

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

22 April 2016

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

---

<b>Application Number:</b>	S/2068/15/OL
<b>Parish(es):</b>	Gamlingay
<b>Proposal:</b>	Outline application for the demolition of existing industrial and office units and 5 dwellings, and the erection of up to 90 dwellings, together with associated garaging, parking, public open space, landscaping, access, highways drainage and infrastructure works (All matters reserved apart except access)
<b>Site address:</b>	Land at Green end Industrial Estate, Green End, Gamlingay
<b>Applicant(s):</b>	R & H Wale Ltd and A G Wright and Sons Farms
<b>Recommendation:</b>	Delegated Approval
<b>Key material considerations:</b>	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 (including the proposed allocation of the site in the Draft Local Plan 2013), employment, scale of development and impact on character and landscape, drainage issues, services and facilities, access and transport, heritage assets and ecology, and prematurity.
<b>Committee Site Visit:</b>	Thursday 21 April 2016
<b>Departure Application:</b>	Yes
<b>Presenting Officer:</b>	Paul Sexton, Principal Planning Officer
<b>Application brought to Committee because:</b>	The application proposal raises considerations of wider than local interest.
<b>Date by which decision due:</b>	

### Executive Summary

1. This proposal seeks outline permission (access only for approval) for a residential development of up to 90 dwellings on land at Green End Industrial Estate, Green End, Gamlingay. Gamlingay is identified in the adopted Local Plan, and draft Local Plan 2013, as a Minor Rural Centre, where residential development and redevelopment up

## Appendix 1

to an indicative maximum scheme size of 30 dwellings will be permitted within village frameworks, subject to compliance with other policies in the plan. This site is within the village framework but development of the scale proposed would not normally be considered acceptable in a Minor Rural Centre. However, two appeal decisions on sites in Waterbeach have shown that the district does not currently have a 5 year housing land supply, and therefore the adopted LDF policies in relation to the supply of housing are not up to date. The NPPF states 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.

2. However, the site is part of a larger area of land which is proposed allocation H1/f in the Submission Local Plan (March 2014), which identifies 4.09ha of land at Green End Industrial Estate to be developed for a mixed use site, with employment uses utilising not less than 25% of the site, and for up to 90 dwellings.
3. In this case any adverse impacts of the development in terms of the scale of development, retention of employment uses, prematurity, limited impact on local services, residential amenity and highway safety, are not considered to demonstrably outweigh the benefits that consist of a contribution of up to 90 dwellings towards the required housing land supply, including 40% affordable dwellings, a location with good transport links and a range of services, and creation of jobs during the construction period that would benefit the local economy. Given the above balance, the application is recommended for delegated approval, subject to the resolution of matters of detail discussed in the report.

### Planning History

4. S/2169/08/OL – Erection of 140 dwellings together with associated garaging, parking, public open space, landscaping, highway drainage and infrastructure works – Withdrawn
5. There have been numerous historic planning applications relating to existing buildings on the Industrial Estate, which are not listed here.

### Planning Policies

6. *National Planning Policy Framework*  
*Planning Practice Guidance*
7. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*  
ST/2 Housing Provision  
ST/5 Minor Rural Centres
8. *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

ET/6 Loss of Rural Employment to Non-Employment Uses  
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  
CH/5 Conservation Areas  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact  
TR/4 – Non-motorised Transport

9. *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 SPD – Adopted March 2011  
Development Affecting Conservation Areas SPD – Adopted January 2009

10. *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/9 Minor Rural Centres  
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/1 Allocations for Residential Developments at Villages  
H/7 Housing Density  
H/8 Housing Mix  
H/9 Affordable Housing  
E/14 Loss of Employment Land to Non Employment Uses  
SC/8 Open space standards  
SC/11 Noise pollution  
T/I Parking provision

The application site comprises part of a 4.09ha area of land allocated for a mixed use development under Policy H1/f of the Submission Local Plan, incorporating employment uses utilising not less than 25% of the site, providing light industrial and/or office employment (Use Class B1 and B2) compatible with a residential area. An indicative dwelling capacity of 90 dwellings is given.

### Consultation

11. **Gamlingay Parish Council** - Recommends refusal for the following reasons.
12. Material Planning considerations
13. Planning Policy – application does not ‘incorporate’ any employment and is contrary to the emerging local planning policy H1 – 25% site does not incorporate industrial/employment use on this site. The proportion of practical, usable Public Open Space and formal play (LEAP) is insufficient for the number of dwellings proposed. Parish Council strongly object to the siting/location of the proposed LEAP on the main artery road serving both the industrial units and the majority of the residential development, just within metres of the main access way into the site.
14. Visual Impact – 3 storey flats proposed – height up to 15 metres (as identified in the Landscape Assessment) will dominate the skyline as site is raised in relation to its immediate surroundings.
15. Privacy/Overbearing – consideration to child protection/privacy issues along school boundary needs improvement.
16. Noise/Smell – only during construction/decontamination works – not considered a major concern, only during decontamination and construction period.
17. Access/Traffic – concern about parking and traffic safety, particularly in the vicinity of the school. This relates to the loss of informal parking currently being utilised by the school on both Green End and Cinques Road. The development will have a direct impact on an already congested area which will result in health and safety issues for pedestrians, car users and through traffic. The junction to the estate will become blocked with parents dropping off children and the estate road will be used for informal parking for drop off and pick up on or near the main access junction. There is no safe place to cross Cinques Road as a pedestrian, no formal path on the north side of Cinques Road, with the introduction of a further vehicular access to the estate further decreases options for safe places to cross to school. The increase in traffic movements as a result of the new development will increase risk of accidents occurring outside the First School.
18. Public Footpath – has not been recorded correctly and has new trees being located on its route. There is no specification in relation to footpath route, diversion, type of material and width proposed in the application.

## Appendix 1

19. Health and Safety Issues – concern about increased traffic using the junction/s, pedestrian and vehicular movements will be greatly increased, people will park in new residential street. No consideration of impact on parents delivering and collecting children from school.
20. Economic Impact – The loss of the existing employment/businesses and jobs as a result of changing the use from industrial site to housing estate is of great concern. The loss of the potential for new employment/jobs within the village centre will also be of significant detriment to the village. It will have a direct impact its ability to retain its character of providing local jobs and reducing the need to commute out of the village. This is a concern that is being assessed through our developing Neighbourhood Plan. Any existing business continuing on blue line site adjacent will be further surrounded by housing and this will restrict type of business which can operate/be accommodated within this central location.
21. Ecology/Trees/Hedges – has limited current landscape value. Trees/hedgerow along school boundary should be maintained and enhanced where possible.
22. Cumulative Impact – no community benefits package was presented as part of this application. The Parish Council was not presented with any significant information of S106 community benefits relating to this application.
23. Other issues also raised as follows
24. Gamlingay Parish Council has supported the principle of change of use of part of this site (up to 75% of the entire site) for residential use, as part of its response to the Local Plan consultation in 2013/14, subject to the loss of employment being mitigated against in any proposals, and the retention of employment opportunities on this site. The Council respectively requested from the applicant that suitable alternative arrangements be made for jobs, employment and industry within the village, to ensure that Gamlingay does not become a dormitory commuter settlement. This is one of the core strands underpinning the draft proposals of the emerging Neighbourhood Plan. The principle of loss of a significant proportion of employment land in the village centre is extremely sensitive and the current application does not evidence any significant mitigation measures which outweigh the loss of employment land on this site.
25. The Council will be responding to S106 Officer in detail about the needs of the parish in relation to this application.”
26. A copy of the Parish Councils original response on S106 needs is attached as Appendix 1
27. **Cambridgeshire County Council Highways Development Control** – has not objected to the application in principle subject to conditions requiring provision and retention of the visibility splays shown on the submitted drawings, access construction details, and traffic management plan.
28. It comments that it would not seek to adopt the development in its current format due to the lack of a turning head at the motor vehicle restriction point. The design of the motor vehicle restriction point should be looked at again as it is currently shown in front of a proposed garage.
29. It has severe reservations with regards to connectivity within the site as shown on the

## Appendix 1

illustrative masterplan. The Highway Authority has a hierarchy which places pedestrians at the top of that hierarchy, and this has not been addressed. It recommends that footways be a minimum width of 2m and not 1.5m as currently shown, and that the applicant engages with the Highway Authority and SCDC Design Team to progress a more suitable internal arrangement.

30. **Cambridgeshire County Council Transport Assessment Team** – originally lodged a holding objection and highlights issues in the Transport Statement which need to be addressed before the transport implications of the development can be fully assessed.
31. Following the receipt of additional information it states that the demographic profile of pedestrian flows from the site will change with the proposal to that of a mixture of age groups including parents and children. Most pedestrian movements will pass through The Cross junction in the centre of the village on route to facilities in the village centre, Middle School and bus stops. It is considered that further improvements should be made to this junction to increase safety and amenity for pedestrians. This could include improving the refuge island on Church Street for pedestrian use, and improving the two informal crossings close to the junction over Mill Street and Waresley Road.
32. To improve this junction to mitigate the additional pedestrians travelling from the development to key facilities the applicant is required to design scheme in conjunction with Cambridgeshire County Council and Gamlingay Parish Council, and to install improvements at The Cross under Section 278 works. This should be secured by condition.
33. It confirms that subject to the above, and a condition requiring submission of a Travel Plan, it does not object to the application.
34. **SCDC Urban Design** – states that the Design and Access Statement (DAS) provides a detailed analysis of the site context, and a thorough evaluation of the site's opportunities and constraints. The principle of introducing a 'Green' approach towards the layout of the development is supported. The green, sustainable approach was considered to be the most appropriate. Page 13 of the DAS states that sustainable drainage of the site would incorporate existing site levels; the concept of introducing Public Open Space and Local Equipped Area for Play (LEAP) to form the heart of the development is strongly supported.
35. Whilst this is an outline application, it is important that the indicative layout successfully demonstrates how the site can comfortably accommodate up to 90 houses, associated infrastructure as well as public open spaces. Some of the parking arrangements are not considered to be satisfactory as they appear to be overly dominant, for example, the parking proposed to the north of the public open space. Apart from resulting in a poor quality public realm, this would also result in poor residential outlook.
36. The general approach to landscaping suggests an appropriate response to the context and character of the setting. The proposed improved access from Green End would help create a sense of arrival for visitors and residents of the development. The layout would also enhance the setting of the Methodist Chapel.
37. Proposed dwellings around the site entrance should help screen the retained commercial buildings, in order to improve the appearance of the public realm.
38. The applicant should be asked to provide 100% Lifetime Homes to ensure

## Appendix 1

sustainability objectives of the NPPF are met. In addition the applicant is asked to ensure that the proposed design meets the 12 criteria set out in the Design Council's 'Building for Life' in order to be considered for its accreditation.

39. Officers recommend that a mini-design code/brief be submitted as part of the outline application to provide a clear indication of the expected/anticipated quality of the proposed development, creating a template for the subsequent determination of a detailed application. This will help ensure that the aspirations developed at this initial stage are not lost. The Panel strongly encourages this approach as a mechanism to maintain the overall design quality.
40. **SCDC Landscape Officer** – suggests that the open space at the entrance to the site would not be particularly well used, and would be better provided elsewhere on the site. A tighter, stronger entrance to the development would be preferable.
41. More thought will be needed to produce an acceptable boundary between the proposed development and the retained industrial areas, particularly where there are changes in levels. The position and setting to the flats shown on the south of the site would not be attractive.
42. Parking areas of the type, layout and size shown produce bleak in hospitable places – for example in the centre of the site, north of the retained industry, and around the small green space to the west.
43. Several of the dwelling plots are positioned on islands, surrounded by roadways on three sides. The view from the centre of the site (from the open space etc) to the west ends in steel security fencing/loading yard etc.
44. The LEAP should be positioned away from the main entrance to the site, and the existing entrance to the retained industrial areas. A better position may be on the eastern boundary where existing soft edges and landscape could be utilised. Here the area would only interact with dwellings on one side whilst retaining a degree of surveillance.
45. The proposals should provide an alternative/enhanced route to the public footpath through the site. This path connects to the Greensand Ridge Walk long distance path on Cinques Road immediately to the north. Current proposals cut off the southern end of the path.
46. On the southern boundaries the proposed tree planting needs to be stronger and at a more appropriate scale than the 'rear garden/parking courtyard trees' shown.
47. The existing vegetation on the western boundary contains several mature Leylandii and Poplar trees, which if retained, will require a landscape buffer between the trees and proposed dwellings.
48. **SCDC Ecology Officer** – states that the change of use of land from industrial to residential is welcomed in principle.
49. The application is supported by an ecological assessment which does not identify any significant constraints to development.
50. The site is considered to be of low ecological value given its current use, largely as an industrial estate containing extensive hard standing. The garden habitats are not considered to be rich in biodiversity.

## Appendix 1

51. The buildings on the site have been investigated for bats with a number of low potential bat features, further investigated by an evening bat survey, which found only a low level of bat activity across the site. However, as bat activity had still occurred on site, and the point of origin for the bats not found, the report recommends that demolition work be undertaken in a manner that can conserve bats, should they be found. There should be a condition imposed to secure this.
52. The reversion from industrial land to housing presents an opportunity to integrate biodiversity conservation measures within the final layout. A condition should be used to secure a scheme of ecological enhancement for the site.
53. A condition should be used to control the removal of vegetation and buildings that are providing nesting sites for breeding birds during the period 15 February to 15 August unless otherwise inspected by a suitably qualified ecologist, and found not to be providing for nesting birds.

### 54. **Cambridgeshire County Council Education (Update)**

#### *Early Years need*

55. The development is expected to generate a net increase of 25.5 early years aged children, for which Section 106 contributions would be sought for 8 children. In terms of early year capacity County education officers have confirmed that there is sufficient capacity in the area for the next 5 years to accommodate the places being generated by this development.
56. Therefore no contribution was initially sought for early years.
57. However, concerns have been expressed by the Parish Council about the condition of the WI building, which houses one of the pre-school classes, and that it will not be fit for purpose in 5 years time. Given this, and the extension of Early Years education entitlement to 20 hours, which will come into effect from September 2017, the County Council now considers that there would be insufficient Early Years capacity, and therefore a Section 106 contribution would need to be sought.
58. It states that further work needs to be undertaken to understand the viable proposals and costs for an Early Years project to mitigate the children arising from the development. A further report will be made.

#### *Primary need*

59. The development is expected to generate around 21.25 children aged 4-8. This development lies within the catchment area of Gamlingay First School, where it is confirmed that there is insufficient capacity in the next 5 years to accommodate the places generated by this development. Therefore a contribution will be required towards primary education provision to accommodate the school places generated by the development.
60. The identified project is the expansion of Gamlingay First School by one classroom (30 children). The total cost of this project, which applies to the new developments in the area, is £559,774 (£551,873 once Section 106 contributions are secured from other developments in the area are removed). Contributions are normally sought from this development for a proportion of the balance of the project costs, based on the number of pupils arising.



## Appendix 1

61. Therefore a contribution of £551,873 is currently sought, although this figure might be reduced in the future should other projects be approved in the area from which contributions might also be sought

62. It confirms that there have not currently been 5 or more pooled contributions towards this project.

### *Secondary need*

63. The development is expected to generate a net increase of 21.25 places for children aged 9-13. The catchment schools are Gamlingay Village College (ages 9-13) and Stratton Upper School (ages for 14-16). County education officers have confirmed that at present there is sufficient capacity over the next 5 years at Gamlingay Village College to accommodate the places generated by this development for children aged 9-13.

64. Therefore no contribution for secondary education is sought towards Gamlingay Village College.

65. Stratton Upper School provides for children aged 14-16 and is located in the Central Bedfordshire area, and it should be contacted for details of its requirements. (It has been now been confirmed that adequate capacity exists to cater for the proposed development if required).

### *Libraries and Lifelong Learning*

66. The village is currently served by two mobile library stops. This new development would result in an increase in population of 213 residents (85 x 2.5), which would place demand on the Libraries and Lifelong Learning facilities in Gamlingay, which would require a contribution of 4.08 per head of increase of population to mitigate.

67. Therefore a total contribution of £869.04 is sought.

68. This would be used towards extending the local library facilities with stock and information resources and equipment for adults, children, young and older people, those with visual or hearing impairment and physical or mental disability.

69. It confirms that there have not currently been 5 or more pooled contributions towards this project.

### *Strategic Waste*

70. This development is within the St Neots HRC catchment area for which there is insufficient capacity, and therefore a contribution of £181 per dwelling is sought.

71. It confirms that there have not currently been 5 or more pooled contributions towards this project.

72. **Cambridgeshire Archaeology** – comments that the site is located in an area of high archaeological potential, situated within the medieval core of Gamlingay, and is surrounded by extant buildings of a similar date. 170m south of the site, an archaeological evaluation revealed features of Saxon date, including pre-modern alluvial deposits. Within the proposed development bounds, a Bronze Age flint assemblage was also found.

## Appendix 1

73. There is no objection to development proceeding in this location, but the site should be subject to a programme of archaeological investigation to be secured by a negative condition. This will secure the preservation of the archaeological interest of the area, either by record or *in situ* as appropriate.
74. **Cambridgeshire County Council Flood and Water** – comments that the applicant has met the minimum requirements of the NPPF, and has demonstrated that surface water can be dealt with on site by using infiltration devices such as soakaways leading to a runoff rate no greater than the original greenfield runoff rate. It considers that this is likely to lead to a betterment of the current brownfield scenario.
75. No objection is raised subject to the inclusion of a condition requiring the submission of a surface water drainage scheme. The scheme should include information about the storm design period and intensity, the method employed to delay and control surface water discharged from the site, the measures taken to prevent pollution of the receiving watercourse and/or surface waters, and the measures details of a management and maintenance plan for the lifetime of the development.
76. **Environment Agency** – comments that the site is located above a Principal Aquifer, Water Framework Directive (WFD) groundwater body, WFD drinking water protected area, and is within 150m of a surface water course. It is considered that the previous industrial land use to be potentially contaminative. The site is considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters.
77. Having reviewed the information submitted with the application, it is considered that permission could only be granted provided conditions are included in any consent, requiring the submission of a remediation strategy to deal with the risks of contamination, a scheme for surface water disposal, and preventing piling or other foundation designs and investigation boreholes using penetrative methods being used unless it has been demonstrated that there is no resultant unacceptable risk to groundwater.
78. Without these conditions it is considered that the proposed development poses an unacceptable risk to the environment, and an objection would be raised.
79. **Anglian Water** – states that the foul drainage from this development is in the catchment area of Gamlingay Water Recycling Centre that will have available capacity for these flows.
80. The sewerage system at present has available capacity for these flows.
81. **Environmental Health (Contaminated Land Officer)** – confirms that the implications of the proposals in relation to potential risks from contaminated land have been considered, with particular reference to the Ground Investigation Report submitted with the application.
82. The report makes recommendations for further site investigation, which is agreeable, and the scope of works outlined in the report, although in quite general terms as this is an outline application, appears appropriate.
83. A condition should therefore be included in any consent requiring submission of a detailed investigation of contamination, and a remediation strategy.

## Appendix 1

84. **Environmental Health Officer** – originally stated that on balance there are no objections to the application but outlines issues which need to be considered and effectively controlled in order to protect the quality of life/amenity and health of proposed and existing residential uses/premises and the wider community/environment, and which are paramount in facilitating a sustainable high quality development.
85. There are concerns regarding the phased development of the site, as some potentially noisy units currently exist in the vicinity, and this could adversely impact on new residential properties if they become occupied before these units are removed. A condition should therefore be imposed requiring submission of a comprehensive construction programme identifying each phase of the development.
86. Existing nearby residential premises and Gamlingay First School will be exposed to construction noise, the impact of which should be controlled by condition.
87. Further assessment is required as to the noise impact of routes both through the proposed development, and also the likely impact on residential premises passed when vehicles are gaining access to the new site. A condition is recommended.
88. A noise assessment will need to be carried out in respect of the commercial units to be retained to the southern boundary of the site, and a suitable method of noise attenuation designed in order to prevent a nuisance from occurring at the new residential premises from activities carried out in this area.
89. Following receipt of a noise assessment, which satisfied concerns about internal noise, the impact of noise on externally amenity areas of proposed properties immediately adjacent to the B2 units had not been adequately considered. The applicant has now carried out a further assessment and the Environmental Health Officer confirms that the findings of the report are now accepted as providing a robust case for allowing planning consent on noise grounds. The main issue is the predicted night time noise levels that could potentially exist and exceed WHO guidance by the industrial units on the south east corner of the site. As suggested in the report, the only mitigation that could reasonably be applied is to restrict the operating times of these units. The report recommends restricting hours of use of the B2 units to between 07.00 and 19.00 hours Mondays to Fridays, 07:00 and 14.00 on Saturdays, with no working on Sundays or Bank Holidays.
90. A condition should be imposed to control external lighting.
91. The applicant will need to complete a Waste Design Toolkit with any detailed application in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan.
92. Provision of domestic waste receptacles by the developer should be secured by a planning obligation.
93. The developer must ensure that the highway design allows for the use of waste collection vehicles.
94. To meet renewable energy requirements it is concluded that solar photovoltaic panels, solar hot water heating, ground source heat pumps, and air source heat pumps. A condition will be required to assess the noise impact of any plant or equipment for any

## Appendix 1

- renewable energy provision such as air source heat pumps.
95. **Health and Environmental Services (Public Health Specialist)** – comments that the Health Impact Assessment has been assessed as Grade B, which meets the required standard of the SPD Policy.
96. **Health and Environmental Services (Air Quality)** – has no objection in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
97. **Housing Development Officer** – comments that as there are 5 existing residential dwellings on this site which will be demolished as part of the development, the 40% affordable housing requirement is applied to the net gain of 86 dwellings, the 34 affordable housing units proposed equate to 40% this complies with policy H/9.
98. The Green Industrial Estate site is included in the emerging Local Plan as a strategic affordable housing site.
99. Currently there are approximately 1,700 applicants on the homelink housing register in South Cambs who are in housing need and require good quality affordable housing.
100. The greatest demand in South Cambs is for 1 and 2 bedroom properties.
101. The applicant's agent has consulted the Housing Development Officer over the mix and tenure of the affordable housing and the mix proposed is reflective of the housing need in South Cambs. The breakdown consists of 15 x 1-bed flats, 6 x 2-bed flats, 6 x 2-bed houses, 6 x 3-bed houses, and 1 x 4-bed house.
102. The tenure split should be 70/30 in favour of rented. Therefore, of the 34 properties, 24 should be available for rent and 10 for shared ownership.
103. The properties should be built in accordance with the DCLG Technical Housing Standards.
104. The affordable housing should be available to all applicants registered on homelink who have a local connection to South Cambs and not to those with a local connection to Gamlingay only as this is not an 'exception' site.
105. The application is supported because the affordable housing proposed will go towards meeting some of the housing need in South Cambridgeshire.
106. **NHS England** – comments that a proposed development of 90 dwellings will result in around 216 new registrations for primary care. Patients are at liberty to choose which GP practice to register with and NHS England cannot prescribe which surgery patients should attend. However, the majority of patients chose to register with the surgery closest and/or most accessible to their home as it is the shortest distance to travel, non-car dependant, easy access during surgery hours, especially for families with young children and for older adults.
107. In the case of the proposed site, the Gamlingay Surgery, a branch of the Greensands Medical Centre is the closest GP surgery to the development, and in the opinion of NHS England would be the most impacted by the increase in patient registrations.

## Appendix 1

108. The Gamlingay Surgery is deemed not to be constrained currently, at 16 patients per m<sup>2</sup>, below the 20 patients per m<sup>2</sup>, which is the NHS accepted capacity, but would begin to struggle with the needs of all the new registrations generated from this development.
109. Detailed figures are provided to support a request for a Section 106 contribution of £621 per dwelling.
110. **Gamlingay Surgery** – original sought a contribution of £727 per dwelling based on a worked up scheme for the building, having regard to the number of new houses proposed being built over the coming years.
111. The Surgery recently advised that there appears to be a barrier to possible further expansion and on that basis has since withdrawn the request for the £727 per dwelling.
112. **Asset Information Searches Officer, Cambridgeshire County Council** – states that Public Footpath No.10 Gamlingay runs alongside the west side of the proposed site, and along the south, including through the proposed site.
113. It points out that it is an offence to obstruct a public highway, and it would expect that this footpath is diverted alongside to allow for continuous and safe access for footpath users. The County Council is happy to work with the applicant to advise on the diversion process, and to ensure that the diverted route is suitable and has the required width. This should be a requirement of the planning permission.
114. An informative should be included in any consent regarding the existing public right of way.
115. **Design Enabling Panel** – considered that the indicative layout demonstrated a generally appropriate density and layout, based on a thorough initial site appraisal. The principle concerns were how to ensure that any subsequent detailed application retained the maximum of 90 dwellings, while maintaining the implied quality which might emerge from the sketch layout, given that all matters expect access are reserved.
116. The Panel noted that the existing commercial buildings occupying approximately 1ha of land to the south of the site are expected to remain, and continue to be occupied by the present users. Therefore the relationship of the retained employment area may be assessed as part of the outline application.
117. The Panel noted that the present facility to walk through the site appeared well used. The applicant is therefore strongly encouraged to consider the opportunity to retain and enhance pedestrian connectivity through the site. It is important to ensure that pedestrian and cycle connections are appropriately integrated.
118. The access from Cinques Road (indicated to have the potential to serve up to 25 dwellings) would benefit from the creation of a stronger cul-de-sac layout, with a focal/feature building as a visual stop in preference to the almost straight road and bollards shown on the indicative layout.
119. The layout would enhance the setting of the Methodist Chapel. The three existing buildings adjacent to the Methodist Chapel should be re-orientated so the rear elevation cannot be seen on entering the site.

## Appendix 1

120. Any new development around the access/entrance to the site should help screen the retained commercial buildings, in order to improve the vista when entering the site.
121. The indicative layout shows some extensive areas of block parking. These should be more carefully considered and justified as part of any subsequent submissions.
122. The general approach to landscaping implies a sensitive and appropriate response to the context and character of the setting. The re-engineered access from Green End would create a feeling of openness on arrival/entry to the site, with landscaping on both sides. With further design development it should be possible to reduce the extent of the road/hardstanding generally.
123. The Panel strongly endorses that a mini design code/brief be submitted as part of the outline application to provide a clear indication of the expected/anticipated quality of the proposed development, creating a template for the subsequent determination of a detailed application. This can also help ensure that the aspirations developed at this initial stage are not lost.

### Representations

124. 3 letters have been received from the occupiers of 27 and 37 Cinques Road, and 13 Maple Court, objecting/commenting on the application on the following grounds:
  - i. Concern regarding proposed access to Cinques Road, which is a very busy road with both commercial and private traffic movements. The 30mph limit on this road is often not adhered to. Vehicles are parked on the road and grass verges which restricts visibility. Traffic and parking is worse at drop off and collection times at the school.
  - ii. Concern about the increase in traffic noise at the side of No.37 Cinques Road, along with an increase in pollution.
  - iii. The Tree Survey omits two large lime trees from the G8 and G9 survey areas. These are within the site, not adjoining properties as the map suggests, and add biodiversity, aesthetic and privacy value. Assurances are sought that these will be preserved and maintained within the new development.
  - iv. Every attempt should be made to ensure that there is no overlooking of existing properties.
  - v. Is any traffic calming proposed? Earlier plans outlined a mini roundabout at the Green End entrance, which is not on the new plan.
  - vi. Consideration should be given to the broader impact of new traffic on existing roads. These already get very crowded and busy, especially at peak times. Green End can be virtually impassable around school arrival and departure times due to parked cars and parents dropping off/picking up children. The centre of the village is, at times gridlocked with local and through traffic. The level of traffic in the village has increased since the Station Road development.
125. 7 letters of objection to the proposed allocation of this site were received from local residents during the consultation process for the Draft Local Plan 2013. Objections were raised on the following grounds:
  - i. Over development of the village
  - ii. Excess traffic – state of some roads is poor and will not cope. Roads such as Mill Street and Church Street are already at a standstill on a daily basis, with trucks, lorries and buses not being able to get through
  - iii. Lack of resources in the village – schools, doctors, shops and transport
  - iv. Lack of amenity space on this side of the village

## Appendix 1

- v. There are already two large developments being carried out in the village. The village has already reached its capacity
- vi. There is a demand in the village for 2-bedroom dwellings for older people looking to downsize. No provision for these has been made in new developments
- vii. Declared objectives of climate change mitigation must be rigorously pursued. Where possible the Government's future zero carbon policy should be brought forward and applied to this site.

### Site and Proposal

- 126. The application site comprises 2.97 hectares of mainly industrial land in the centre of the village of Gamlingay. The site is the larger part of the existing Green End Industrial Estate and contains a number of commercial buildings and five existing dwellings. A 1.14 hectares area of the existing Industrial Estate and buildings is retained to the south of the application site. This land is within the ownership of the applicant.
- 127. The site is currently accessed from Green End, although a former access exists to Cinques Road. To the east the site abuts the playing fields of the Gamlingay First School, the Methodist Hall, and the rear gardens of properties in Cinques Road. To the south the site adjoins the retained area of the Industrial Estate, and to the east the boundaries of residential properties in the Green Acres estate and Cinques Road.
- 128. There is a public footpath running east-west through the site close to the southern boundary.
- 129. The site slopes gently from north north west down to the south south east. There is a drop of land between the footpath and industrial units to the south of between 1.3m and 2.3m.
- 130. The southern section of the east boundary adjoins the conservation area and protected village amenity area.
- 131. The outline application, with all matters reserved with the exception of access, proposes demolition of existing industrial and office units and 5 dwellings, and the development of the site by up to 90 dwellings, together with associated garaging, parking, public open space, landscaping, access, highways drainage and infrastructure works. The principal vehicular access is proposed from Green End, with a secondary access off Cinques Road serving up to 25 dwellings.
- 132. There will be no vehicular through route from Green End to Cinques Road, except for emergency vehicles, with bollards proposed to restrict through traffic.
- 133. 40% affordable housing (34 units) is proposed.
- 134. The application includes an illustrative masterplan, which includes 1370 sqm of public open space (including 500 sqm for a Local Equipped Area of Play (LEAP)).
- 135. The density of development is 33 dwellings per hectare.
- 136. The application is accompanied by a Planning Statement, Design and Access Statement, Transport Assessment and Framework Residential Travel Plan, Flood Risk Assessment, Foul Sewage and Utilities Assessment, Ground Investigation Report, Heritage Statement (including Archaeological Evaluation Report), Landscape

and Visual Appraisal and Landscape Strategy, Tree Survey and Arboricultural Implications Assessment, Preliminary Ecological Appraisal, Nocturnal Bat Roost Survey, Sustainability Statement (including Renewable Energy Statement, Site Waste Management Plan and Recyclables Waste Design Toolkit, and Water Conservation Strategy), Health Impact Assessment and Noise Assessment.

### **Planning Assessment**

#### *Housing Land Supply*

137. 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.
138. On the 25 June 2014 in two appeal decisions for sites in Waterbeach the Inspector concluded that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. He identified either a 3.51 or 3.9 year supply (each appeal was judged on its own evidence and slightly different conclusions reached). This is against the Strategic Housing Market Assessment figure for objectively assessed needs of 19,000 homes between 2011 and 2031, which he concluded had more weight than the Core Strategy figure. It is appropriate for the conclusions reached within these appeal decisions to be taken into account in the Council's decision making where they are relevant. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. Those policies were listed in the decision letters and are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be policies "for the supply of housing".
139. Where this is the case, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans).
140. 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.

#### *Principle of development*

141. The site is within the village Framework of Gamlingay.
142. Gamlingay is identified as a Minor Rural Centre under Policy ST/5 of the LDF and Policy S/9 of the emerging Local Plan where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are normally supported in policy terms. The erection of up to 90 dwellings (net gain of 85 dwellings) would exceed the amount of residential dwellings allowed in such locations and would not support the strategy for the location of housing across the district. However, this is policy is considered out of date due to the current lack of a 5 year housing land supply.



## Appendix 1

143. In this case, the application site comprises part of a 4.09ha area of land allocated for a mixed use development under Policy 1/f of the Submission Local Plan, incorporating employment uses utilising not less than 25% of the site, providing light industrial and/or office employment (Use Class B1 and B2) compatible with a residential area. An indicative dwelling capacity of 90 dwellings is given.

### *Deliverability*

144. The application indicates that the dwellings would be delivered within a 5 year period.
145. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.

### *Sustainability of development*

146. 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.

147. The provision of 85 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.
148. The redevelopment of the site for residential purposes will result in the loss of existing employment floorspace. Policy ET/6 seeks to restrict the loss of rural employment, however, the proposed local plan allocation accepts that the site is not ideally located for the existing general industrial uses, in particular the heavy engineering, being in the centre of the village, very close to existing housing and nursery/primary schools. It does, however, require 25% of the overall site to provide for employment uses.
149. The southern part of the allocated site is retained for employment use.
150. The Parish Council has expressed concern that the application site does not include the industrial/employment use of the site. However, this land is shown as being in the ownership of the application, which means that planning conditions relating to that area can be imposed if required, and considered necessary and reasonable.
151. The applicant has states that the owners of the site are currently experiencing difficulty in finding occupiers for buildings when they become vacant, and their condition is deteriorating as a result. The applicants are therefore assisting the remaining businesses in finding more suitable premises either in the retained employment area or more suitable premises elsewhere in Gamlingay, where possible.
152. The southern part of the Industrial Estates is well occupied, and includes the Montessori school. The applicant argues that if the southern part of the site were to be developed for new commercial premises, existing businesses would be unlikely to be retained. New rents would be higher which itself might preclude some existing occupiers from returning.
153. The mixed use of the proposed allocation is an important element in the sustainability of the redevelopment of the site. The application complies with the requirements of

the allocation by ensuring that 25% of the overall area is retained for employment uses (although the applicant has lodged an objection to the requirement to retain 25% employment floor space through the Local Plan process).

154. Officers are of the view that it would be appropriate to include a condition on the retained industrial land requiring, prior to the submission of a reserved matters application for the housing development, that a scheme to ensure that the retained buildings and land are fit for purpose, and a marketing strategy, is submitted for approval.

Social.

### *Provision of new housing*

155. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 85 (net gain) residential dwellings. 40% of these units will be affordable (34 units). The applicant indicates that the mix of housing will be in accord with Policy HG/2. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 85 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process.
156. Public open space is shown on the indicative layout plan, which is compliant with the required size for the scale of development proposed, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. There is a shortage of equipped play areas in this part of the village, and therefore the proposed LEAP has the potential to serve existing properties in the area in addition to the new residents. The siting of the LEAP and other open space within the development can be discussed further at the reserved matters stage, to address concerns raised about the current location. There is no requirement to provide for formal sports on site on a development of this scale.
157. The Parish Council has sought to secure the provision of a new bowls green as part of the development, as the existing bowls green is poorly located at the rear of the recreation and can be difficult to access. The relocation of the bowls green would enable the provision of an additional football pitch at the recreation ground. Although there is no requirement to provide formal sports facilities on site, officers have discussed the possibility of providing a bowls green. The applicant has considered this but the proposed drainage of the site and implications for open space areas would not be appropriate for the establishment of a bowls green. Officers are therefore of the view that this provision cannot be secured on site, but that any contribution for formal sports improvements off site arising from this development could be put towards such a project.
158. It will be important to secure the existing, or appropriate approved amended route of the Public Footpath through the site, as this forms an important route for occupiers of houses to the west of the site, through to Green End and the centre of the village, as well as for the future occupiers of dwellings on the application site. The redevelopment of the site offers the opportunity to improve the usability of the footpath. Existing trees of significance should be retained.
159. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The indicative layout plan demonstrates that the site can be developed for the number of dwellings proposed, although there are aspects which require further consideration

at the reserved matters stage.

Environmental.

### *Brownfield land*

160. The site is classified as brownfield land. Policy ST/3 of the Core Strategy seeks a percentage of dwellings to be built on previously developed land, and this development will contribute both to this and Government brownfield objectives. The development offers the opportunity to secure improvements to the existing brownfield land.

### *Impact on character of the village and landscape*

161. The application proposes new housing at a density of approximately 33 dwellings per hectare (dph).
162. Paragraph 58 of the NPPF states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.
163. 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.
164. 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.
165. The loss of the existing employment buildings provides the opportunity to enhance the overall appearance of the site, and the indicative layout plan demonstrates the potential for a high quality development, although there are areas that will require further discussion prior to the submission of a reserved matters application. Existing buildings on the site rise to a height of 8.4m, and some two and half storey development on appropriate parts of the site might be acceptable, but overall heights will need to be controlled.
166. Boundary landscaping will need to be enhanced.
167. The indicative layout plan demonstrates sufficiently that the scale of development proposed could be accommodated on the site in terms of the impact on the character of the village.

### *Residential amenity*

168. 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. The indicative layout plan indicates that this can be achieved in terms of loss of light, overbearing and overlooking issues. The redevelopment of the employment area of the site also has the benefit of reducing commercial noise to existing nearby properties. The relationship of the Cinques Road access to adjacent properties is considered acceptable.

## Appendix 1

169. In addition it is necessary to consider the relationship of proposed residential development to the retained employment area, to ensure that the residential amenity of the future occupiers of the dwellings.
170. Following the receipt of a noise report in respect of the proposed uses the Environmental Health Officer has raised no objection, but is requiring a condition to be imposed restricting the hours of operation of the retained B2 buildings (currently vacant) in line with paragraph 89 above.
171. Conditions suggested by Environmental Health to protect residential amenity during the period of demolition and construction can be included in any consent.

### *Services and Facilities*

172. As a Limited Growth Village, Gamlingay has a good range of services and facilities, and the site is well related to the majority of these.
173. The site was considered as part of the SHLAA in 2013, and the sustainability of the site in terms of the impact on services and facilities will have been assessed as part of the process of the sites proposed allocation for development in the Draft Local Plan.
174. The requirements resulting from the development in terms of education and health service are considered in more detail below in Annexe 2.

### *Access and Transport*

175. The Local Highway Authority has considered the proposed access points to Green End and Cinques Road, which include junction details for approval at the outline stage, and has raised no objection. The conditions requested can be included in any consent.
176. The Transportation Team, having requested additional information from the applicant, has confirmed that it has no objection to the proposed scheme in terms of impact on existing highway conditions, trip generation and distribution, and transport impact. It accepts that overall, when the potential for trips by larger vehicles in association with the existing employment use is considered, the redevelopment will result in an overall reduction in vehicle trips between proposed and existing uses.
177. The request to secure improvements for pedestrians travelling from the development to key facilities in the village, the improvements to bus stops, and the submission of a Travel Plan, can be dealt with by condition.
178. Officers note that local concern about parking in Green End. Any informal parking that currently takes place on the road into the industrial estate would be replaced by the ability to park on the new access road if required.

### *Surface water drainage*

178. The site lies in Flood Zone 1. The Lead Local Flood Authority has not raised an objection and is of the view that surface water drainage from the site will not be an issue, subject to suitable conditions being included in any consent.
179. The Environment Agency requires conditions to be included in any consent preventing surface water and contamination issues in a sensitive area. These can be included in any consent.

### *Foul water drainage*

180. Anglian Water has stated although there is currently capacity to deal with foul drainage flows from the development.

### *Contamination*

181. Conditions can be included in any consent dealing with the identification and mitigation of any existing contamination.

### *Heritage Assets*

182. The archaeological investigation of the site, requested by the County Council, can be secured by condition.
183. The south east corner of the site adjoins the Conservation Area boundary. The redevelopment of the existing commercial buildings in this part of the site provides the opportunity to enhance the setting of the Conservation Area and the Protected Village Amenity Area.

### *Ecology*

184. The application is accompanied by an Ecological Report. The Ecology Officer has raised no objection, subject to safeguarding conditions and the submission of an ecological enhancement scheme.

### *Renewable Energy*

185. The applicant has indicated that the scheme will comply with the need to provide renewable energy generation technology to comply with Local Plan requirements, and that these matters will be dealt with at Reserved Matters stage.

### *Planning Obligations*

186. 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 longer be 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.
187. The Council can confirm that there have been 5 Section 106 agreements in respect of developments in the village of Gamlingay 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.
188. 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

## Appendix 1

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.

189. 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 band paragraph 204 of the NPPF. Further negotiations are being carried out in respect of these and an update will be provided at the meeting.

### *Prematurity*

190. As outlined above in light of the appeal decisions at Waterbeach regarding the 5 year land supply this application needs to be considered against policies in the NPPF, however Members also need to address the issue of whether the approval of development on this site would be premature in respect of the consideration of the Submission Local Plan.
191. The National Planning Policy Guidance states that the NPPF explains how weight may be given to policies in emerging plans. However, it states that in the context of the NPPF and the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify refusal of planning permission, other than where it is clear that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, taking the NPPF policies and any other material considerations into account.
192. The NPPG indicates that such circumstances are likely to be limited to situations where both the development proposed is so substantial, or its cumulative effect would be so significant, that to grant planning permission would undermine the plan-making process by predetermining decisions about the scale, location of phasing of new development that are central to an emerging local plan; and the emerging plan is at an advance stage but is not yet formally part of the development plan for the area.
193. Where permission is refused on grounds of prematurity, the NPPG states that a Local Planning Authority will need to clearly indicate how the grant of permission would prejudice the outcome of the plan-making process.
194. In this case while there were significantly more responses in favour of the proposed allocation (179) than opposed (51) as a result of the Local Plan consultation process, Members need to be sure that those persons who made representations against the allocation, would not be unreasonably disadvantaged if a decision were made to approve the planning application.
195. Objections received during the local plan process have been outlined and considered in this report.
196. Officers are of the view that in this case the proposed development is not so substantial, or the cumulative effect of approval would be so significant, as to render a favourable decision in respect of the planning application, given the technical response to consultations received, and the need to determine it against the NPPF policies in the absence of a five year housing land supply.

### **Conclusion**

197. In considering this particular application, Policy ST/5: Minor Rural Centres (indicative

## Appendix 1

maximum scheme size of 30 dwellings) is considered out of date. 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.

198. Any adverse impacts must be weighed against the benefits of the development, which include:
- The provision of up to 90 dwellings on brownfield land towards the shortfall in 5 year housing land supply.
  - The provision of 34 affordable dwellings towards the need of 1,700 applicants across the district.
  - Developer contributions towards public open space, community facilities, education and health facilities in the village (Annexe 2).
  - 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.
  - Employment during construction to benefit the local economy.
  - Retention of 25% of the proposed allocated site in employment use
  - Greater use of local services and facilities to contribute to the local economy.
199. The adverse impacts of this development, which include scale of development, retention of employment uses, prematurity, limited impact on local services, residential amenity and highway safety are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply, and the proposed Local Plan allocation H1f.
200. Officers have set out in paragraphs 190-196 why favourable consideration of the application at this stage is not felt to be premature in advance of the consideration of the allocation of this site through the Local Plan process.

### Recommendation

201. That subject to the resolution of outstanding matters in respect of planning obligations, and the prior signing of a Section 106 Agreement, that delegated powers are given to grant outline consent. Any consent should include conditions covering the following matters.
- (a) Outline consent
  - (b) Submission of reserved matters
  - (c) Approved drawings
  - (d) Implementation of landscaping
  - (e) Tree/hedge protection
  - (f) External materials
  - (g) Boundary treatment
  - (h) Surface water drainage
  - (i) Contamination
  - (j) Restriction on hours of power driven machinery during demolition and construction/control of dust etc
  - (k) External lighting
  - (l) Site waste management plan
  - (m) Rights of Way
  - (n) Levels

- (o) Traffic Management Plan (including construction traffic)
- (p) Visibility splays
- (q) Access construction
- (r) Ecology
- (s) Archaeology
- (t) Scheme for retained commercial buildings
- (u) Hours of use of B2 premises
- (v) Travel Plan
- (w) Renewable energy

### 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/2068/15/OL

### Report Author:

Paul Sexton

Principal Planning Officer

Telephone Number:

01954 713255

---

### Update to Report –

#### Planning Assessment

##### *Housing Land Supply*

1. Paragraphs 137 – 140 of the report in the published agenda explains that the Council cannot currently demonstrate a five year land supply as required by the National Planning Policy Framework. The latest published position in the Annual Monitoring Report is that using the most onerous method of calculating 5 year supply, the Council has 3.9 years supply of housing land. In such circumstances, the policies relating to housing supply are considered not up to date in accordance with policy 49 of the NPPF.
2. A recent Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*) has extended the definition of 'relevant policies for the supply of housing' from, '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,' to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed ..' (Our emphasis). In the case of this application, the judgement does not affect any additional housing supply policies beyond those included in the published report.
3. The judgement also confirmed that even where policies are considered 'out of date' for the purposes of NPPF para.49, a decision maker is required to consider what weight should attach to such relevant policies. In the case of this application, which is for a site comprising previously developed land within a Minor Rural Centre, the main relevant housing supply policy in the adopted LDF is ST/5 and the limit that policy places on a



## Appendix 1

housing development of an indicative scheme size of 30 dwellings. Also relevant is Policy H/1 of the submitted Local Plan that allocates the application site as part of a wider allocation for and mixed use development for residential and employment uses.

4. In this and future applications, having identified which policies are relevant to the application, and which of those policies are housing supply policies and therefore 'out of date', consideration should then be given to the weight (if any) to be attached to such policies. This involves considering the purpose of the policy and its planning objective and whether those purpose and planning objectives relate to matters which are independent of the issue of the supply of housing and thereby continue to perform a planning function. Where they do, weight may still be awarded to those policies when determining a planning application. Furthermore, as part of this process, consideration should be given to how the policy performs against the policies of the NPPF.
5. As noted above sustainability will be a key consideration and therefore on a case by case basis the sustainability credentials of the location should be fully considered which includes category of village, specific services and facilities in that village, accessibility to those services and facilities and the accessibility to higher order services and facilities elsewhere by sustainable transport modes. To this extent regard may in an individual case be had to the policies of the adopted LDP, including ST/4-7). These policies seek to categorise settlements and identify the scale of growth that would be appropriate at different settlement categories, having regard to the availability of services to sustain new housing and accessibility, both of which are important components of sustainability. Finally having undertaken this assessment, NPPF paragraph 14 should be applied such that the application should be granted unless any adverse impacts of doing so would 'significantly and demonstrably outweigh the benefits'.
6. In respect of this application officers have acknowledged that policy ST/5 is now 'out of date' in terms of the housing land supply need. Whilst the objective of the policy as part of the wider development strategy to focus development in more sustainable locations remains important, in the context of this particular application this consideration must be balanced alongside the proposed allocation for the application site in the submitted Local Plan. The proposed allocation results from a review of the development strategy and the identification of a limited number of housing allocations in the rural area on appropriate sites to provide flexibility and support rural communities. Whilst the examination of the submitted Local Plan has yet to be completed and there are outstanding objections that will be tested through that process, this planning application considers the planning merits of the proposal and has provided an opportunity for comments to be made and considered.
7. In the context of a lack of a 5 year housing land supply, this application also falls to be determined against paragraph 14 of the NPPF. There is a presumption in favour of sustainable development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. As set down in paragraphs 197 – 199 the adverse impacts of the scheme are clearly weighed against the benefits and the judgement is reached that the scheme should be granted.
8. **Para 189** - An updated Annex 2 has now been produced to include the requested contributions of NHS England.

### **Representations –Para 134**

9. The president of Gamlingay Bowls Club is asking for further consideration of the inclusion of a Bowls Green with associated facilities within the new development as

## Appendix 1

part of the green space. The current site access and conditions at the bowls green in Gamlingay are unsatisfactory and also access for Blue Badge Holders is unsuitable. A new green in the centre of town would enable the successful club to grow and thrive.

### Recommendation

No change to recommendation subject to the addition of the following conditions.

### Draft list of conditions

1. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
(Reason - The application is in outline only.)
2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
(Reason - The application is in outline only.)
3. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing Nos 41323/P/02 Rev B and 41323/P/04.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

## Appendix 1

7. No development shall take place until a plan showing the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each have been submitted to and approved in writing by the Local Planning Authority.

i) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model(CSM) of the site indicating potential sources, pathways and receptors, including those off site.

ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised CSM.

iii) Based on the risk assessment in ii) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

iv) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in iii). The long term monitoring and maintenance plan in iii) shall be updated and implemented as approved.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with, and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.  
(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

- 9 Development shall not begin until a scheme for surface water drainage disposal has been submitted to, and approved in writing by, the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approved details.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National

## Appendix 1

Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

10. Piling or other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.  
(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).
11. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
12. No development shall be commenced until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the Local Planning Authority. The system 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 + 30% allowance for climate change. The submitted details shall be in accordance with Flood Risk Assessment ref. 41323 dated July 2015 and:
  - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii) Provide a management and maintenance plan for the lifetime of the development.  
(Reason - To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity).
13. Prior to the first occupation of the development, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted drawings Nos 41323/P/02 Rev B and 41323/P/04. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.  
(Reason - In the interests of highway safety.)
14. The proposed accesses shall be constructed so that the falls and levels are such that no private water from the site drains across or onto the public highway, and

## Appendix 1

shall be constructed using a bound material to prevent debris spreading onto the public highway.

(Reason - For the safe and effective operation of the highway, and in the interests of highway safety.)

15. No demolition or construction works shall commence on site until a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The principle areas of concern that should be addressed are:
  - i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
  - ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street
  - iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
  - iv) Control of dust, mud and debris. (Note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.)  
(Reason - In the interests of highway safety.)
16. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
17. Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.  
(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)
18. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
19. The dwellings, hereby permitted, shall not be occupied until parking for cars, and covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.  
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

## Appendix 1

20. No buildings shall be occupied until a Travel Plan for both staff and visitors has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.  
(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)
21. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.  
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
22. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless otherwise inspected by a suitably qualified ecologist and found not to be providing for nesting birds, or a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.  
(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
23. Site clearance, demolition and ground works should be undertaken in accordance with Recommendation 1 contained within the report "Green End Industrial Estate, Gamlingay (Project 57115) Nocturnal Bat Roost Survey" by MKA Ecology June 2015. Any variation to the recommendation shall be agreed in writing with the Local Planning Authority  
(Reason – To accord with the aims of Policy NE/6 of the adopted Local Development Framework 2007.)
24. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.  
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
25. No development including demolition or enabling works shall take place until a Site Waste Management Plan for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.  
(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007.)
26. During the period of demolition and construction, no power operated machinery shall be operated on the site, and no construction/demolition dispatches from or deliveries to the site shall take place before 0800 hours and after 1800 hours on

## Appendix 1

weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

27. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site, during the demolition/construction period, or relevant phase of development, has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details/scheme unless the Local Planning Authority approves the variation of any detail in advance in writing.

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)

28. No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development, and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing with the Local Planning Authority.

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)

29. Prior to the occupation of any dwelling, an assessment of the noise impact of plant and/or equipment, including any renewable energy provision sources such as any air source heat pump, on the proposed and existing residential premises, and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant or equipment, shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is occupied, and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

(Reason – To protect the amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

30. Prior to the submission of any application for approval of reserved matters a scheme shall be submitted to the Local Planning Authority, for approval in writing, outlining the measures to be undertaken to ensure that the retained employment buildings within the land edged blue on drawing (*to be confirmed*) are maintained fit for purpose, and detailing a current and future marketing strategy for these buildings. The scheme shall be implemented as approved.

(Reason – To ensure that the development promotes and secures a mixed use development in accordance with the proposed allocation H1(f) in the Draft Local Plan 2013, and to ensure a sustainable development as required by Policy DP/1 of the adopted Local Development Framework 2007 and the NPPF.)

31. Following the first occupation of any of the dwellings, hereby permitted, no building within the land edged blue on drawing (*to be confirmed*) shall be used for

## Appendix 1

any purpose with Class B2 of the Town and Country (Use Classes Order) 1987 (as amended).outside the hours of 07.00 to 19.00 Monday to Friday, 07.00 to 14.00 on Saturdays, with no working on Sundays or Bank Holidays.  
(Reason - To protect the amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.) )

32. None of the dwellings, hereby permitted, shall be occupied until a scheme for the improvements to existing pedestrian access in Church Street/Mill Street has been carried out in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority.  
(Reason – In the interests of promoting safe pedestrian access from the site to key facilities in the village in accordance with the aims of Policy DP/1 of the adopted Local Development Framework 2007 and the NPPF.)

**Report Author:**

Paul Sexton

Telephone Number:

Principal Planning Officer

01954 713255