cumulative impact of developments in village- can the local roads take the traffic and can the school accommodate more pupils.

- xvi) Affordable housing should be for people in the village; and,
- xv) Affordable housing is not integrated into the development.

34. **Applicant's Agent** – Has the following comments in relation to the Council's concerns: -

- i) Worked with the local community over the last 18 months to progress the design, layout and mix of the development.
- ii) The scheme reflects the local need for housing within the village.
- iii) Must be considered in context of the emerging Local Plan Proposed Main Modification H/1j Land at High Street/ Pampisford Road, Great Abington and that developments should seek to fulfil the aspirations of the Parish Council for the site due to strong support from the Parish Council.
- iv) Shortfall in the five year housing land supply and relevant policies not up-to-date.
- v) Persistent under delivery of housing in the area.
- vi) Parish Council led development with support from the Local Member and the local community.
- vii) Officer concerns are of detail rather than principle.
- viii) There is a conflict between retaining the hedge and highway access to the High Street due to visibility splays.
- ix) Replacement planting is not required to hide the development but to provide a soft boundary frontage. Details can be agreed by condition.
- x) Pampisford Road has a visually strong frontage and active street scene with gaps to create a transition from the rural character along Pampisford Road to the more suburban village street scene in the High Street.
- xi) A sole access from the High Street is not necessary. Visibility cannot be achieved if the main access was re-located to the High Street.
- xii) The gap between Plots 9 and 10 allows views through to the open countryside that strengthens the rural character. A pedestrian/ cycle route runs through the site giving access to the High Street.
- xiii) Plots 1 and 9 do incorporate landscaping and the close boarded fence could be moved.
- xiv) The road is needed to Plot 9 to provide a safe area for entering and exiting this property.
- xv) There is not a dominance of hard landscaping in the proposal. Two of the parking spaces could be dedicated to visitors.
- xvi) The public open space is in a central position.
- xvii) The relationship between Plots 6 and 7 is acceptable.
- xviii) SCDC housing team support the application - 41% of those in need include someone with a disability and six bungalows have been provided.
- xix) Detailed design matters do not significantly and demonstrably outweigh the benefits of the scheme.

## **PLANNING ASSESSMENT**

35. The key issues to consider in the determination of this application relate to housing land supply, the principle of the development in the countryside, housing density, housing mix, affordable housing, developer contributions and the impacts of the development upon the character and appearance of the area, heritage assets, flood risk, highway safety, neighbour amenity, biodiversity, trees and landscaping.

### **Housing Land Supply**

36. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing

land supply with an additional buffer as set out in paragraph 47.

37. 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 the 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.
38. 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 as so not to be restricted 'merely to 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. 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 be attached to such relevant policies.
39. 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/1, DP/7, HG/1, HG/2, NE/4, NE/6 and NE/17 of the adopted Development Control Policies. Policies S/7, S/10, H/1, H/7, H/8, NH/2, NH/3 and NH/4 of the draft Local Plan are also material considerations and considered to be relevant (draft) policies for the supply of housing.
40. 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).
41. Whilst paragraph 2 of Policy ST/6 of the adopted Core Strategy permits residential development within the village framework and the site is located outside the framework, given that the site adjoins the village framework, the site is relatable to the village geographically and in its dependency on its services and facilities. ST/6 also forms part of a suite of policies, which operate to direct new development to settlements which have an appropriate level of services to meet the requirements of new residents. As such, it is considered that ST/6 which reflects the relatively limited level of services at group villages to serve residential developments is material to development both within the framework and development which is proposed as a residential extension to that framework, as proposed here.

42. 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 whether the policies continues to perform a material planning objective and whether it is consistent with the policies of the NPPF.

### **Principle of Development**

43. The site is located outside the of any village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the emerging Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will permitted due to the need to protect the countryside from encroachment and incremental growth in unsustainable locations. The erection of a residential development of 20 dwellings would therefore not under normal circumstances be considered acceptable in principle. Considerable weight can be attached to this policy given that it performs a material planning objective.
44. Great Abington is identified as a Group Village under Policy ST/6 of the LDF and Policy S/10 of the emerging Local Plan where up to 8 dwellings are considered acceptable in principle on land within village frameworks due to the scale of the village and the limited level of services and facilities within the settlement. The erection of 20 dwellings outside the village framework is not therefore normally supported in principle. Considerable weight can be attached to this policy given that it performs a material planning objective.
45. Part of the site is allocated for residential development under Policy H/1 of the emerging Local Plan. The policy states that the site will be developed in accordance with relevant Local Plan policy requirements, and the development requirements identified. The number of homes granted planning permission on the site may be higher or lower than the indicative capacity and should be determined through a design-led approach. All sites will need to make appropriate financial contribution to any necessary additional infrastructure requirements, including towards additional capacity in local schools. Policy H/1j specifically references 0.55 hectares of land at on an L shape plot of land along the High Street and Pampisford Road frontage for the erection of 12 dwellings with the following requirements: -
- i) Retention of boundary trees and hedges except as required to provide for access.
  - ii) Creation of a landscape buffer along the boundary of the site where it adjoins or could be seen from open countryside to provide a soft green village edge.
  - iii) This is a Parish Council led proposal which has been included in the Local Plan because it has demonstrated local support. Developments should seek to fulfil the aspirations of the Parish Council for the site.
46. This proposal has undergone consultation in the village by the Parish Council and is supported by local residents. It was agreed for inclusion in the submission Local Plan at the 11 February 2014 meeting of the Planning Policy and Localism Portfolio Holder, and by Full Council on 13 March 2014. It was under public consultation from December 2015 to January 2016.
47. 8 representations were submitted in support of this policy on the following grounds: -
- i) Strong support in village (75%) and would provide more affordable homes.
  - ii) Need for existing village residents to downsize.
  - iii) Need more for young families to stay in village or move back to village.
  - iv) Cyclepath, footway and land for horse riders needed along Pampisford Road.

- v) Proposals are well considered and proportionate.
  - vi) Infrastructure/ treatment upgrades are to foul drainage required and no capacity for surface drainage within network.
  - vii) need to maintain character of village, adequate provision of open space, concerns about traffic, consider cycleways and public transport, improve provision for pedestrians, school oversubscribed, improve access to healthcare.
48. 5 representations were submitted that object to this policy on the following grounds: -
- i) Any proposals should not include road building/widening and should include investment in sustainable transport
  - ii) Concern over approach of including specific proposals by Parish Council's in the local plan as it can support sites outside frameworks on a rural exception site basis.
  - iii) Policy is not justified to specifically identify the allocations being led by the Parish Council as other sites have been disregarded.
  - iv) Questions the inconsistent approach to the allocation of sites in Group and Infill villages when other sites at a similar level were not considered.
  - v) Allowing three sites at a late stage is a narrow and inflexible approach towards allowing organic growth in the village over the plan period.
  - vi) The inclusion of more sustainable villages are not included.
49. Given that the above objections do not relate to the allocation of the site itself and relate more to the inclusion of other site, it is considered that this policy can be given some weight in the determination of the application given that it is a locally led development.
50. It should also be noted that the site area exceeds the allocation and the development does not comply with the requirements set out in the policy in relation to the retention of the hedge along the High Street and a landscape buffer along the boundary of the site where it adjoins the open countryside.

### **Sustainable Development**

51. 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.

### **Economic**

52. The provision of 20 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**

#### ***Provision of Housing***

53. The development would provide a benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering 20 dwellings. There are no known constraints to the delivery of the development on the site within the next 5 years and the applicants have stated that the site is available now and subject to securing the necessary consent, development could commence in late 2016 with completion by late 2017. This could be a condition of any consent.

### **Services and Facilities**

54. Whilst it is acknowledged that Great Abington falls within the one of the lower tiers in the hierarchy for the categorisation of villages across the district, the development of 20 dwellings is not considered to be unacceptable in relation to the size of the village or the level of services and facilities in the village. The village has approximately 350 dwellings and an additional 20 dwellings is not considered excessive in terms of an increase in the scale of the village. The dwellings on the site would have easy access by walking and cycling to facilities within the village such as the primary school, shop, church, village hall, recreation ground and a bus service that runs every 30 minutes. They would also have easy access by walking and cycling to the nearby employment site of Granta Park just outside the village but very close to the site. Residents would not therefore have to rely upon the private car to access the majority of their everyday needs. Given the above, the site is not considered to be unsustainable to the extent that would warrant refusal of the application on these grounds.

### ***Housing Density***

55. The site measures 1.1 hectares in area. The erection of 20 dwellings would equate to a density of 18 dwellings per hectare. Whilst this density would not comply with the requirement under Policy HG/1 of the LDF of at least 30 dwellings per hectare, it is considered acceptable in this case given the sensitive nature of the site in the countryside.

### ***Affordable Housing***

56. Policy HG/3 of the LDF states that proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing to meet local needs. The amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings. Policy H/9 of the emerging Local Plan states that the amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of three or more dwellings.
57. The proposal would provide 8 affordable dwellings (40%) and comply with Policy HG/3 of the LDF and H/9 of the emerging Local Plan.

### ***Housing Mix***

58. Policy HG/2 of the LDF states that in developments of more than 10 dwellings a mix of units will be sought providing a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community.
59. Policy H/8 of the emerging Local Plan states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of:
- a. At least 30% 1 or 2 bedroom homes;
  - b. At least 30% 3 bedroom homes;
  - c. At least 30% 4 or more bedroom homes;
  - d. With a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
60. The erection of 3 x two bedroom dwellings (25%), 4 x three bedroom dwellings (33%) and 5 x four/five bedroom dwellings (42%) would comply with Policy HG/2 of the LDF and Policy H/8 of the emerging Local Plan given the need identified by the Parish

Council.

### ***Developer Contributions***

61. Development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
62. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -
  - i) Necessary to make the development acceptable in planning terms;
  - ii) Directly related to the development; and,
  - iii) Fairly and reasonably related in scale and kind to the development.
63. The Recreation Study 2013 identified a surplus of 1.51 hectares of sports space and a deficit of 1.03 hectares of children's play space. The audit highlights a number of improvements including sports pitches, upgrade to play equipment and changing facilities.
64. The Community Facilities Audit 2009 states that Great Abington is served by the Abington institute that is a well maintained, good quality recently updated facility that is well equipped with community café and functions as a hub for community sports facilities.
65. The scheme is required to provide 751 square metres of sports space, 177 square metres of formal children's playspace, 177 square metres of informal children's play space and 188 square metres of informal open space through on-site provision or an off-site contribution.
66. The provision of an area of informal public open space on the site would not require any off-site contributions. However, contributions are required if maintenance is not carried out by a management company.
67. The Parish Council has requested a contribution of £21,923.70 towards outdoors sports for improving and enlarging the hard court area on the recreation ground and making it into a multi-use games area.
68. The Parish Council has requested a contribution of £32,215.72 towards children's playspace for updating and improving the children's play area on the recreation ground.
69. The Parish Council has requested a contribution of £9,953.40 towards community facilities for the continued improvement of facilities at the village institute including replacement flooring, storage and a boiler.
70. Comments are awaited from Cambridgeshire County Council in relation to contributions towards education places, libraries or strategic waste.
71. It is considered that all of the requested contributions to date meet the CIL tests. Confirmation is awaited to the agreement of the contributions by the applicant.

### **Environmental**

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

72. The proposal would result in encroachment into the countryside outside the existing built-up development within the village framework. The introduction of 20 dwellings of significant scale on a currently open and undeveloped area of meadow land with a strong rural character that provides a typical landscape setting to the village and provides separation between the village and Granta Park would result in a visually intrusive development with a suburban character. However, this is not considered to adversely affect the character and appearance of the countryside and the landscape setting of the village as the encroachment is limited and some separation would remain and the development would only be visible from close public viewpoints and would not affect the wider landscape and countryside from long distance views.

### ***Design Considerations***

73. The overall layout of the site is not considered to be of high quality and would be out of keeping with the character and appearance of the area and not in accordance with Policy DP/2 of the LDF.
74. The introduction of a wide engineered main access road from Pampisford Road would not be well connected to the village and would detract from the linear pattern of development and rural character along this part of Pampisford Road. Notwithstanding the above, Plots 1, 2 and 4 would not have their main elevations facing, and would have their rear gardens adjacent to, Pampisford Road that would result in a weak frontage and boundary treatment in the form of close boarded fences and inappropriate landscaping that would lead to hard suburban features within the street scene.
75. The dwellings fronting the High Street are welcomed and would be in keeping with the character and appearance of the area. However, the removal of the existing trees and hedgerow and their replacement with a substantial mass of hardstanding to the front of the dwellings for turning and parking and inappropriate landscaping would result in hard suburban features within the street scene.
76. Significant weight can be attached to this policy as it does not relate to the supply of housing.
77. The two-storey scale and traditional form, design and materials of the dwellings are considered to reflect the character and appearance of the area.
78. The provision of a public open space is supported. However, its siting is considered to be poor within the overall layout as it appears as a left over space rather being part of the initial design.

### ***Trees and Landscaping***

79. The site comprises a number of trees and a hedge along the High Street frontage. The trees are of low quality but provide a landscape buffer at the entrance to the village that contributes to the visual amenity of the area. The proposal would result in the loss of these important trees and hedge that provide a rural setting to the village and be contrary to Policy HG/6 of the LDF.
80. The loss of the trees and hedge are only considered acceptable if the replacement soft landscaping is of equal quality. The proposed landscape buffer along the High Street is not deemed appropriate as it would not allow adequate space for native tree planting to integrate the development into its setting. This would result in a suburban



development at the entrance to the village.

81. Notwithstanding the above, the siting of the dwellings on Plots 5 and 9 would not allow adequate space for an appropriate landscape buffer along the boundaries of the site. This is not acceptable as a substantial landscape buffer needs to be provided along the whole of the northern and eastern boundaries of the site adjacent to the open countryside to ensure that the development would not adversely affect the character and appearance of the area.
82. Substantial weight can be attached to Policy HG/6 given the need to integrate the development within its surroundings.
83. The provision of a close boarded boundary fence around the perimeter of the site would detract from the rural character and appearance of the area. In addition, no significant landscaping has been provided at the end of the no through road. However, a condition could be attached to any consent to agree these details.

### ***Biodiversity***

84. The removal of the trees and hedgerow would result in the loss of important features for wildlife. Important ecological features should be preserved in order to maintain biodiversity on the site. The replacement landscaping would not offer the same quality of habitat. However, limited weight can be attached to this policy as the increase in the amount of landscaping across the whole site would provide additional habitats. The proposal would not therefore be contrary to Policy NE/6 of the LDF.

### ***Heritage Assets***

85. No. 108 High Street is a grade II listed building. The proposal is not considered to damage the setting of the listed building given the distance and relationship of the development on the site with this property.
86. The site lies in an area of high archaeological potential. The development is not considered to result in the loss of any significant features of archaeological interest providing a condition is attached to any consent to secure an archaeological evaluation of the site to preserve any important remains.

### ***Highway Safety***

87. The High Street is the main road through the village from the A1307 and Little Abington at its northern end to Pampisford Road at its southern end. It is a fairly narrow road with a speed limit of 30 miles per hour. Pampisford Road connects the A505 and Granta Park to the west to the A1307 at Hildersham to the east. It is a wider road with traffic calming and a speed limit of 30 miles per hour.
88. The proposal would result in an increase in traffic in the area. The erection of 20 dwellings would lead to approximately 125 two-way vehicle movements in the area during a 12 hour period. This includes 21 movements during the am peak period and 15 movements during the pm peak period. This increase in traffic is not considered to have a significant impact upon the capacity and functioning of the public highway.
89. The main access from Pampisford Road would measure 5.5 metres in width with 2.0 metre footways on both sides. Vehicular visibility splays measuring 2.4 metres from the edge of the carriageway x 43 metres along the edge of the carriageway in both directions would be provided. This would accord with Local Highway Authority

standards.

90. The main access from the High Street serving 5 dwellings would measure 5.0 metres in width. Vehicular visibility splays measuring 2.4 metres from the edge of the carriageway x 43 metres along the edge of the carriageway to the north and 32.4 metres to the south would be provided. This would accord with Local Highway Authority standards.
91. The secondary accesses from Pampisford Road and the High Street serving individual dwellings would measure 3.6 metres in width. Pedestrian visibility splays would measure 2.0 metres x 2.0 metres on both sides of the accesses. This would accord with Local Highway Authority standards.
92. A new 2.0 metre wide footway would be provided along the High Street and Pampisford Road to connect to the existing footway on the western side of the High Street. This is accepted and would need to be agreed as part of the Section 106. A footway link from the High Street to the development would also be provided and is supported.
93. A total of 48 vehicle parking spaces would be provided for the development. The Council's parking standards under Policy TR/2 of the LDF require an average of 1.5 vehicle parking spaces per dwelling and a maximum of two vehicle parking spaces per dwelling in unsustainable locations for three plus bedroom dwellings. The proposal is considered to result in an overprovision of vehicle parking on the site as there are a number of larger properties that have four vehicle parking spaces. This would encourage the occupiers to travel by unsustainable modes of transport.
94. Notwithstanding the above, no visitor vehicle parking has been provided within the development.
95. At least one cycle parking space would be provided for each dwelling that would be in accordance with the Council's standards.

### ***Flood Risk***

96. The site is situated in flood zone 1 (low risk). It has been demonstrated through the submitted Flood Risk Assessment that surface water can be dealt with on site by using permeable paving, soakaways and cellular crates and that there will be a reduction in run-off rate. In addition, the volume of run-off would be no greater than existing. This would comply with Policy NE/11 of the LDF and the proposal is not therefore considered to increase the risk of flooding to the site and surrounding area. A condition would be attached to any consent to agree the detailed design of the surface water drainage scheme and its maintenance.

### ***Neighbour Amenity***

97. No.110 High Street has a garage with hardstanding and garden beyond to the north of the site. The development is not considered to adversely affect the amenities of the neighbour through being unduly overbearing in mass, through a loss of light, or through a loss of privacy given that the main habitable room windows to the dwelling and private garden area are a significant distance off the boundary.
98. The affordable dwellings are not considered to result in noise levels above those of private dwellings that would adversely affect the amenities of neighbours in the High Street.

99. A condition would be attached to any consent to control the hours of use of power operated machinery, noisy works and construction related deliveries.
100. The development is, however, considered to adversely affect the occupiers of the proposed dwellings and be contrary to Policy DP/3 of the LDF.
101. The siting of Plots 6 and 7 would result in an unacceptable relationship between these two properties as the 7.5 metre long, two-storey side elevation of Plot 6 orientated to the south of Plot 7 would obstruct the 45 degree angle of view and result in an unduly overbearing mass when viewed from, and loss of light to, the habitable room windows in the front elevation of that property.
102. The siting of Plots 3 and 20 would result in an unacceptable relationship between these two properties as the 10.5 metre long two-storey side elevation of Plot 3 orientated to 11 metres to the south of Plot 20 would result in an unduly overbearing mass when viewed from, and loss of light to, the habitable room windows in the rear elevation of that property and its rear garden.
103. Significant weight can be attached to this policy as it does not relate to the supply of housing.

#### ***Other Matters***

104. The site is located on grade 2 (very good) agricultural land. The development would result in the permanent loss of this agricultural land contrary to policy NE/17. However, this policy does not apply where land is allocated for development in the LDF or sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural use of the land. In this case, this is considered satisfactory given the absence of up-to-date policies for the supply of housing in the district and the allocation for development in the emerging Local Plan. Therefore, limited weight can be attached to this policy.
105. The development is acceptable in relation to foul drainage and contamination.
106. The 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 this application are set out below.
107. The Foxton appeal decision related to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Harpeth 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 Foxton House, the proposal does not comprise sustainable development.
108. 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.
109. In both cases, limited weight was 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, comparable to this application given that Swavesey and Foxton are designated similarly as Group Villages within the adopted Core Strategy.

110. The Foxton appeal started on the 31<sup>st</sup> July 2015, with statements due on the 11<sup>th</sup> September 2015 and the inquiry evidence given on the 12<sup>th</sup> January 2016 and held on the 9<sup>th</sup> February 2016. The Swavesey appeal started on the 14<sup>th</sup> December 2015, with final comments due on the 19<sup>th</sup> February 2016.
111. 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 17<sup>th</sup> March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspectors assessment of these 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. It is considered that policy ST/6 and DP/7 still maintain an important and valid function because they ensure that development is sustainably located and unsustainable locations are avoided. These matters were not considered in the two appeals and as such, the desirability in principle of consistency in decision making is displaced by the fact that this important factor was not considered or therefore part of the decision making process which led to those appeals being determined.
112. 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.
113. A note of advice, addressing those matters raised by Rupert Warren Q.C on behalf of the applicants, 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.
114. Members should be aware that another appeal decision (App/W0530/W/15/3138791) has recently been issued in respect of 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.

### **Balance**

115. In considering this application, the following relevant adopted Core Strategy and Development Control policies are to be regarded as out of date while there is no five year housing land supply:

#### Core Strategy

ST/2 Housing Provision  
ST/6 Group Villages

#### Development Control Policies

DP/1 Sustainable Development  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/17 Protecting High Quality Agricultural Land

116. 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.
117. Officers are of the view that some weight can be given to Policies ST/6 and DP/7 in this case. In coming to this view officers have had regard to the recent Court of Appeal decision in assessing the weight that can be given to housing supply policies that are out of date. However, given the services and facilities in the area and that some weight can be attached to the allocation of part of the site in the emerging Local Plan, the development is not considered unsustainable to the extent that would warrant refusal of the application.
118. This report therefore sets out following adverse impacts of the development: -  
i) Harm to the character and appearance of the area.  
ii) Harm to the occupiers of the proposed dwellings.
119. These adverse impacts must be weighed against the following benefits of the development: -  
i) The contribution of 20 dwellings towards the housing land supply in the district based on the objectively assessed 19,500 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.  
ii) Developer contributions towards public open space and community facilities in the village.  
iii) Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.  
iv) Employment during construction to benefit the local economy.  
v) Greater use of local services and facilities to contribute to the local economy.
120. Whilst it is acknowledged that the policies for the determination of housing in the LDF are out-of-date, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits offered by this application. The proposals would not therefore constitute sustainable development.

## **Conclusion**

121. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should not be granted in this instance.

## **RECOMMENDATION**

122. It is recommended that the Planning Committee refuses the application for the following reasons: -

### **Refuse**

1. The proposed development, by reason of the layout of the site particularly along Pampisford Road, engineered wide access on to Pampisford Road, mass of hardstandings along the High Street and lack of adequate landscaping along the boundaries of the site, would result in poor quality development that would adversely affect the rural character and appearance of the area. The proposal is therefore contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states all new development must be of high quality design and

should preserve or enhance the character of the local area.

2. The proposed development, by reason of the relationship between Plots 6 and 7 and Plots 3 and 20, would result in an unacceptable impact upon the amenities of the occupiers of these properties. The proposal is therefore contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity.

### **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 Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/3181/15/FL

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