

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 November 2016

AUTHOR/S: Head of Development Management

Application Number: S/1605/16/OL

Parish(es): Swavesey

Proposal: Outline planning permission for development of up to 70 dwellings (28 affordable), public open space, children's play area, associated landscaping and new access. All matters reserved except for access.

Site address: Land to the rear of 130 Middle Watch, Swavesey CB24 4RP

Applicant(s): Swavesey Ventures Limited

Recommendation: Delegated approval (to complete section 106 agreement)

Key material considerations: Five year supply of housing land
Principle of development
Sustainability of the location
Density of development and affordable housing
Character of the village edge and surrounding landscape
Ecology
Highway safety
Residential amenity of neighbouring properties
Surface water and foul water drainage
Provision of formal and informal open space
Section 106 Contributions

Committee Site Visit: 02 November 2016

Departure Application: Yes

Presenting Officer: David Thompson, Principal Planning Officer

Application brought to Committee because: The officer recommendation of approval conflicts with the recommendation of Swavesey Parish Council and approval would represent a departure from the Local Plan

Date by which decision due: 02 November 2016 (extension of time agreed)

Executive Summary

1. The application site is located outside of the Swavesey village framework, the

boundary of which skirts the northern and eastern boundaries of the site. Residential development is located to the north (Whitton Close) and east (the properties fronting on to Middle Watch) of the site.

The application is outline only and the only matters to be decided at this stage are the means of access and the principle of the erection of up to 70 dwellings and the other facilities listed in the description of development on the site. It is considered that the illustrative masterplan submitted with the application demonstrates that a maximum of 70 units could be provided on the site, within adequately sized plots along with the required access routes, level of formal and informal open space and surface water attenuation measures. It is considered that the illustrative layout indicates that this could be achieved without having an adverse impact on the character of the surrounding landscape by including a significant landscape 'buffer' on the western edge of the development.

There are no objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency following the receipt of additional information and none of the Council's internal consultees have recommended refusal. The indicative proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development.

Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the social benefits that would result from the development outweigh the potential landscape and environmental disbenefits. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Planning History

2. Relevant planning history on the application site:

C/1526/73/O – Residential caravan site - Refused

C/0257/72/O Residential development – refused

Planning application S/0875/15/OL (land to the rear of 18 Boxworth End) is relevant to the assessment of this application as it is land adjacent to the south of the site. Planning permission was granted on appeal for the development of 30 dwellings, open space, children's play areas and landscaping (all matters reserved except for access).

National Guidance

3. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance (PPG)

Development Plan Policies

4. The extent to which any of the following policies are out of date and the weight to be attached to them is addressed later in the report.
5. **South Cambridgeshire LDF Core Strategy DPD, 2007**

ST/2 Housing Provision
ST/6 Group Villages

6. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
 - DP/1 Sustainable Development
 - DP/2 Design of New Development
 - DP/3 Development Criteria
 - DP/4 Infrastructure and New Developments
 - DP/7 Development Frameworks
 - HG/1 Housing Density
 - HG/2 Housing Mix
 - HG/3 Affordable Housing
 - NE/1 Energy Efficiency
 - NE/3 Renewable Energy Technologies in New Development
 - NE/4 Landscape Character Areas
 - NE/6 Biodiversity
 - NE/8 Groundwater
 - NE/9 Water and Drainage Infrastructure
 - NE/11 Flood Risk
 - NE/12 Water Conservation
 - NE/14 Lighting Proposals
 - NE/15 Noise Pollution
 - NE/17 Protecting High Quality Agricultural Land
 - CC/7 Water Quality
 - CC/8 Sustainable Drainage Systems
 - CC/9 Managing Flood Risk
 - CH/2 Archaeological Sites
 - SC/9 Protection of existing Recreation Areas, Allotments and Community Orchards
 - SF/10 Outdoor Playspace, Informal Open Space, and New Developments
 - SF/11 Open Space Standards
 - TR/1 Planning For More Sustainable Travel
 - TR/2 Car and Cycle Parking Standards
 - TR/3 Mitigating Travel Impact

7. **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

8. **South Cambridgeshire Local Plan Submission - March 2014**
 - 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/6 The Development Strategy to 2031
 - S/7 Development Frameworks
 - S/9 Minor Rural Centres
 - HQ/1 Design Principles
 - H/7 Housing Density
 - H/8 Housing Mix
 - H/9 Affordable Housing

NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/14 Heritage Assets
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/9 Managing Flood Risk
SC/2 Heath Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

9. **Swavesey Parish Council** – the Parish Council recommend refusal of the application for the following reasons:

- Concerns regarding surface water drainage. Swavesey is the last densely populated area on the River Great Ouse to discharge by gravity. A system of flood banks and non-return doors is employed to prevent water discharging to the Great Ouse during times of high rainfall. This ensures that surface water run off from development sites must be able to be stored on site for prolonged periods (up to 3 weeks) as water cannot be discharged into the drainage system without increasing flood risk during periods when discharge from the drains to the Great Ouse is prevented. There are repeated examples of drainage issues along Middle Watch and across the village and the cumulative impact of additional development increases the likelihood of further flooding.
- The Over Sewage Treatment Works is at capacity and therefore cannot accommodate the foul water flows that will result from the proposed development.
- The proposal will have an adverse impact on highway safety through increasing traffic volumes on Boxworth End. Congestion is a major concern on this arterial route through the village, which passes the primary school and additional traffic will exacerbate this situation further.
- The cumulative impact of the development of other sites within the village and neighbouring villages will have an adverse impact on congestion on the wider highway network, including the A14.
- The Parish Council request that further traffic recording is undertaken as the initial survey was conducted during school holiday times.
- The Parish Council has concerns regarding the location and highway safety implications of the new school crossing point being proposed. A pedestrian crossing adjacent to the recreation green would be a more suitable option.

- The footpaths along Boxworth End are in a poor state of repair and this would be made worse by the additional volumes of pedestrian traffic in this part of the village should the development be approved.
- There is insufficient capacity in the primary school, secondary school and the doctors' surgery to accommodate the demands of this development and the cumulative pressure of other sites being developed in Swavesey and neighbouring villages.
- There is a need to provide low cost starter homes as part of the scheme, as well as bungalows to make provision for elderly persons.
- Although Swavesey is proposed to be upgraded to a Minor Rural Centre in the emerging Local Plan, the indicative maximum size of appropriate schemes is 30 dwellings. This scheme, along with the proposed development at Fen Drayton Road would go far beyond this and the cumulative impact would be severe.
- Should the development be approved, the Parish Council would wish to be involved in the discussions regarding the provision of additional sports and recreation facilities in the village, of which there is an identified shortage.

10. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment (HIA) is acceptable and the scale of the scheme and the resulting impacts can be assessed without requiring the revision of the HIA.

Further assessment of the potential noise generated by the noise of traffic on the A14 and primary routes adjacent to the site and the impact that this may have on the residential amenity of the occupants of the dwellings will be required to ensure that adequate attenuation measures are put in place, if required. Details of any lighting to be installed will also need to be provided.

Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.

The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage 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. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.

11. **District Council Urban Design Officer** – has raised no objection to the principle of development and considers that the site could be developed at the density proposed in a manner that provides adequate open space, in an appropriate location, allows for adequate separation between buildings and provides suitable plot sizes.
12. **Natural England** - no comments to make on the application.

13. **District Council Landscape Design Officer (LDO)** – No objection to the principle of development. The site is not subject to any national designations. It is classified on a regional level as being part of the Bedfordshire and Claylands Landscape Character Area and at a local level, the site is within the Lowland Village Farmlands Character Area.

The LDO agrees that the existing site is relatively well contained by the vegetation on the boundaries of the land. Whilst the existing boundary planting would be retained, large areas of deciduous woodland in the northern, western and southern parts of the site would be lost. The LDO considers these to be key landscape features of the site which should be retained.

14. **Cambridgeshire County Council Local Highway Authority** – following the submission of additional information, no objection to the proposals subject to the securing of footpath improvements and additional cycle stands at Swavesey guided busway. Details of the scheme and a commuted sum for these improvements can be secured through the Section 106 Agreement. The traffic survey has been revised following the collection of data in September (8-21st) which is considered to be a neutral month and is therefore acceptable. The impact of traffic on the Ramper Road routes to Cottenham and Girton has been considered in the revised information. The proposed upgrading of bus shelters adjacent to the site includes seating and shelters should be secured. Real Time Passenger Information displays would also need to be installed as part of the upgrade, at a cost of £54,000 and this should also be included in the Section 106 Agreement.

15. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – The site is considered to be of potential archaeological interest. There is evidence of Roman remains to the west of the site, which have been registered on the Historic Environment Record and the earthworks at Trinity Farm which include evidence of ancient civilisation are located 480 metres to the north east of the site. The site of the 'Castle Hill' earthworks and evidence of Iron Age to medieval settlement exists on sites to the north of the historic core of Swavesey. A condition is recommended to secure a scheme of investigation and the implementation of necessary mitigation measures.

16. **Cambridgeshire County Council Flood & Water Team (LLFRA)** – no objection subject to the application following the submission of a revised Flood Risk Assessment (FRA). The amended information confirms that the measures would attenuate a volume of surface water to accommodate a 1 in 100 annual probability level of flood risk, with zero discharge for 3 weeks of the year. Both swales and an attenuation pond would be included within the development to provide a sustainable drainage system.

17. **Swavesey Internal Drainage Board** – no objection to the amended flood risk assessment on the basis that all mitigation measures and details of the surface water level controlling mechanism are secured by condition.

18. **Environment Agency** - The site lies in Flood Zone 1. The Environment Agency has no objection to the scheme, highlighting the need for the LLFRA to be consulted on the contents of the drainage strategy submitted with the application.

19. **Anglian Water** - Anglian Water (AW) has commented that in relation to foul drainage, waste water from the development would be treated at Over Water Recycling Centre. The facility does not currently have capacity to deal with flows from the development but Anglian Water confirm that they are legally required to provide the additional

capacity and therefore raise no objection. The sewerage system is considered to have available capacity to accommodate the additional demands placed on the infrastructure by the proposed development. Advise that the Environment Agency and the LLFRA should be consulted with regard to surface water drainage.

20. **Contaminated Land Officer** - low risk in relation to land contamination and as such it is considered that a phase I contaminated land assessment can be required by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
21. **Air Quality Officer** – No objection and no further assessment of air quality is considered to be necessary. 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
22. **Affordable Housing Officer** - The proposed site is located outside the development framework and should therefore be considered on the basis of an exception site for the provision of 100% affordable housing only to meet the local housing need. This would be in accordance with Policy H/10 of the emerging Local Plan.

However, should this application not be determined as an exception site, then the council will seek to secure at least 40% affordable housing, which is in line with policy H/9 of the emerging Local Plan.

The developer is proposing 70 dwellings, which consists of 32 market dwellings and 28 affordable dwellings which meets the 40% requirement. There are currently 41 people within Swavesey Parish on the Housing Register.

There are approximately 1,700 applicants on the housing register and our greatest demand is for 1 and 2 bedroom dwellings.

The district wide tenure split is 70% rented and 30% shared ownership – equating to 8 for affordable rent and 4 for shared ownership. The mix across the 28 affordable units would be:

Affordable Rented:

10 x 1 beds
7 x 2 beds
3 x 3 beds

Intermediate/Shared Ownership:

4 x 2 beds
4 x 3 beds

8 properties should be allocated to those with a local connection to Swavesey and the remaining 20 should be allocated on a 50/50 split basis between applicants with a local connection to Swavesey and those with a District wide connection.

A registered provider should be appointed to manage the affordable housing; we

would like to be informed when a Registered Provider has been appointed so that we can discuss the delivery of the affordable housing with them.

The rented properties should be advertised through homelink and be open to all applicants registered in South Cambs. The shared ownership properties should be advertised through BPHA (Bedfordshire Pilgrims Housing Association) who are currently the government's appointed home buy agent in this region.

23. **Section 106 Officer** – details of the summary of section 106 requirements are appended to this report and discussed in detail in paragraphs 118-121 of this report and under the consideration of highway safety. Specific policy compliant contributions (final figure dependent on housing mix to be determined at the reserved matters stage under scale of development) are requested towards the preparation of the new recreation ground (to provide sports pitches and the upgrading of the Memorial Hall building which is used as an indoor community facility).
24. **Cambridgeshire County Council Growth Team** – This proposal would result in an anticipated number of 21 early years children, 11 of which would qualify for free provision. A contribution towards an extension which provided 2 pre-school classrooms but for which there is an identified funding deficit is being sought from this scheme.

In relation to primary provision, combining this proposal and the application for up to 99 dwellings on Fen Drayton Road (ref. S/1027/15/OL), the anticipated population increase would result in an anticipated increase of 60 children. This scheme alone would generate 25 primary school age children. The project identified to mitigate this impact is space within the 3 classroom extension which has already been completed to the primary school, but for which a funding shortfall has been identified and the County Council.

A sum of £72,595 for early year and £261,166 for primary provision was secured towards the project was secured as part of the Section 106 Agreement at 18 Boxworth End appeal which was allowed, reducing the coverall project shortfall of the combined project to £1,304,776.

The County Council have calculated that 41% of the anticipated increase in primary school pupils would come from this scheme, 59% from the Fen Drayton Road development. The contribution towards the total cost of the pre-school and primary education provision being sought from this scheme therefore is £534,958.16 (41% of £1,304,776).

In relation to secondary school provision, the anticipated number of pupils from the development is 8. In assessing the potential impact of developments within the catchment of Swavesey Village College (within which the application site falls), the County Council have assessed the cumulative impact of this proposal alongside others within the same catchment area. These schemes are the live planning applications at The Ridgeway in Papworth Everard (54 secondary age pupils), Land at Mill Road in Over (14 pupils) and rear of 18 Middle Watch in Swavesey (18 pupils).

The County Council have confirmed that an extension to increase capacity at the Village College by 150 pupils has been completed, as a result of an identified shortfall in capacity in 2012. The total cost of the extension project was £3,900,000. Of this amount, a total of £3,150,000 was secured through grant funding sourced by the Village College and the County Council, leaving a shortfall of £750,000. The capacity increase resulting from this extension would allow the cumulative impact of each of

these schemes to be mitigated.

A sum of £106,002 was secured from the planning permission granted on appeal for 30 dwellings on land south of this site, leaving a deficit of £643,998. Dividing £643,998 proportionately between the above listed schemes, the contribution sought from this scheme is £103,040 (16% of the contribution as 70 units equates to 16% of the housing stock proposed across these applications).

A contribution of £4,627.00 is requested to improve the provision of library services. This would finance the provision of an additional mobile library route within the village and an increase in the range of materials offered by the library service, to accommodate the additional population resulting from the development. A figure of £28.92 per the additional residents (160 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant as a specific project to make the scheme acceptable in planning terms.

25. **Historic England** – no objection.
26. **District Council Historic Buildings Officer** – no objections raised
27. **NHS England** – request a sum of £23,040 to provide an additional 11.52 square metres of floorspace to accommodate the additional 168 anticipated population increase (nb. Different projection to the County Council figures above). The NHS response indicates that this figure does not include an assessment of any additional car parking capacity and have indicated that they do not have the evidence base to make a request for extension/reconfiguration of the site in this regard.
28. **District Council Ecology Officer** – no objection, subject to the attachment of conditions to the outline planning permission.

Following the submission of additional survey work by Applied Ecology, initial holding objection removed. The updated report did not identify any trees that were suitable for roosting bats being present on the site and no signs of roosting activity were recorded during the emergence survey period. The Ecology Officer is content that, whilst bats may forage over the site, there is no evidence to suggest that they use the site to roost and therefore, subject to compliance with mitigation measures, bats do not present a constraint to development of the site. Considers that there is sufficient evidence to demonstrate that any impact on Great Crested Newts could be mitigated subject to a condition requiring the developer to secure the appropriate European protected species licence before any works on site commence.

29. **Sustainability Officer** – No objection to the proposals although there is a need for more detail on the type of renewable energy technologies to be used to reach the policy compliant level of 10% of energy needs of the development to be achieved through renewable sources. No reference is made to water conservation and efficiency measures in the application. Details of these measures can be secured by condition at the outline stage.
30. **District Council Tree Officer** – no objection to the proposals. The Arboricultural Report submitted with the planning application provides a comprehensive overview of the nature of the tree cover on the site. It is clear that the existing tree cover is mainly dense scrub and small trees that have self-set and this has arisen as a result of the absence of management. The tree coverage is therefore of significantly less value than a woodland, despite covering a large part of the site. Details of tree

protection during the construction of the development and once the scheme is completed can be secured by condition at this outline stage.

31. **Cambridgeshire Fire and Rescue** – No objection to the proposals subject to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.
32. **Cambridgeshire Constabulary** – no comments to make in relation to ‘Secured by Design’ standards at this outline stage.

Representations

33. 11 letters of objection (including representations made via the Council’s website) have been received which raise the following concerns (summarised):
 - No significant changes have been made to the proposals since the public consultation at the pre-application stage.
 - There is evidence of recent flooding of the existing properties on Middle Watch. Surface water drains along Middle Watch and Boxworth End do not have capacity to deal with existing flows and water drains onto the field it is proposed to develop.
 - The density of the proposal is considered to restrict the amount of green space possible within the gardens of the properties. This ensures that the volume of surface water will be high and add further problems to the capacity of the existing network.
 - The measures that have been included to manage surface water are considered to be insufficient.
 - There are concerns regarding the capacity of the foul drainage system also – foul water from the development will be transferred to the Over treatment plant and this presents risk in terms of further flooding.
 - The amount of traffic on Boxworth End and Middle Watch already causes congestion. This site would introduce more traffic to the network in close proximity to the junction with Ramper Road, presenting a further highway safety hazard.
 - The proposed narrow access will be detrimental to highway safety with cars pulling out on to Middle Watch. An access onto Whitton Close should be considered. This would be a better solution from a pedestrian (including school children) safety point of view, avoiding another access onto the main road through the village and would be better from a visual point of view, allowing retention of the existing bungalow at the front of the plot.
 - The local doctor’s surgery and primary school are at capacity. There is no room within the school site to add further extension and therefore the development will have an unsustainable impact on these services. The capacity issue needs to be addressed before more development is approved. The doctors surgery is also located on a physically constrained site, which limits the potential for expansion to accommodate additional demand.
 - A smaller development of 30 dwellings would be of a more appropriate scale.
 - The proposal would have an adverse impact on the outlook from the rear of the existing properties on Middle Watch. The inclusion of 2.5 storey development and the noise associated with the proposed development during the construction phase and on occupation would have an adverse impact on the residential amenity of neighbouring properties.
 - This site was considered to be of ‘limited development potential’ in the formulation of the Local Plan and development on this scale should be confined to Northstowe and the other new settlements. This is not a

- sustainable location for 70 dwellings.
- The village has limited retail and other services to be able to facilitate new large scale development in a sustainable way.
- The proposal would have an adverse impact on property values in the locality.
- The land within the field slopes upwards by approximately 1.5 metres from Middle Watch and this will result in increased noise from traffic as cars accelerate up the slope and break coming down. This noise will have an adverse impact on the residential amenity of neighbouring properties.
- The development will result in light pollution and other detrimental environmental impacts which will adversely affect the residential amenity of neighbouring residents.
- The planning statement submitted with the application does not refer to the flood risk which affects the eastern part of the site.
- The proposal would result in the loss of the biodiversity value of the existing field.
- The proposals may result in the loss of the existing trees and hedgerows on the boundaries of the site.
- The hedges on the site boundary will not prevent overlooking from the properties in close proximity to the rear of the existing neighbouring dwellings all year round.
- The land slopes down towards the existing properties on Middle Watch and this will add to the amenity impact and the risk of flooding from surface water run off.
- Whilst the village is served by the guided busway, this is at the opposite end of the village to the application site and therefore reliance of the car for transport is likely and makes this scheme less sustainable.
- The village has already accommodated development above what has been planned for. This site is outside of the village framework and therefore approval of the scheme would be contrary to the policies of the Local Plan.
- The proposal is likely to result in a detrimental impact on the trees and hedges within the grounds of neighbouring properties.
- This proposal must be considered alongside the other live planning application for up to 99 units on Fen Drayton Road and the application is Over and Papworth which will have an impact on the capacity of services and facilities in Swavesey. The cumulative impact is considered to be unsustainable.
- The footpaths in the village are poorly maintained. This is a highway safety concern and limits the ability of pedestrians to access services and facilities, a situation that would be made worse by the impact of the additional population generated by the proposed development.

One of the 11 representations received is an objection letter from Swavesey Primary School. This letter has been considered by officers and was forwarded to the County Council as Education Authority for consideration during the consultation process. The objection raises the following concerns:

- The school has undergone a 24% increase in pupil intake in the last 3 years and has struggled to maintain standards of provision as a result.
- The extension recently completed has not increased capacity, it has simply replaced the space previously provided through temporary classrooms.
- There are already families in Swavesey with one child at Swavesey Primary School with other children who are having to attend schools in other villages.
- The numbers of children will increase further once the approved scheme for 30 dwellings approved at Boxworth End is built out.
- Primary school age children from the development would have to attend schools in neighbouring villages which will add to congestion on the roads,

presenting a highway safety hazard which is likely to affect the school given its location on the main highway route through the village.

- Overall, the development would result in serious harm to the ability of the primary school to function properly. The standard of education as well as the health and safety of school children would be adversely affected if the development is approved.

Site and Surroundings

34. The application site is land located to the rear of 130 Middle Watch, one of the properties which form part of the linear pattern of development on the southern edge of Swavesey. The rear boundaries of the properties on Middle Watch meet the eastern boundary of the site, those of the properties on the southern side of Whitton Close meet the northern boundary. Extensive areas of scrub planting are located in the northern and southern part of the site, with exposed paddock land occupying the central section. Mature planting is evident on all of the boundaries of the site.

Proposal

35. The applicant seeks outline planning permission with full details of access only (matters of landscaping, scale, appearance and layout are reserved) for the erection of up to 70 residential units (28 to be affordable), public open space, children's play area, associated landscaping and new access.

Planning Assessment

36. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals. An assessment is required in relation to the impact of the proposals on the character of the village edge and surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

37. The National Planning Policy Framework (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.
38. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
39. 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”.

40. Further guidance as to which policies should be considered as ‘relevant policies for the supply of housing’ emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined ‘relevant policies for the supply of housing’ widely so not to be restricted ‘merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,’ but also to include, ‘plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.’ Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However even where policies are considered ‘out of date’ for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies, having regard to, amongst other matters, the purpose of the particular policy.
41. Where a Council cannot demonstrate a five year supply of housing land, 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.
42. 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, unless other national policies indicate an exception to this, Green Belt land is one such exception. Sustainable development is defined in paragraph 7 of the NPPF as having environmental, economic and social strands. When assessed these objectives, unless the harm arising from the proposal ‘significantly and demonstrably’ outweighs the benefits of the proposals, planning permission should be granted (in accordance with paragraph 14).
43. The site is located outside the Swavesey village framework, although adjacent to the south western boundary of the village, and in the countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 70 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply as set out above.
44. It falls to the Council as decision maker to assess the weight that should be given to the existing policy. Officers consider this assessment should, in the present application, have regard to whether the policy continues to perform a material planning objective and whether it is consistent with the policies of the NPPF.
45. Development in Group Villages (the current status of Swavesey) is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important

and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.

46. It is proposed to elevate Swavesey from a Group Village to a Minor Rural Centre in the emerging Local Plan. Existing Core Strategy policy ST/5 normally limits development in Minor Rural Centres is normally limited to schemes of up to 30 dwellings and this threshold would be retained in the emerging Local Plan Policy S/9. This limit is considered to be a significant consideration as it emphasises that such villages are less sustainable rural settlements with a more limited range of services to meet the needs of new residents in a sustainable manner than in Rural Centres. Such villages are, however, amongst the larger settlements within the District.
47. Within the context of the lack of a five year housing land supply, Officers are of the view that sites on the edges of these locations generally and Swavesey specifically, can, in principle, accommodate more than the indicative maximum of 30 units and still achieve the definition of sustainable development due to the level of services and facilities provided in these villages.
48. It is considered that the emerging status of Swavesey as a Minor Rural Centre should be afforded significant weight in the determination of this application, in accordance with the guidance contained within the NPPF with regard to the weight to be attributed to emerging policies, as no objections were received to the proposed elevation to the status of the village during the consultation process.
49. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. 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.
50. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.
51. The environmental issues, including impact on the open countryside, are assessed in the following sections of the report. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grades 1, 2 or 3a. Part of this site is classified as grade 3 agricultural land.
52. Whilst the substantive issues are discussed in detail in the remainder of this report, it is considered that, as weight is being given to the housing land allocation of the site in the emerging Local Plan, the proposal would not directly conflict with part a. of the policy, in principle, and that the need for the development could be argued to override the need to preserve the agricultural value of the land given the sustainable location of the site for residential development and the fact that the Council cannot demonstrate a five year supply of housing land delivery.

Social Sustainability:

53. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

54. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 70 residential dwellings, 40% of which would be affordable (28 units). Ensuring that the housing mix in the market element of the scheme would accord with emerging policy H/8 (discussed in detail later in this report) is a matter to be dealt with at the reserved matters stage.
55. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 70 additional houses, including the affordable dwellings, is a social benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a significant need for affordable housing in Swavesey.
56. The adopted Open Space SPD requires the provision of approximately 2040 square metres of open space on site for a development on the scale proposed. The scheme exceeds this amount by a significant margin (approximately 3000 square metres) and would include sufficient space for the inclusion of an equipped play area with land surrounding it, as required by the SPD. Given that Swavesey has an identified shortfall in play space (a substantial deficit in this area according to the 2013 Recreation and Open Space Study) and informal open space when compared to the required levels of provision, the fact that this amount of space can be provided at the density of development indicated is considered to be a significant social benefit of the proposal.
57. 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.

Impact on services and facilities:

58. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
 - necessary to make the scheme acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development proposed.
59. In applying this guidance this planning application, officers consider that the contributions sought through the section 106 agreement, in addition to the facilities required by the emerging allocation policy, should be based upon an assessment of the availability and capacity of services in Swavesey.
60. As already stated, it is considered that significant weight should be attributed to the elevated status of Swavesey as a Minor Rural Centre in the emerging Local Plan. Emerging policy S/9 states that residential development of up to a maximum indicative size of 30 dwellings will be permitted, subject to the satisfaction of all material planning consideration. The proposal would significantly exceed this number and would not be within the existing framework boundary. This scale of development must be considered in light of the facilities in Swavesey and the impact of the scheme on the capacity of public services.

There are bus stops to the north of the site on Middle Watch, in close proximity to the

61. entrance to the site. These bus stops are accessible via a footpath but the pedestrian link requires upgrading. Footway improvements are indicated as one of the mitigation measures listed in the amended Transport Statement and this is a requirement that residents and the Parish Council have identified through the consultation process. Details of a scheme for these improvements can be secured by condition, including improvements to the footpath between the site and the doctors surgery, 320 metres to the south. This would be a benefit of the scheme, enhancing the social sustainability of the proposals.
62. The citi 5 bus service provides regular transport to and from Cambridge at commuting times and throughout the day during the week. A regular service also runs on this line on a Saturday but there is no service on a Sunday.
63. The Guided Busway is approximately 1 kilometre further north and so travel to this service on foot may reasonably be considered less likely but that provides a regular bus service to Cambridge and St. Ives 7 days a week. Given the relatively close proximity of the site to the bus service (if footpath improvements were secured) and the frequency of the service at commuting times as well as during the day, it is considered that the site is well served by public transport, which enhances the environmental sustainability of the scheme by reducing reliance on car travel.
64. Cambridgeshire County Council is the Education Authority. In May 2013, the County Council identified that a 5 classroom extension (2 for pre-school and 3 for primary aged children) was required to accommodate the growing population of primary and early years aged children in the catchment area of Swavesey Primary School. This scheme was included in the County Council's 2016-17 Capital Programme, at a total cost of £2,350,000. Funding of £306,643 from the Education Funding Agency has been secured and £404,820 of the cost of the project falls beyond the scope of CIL regulations (as this provided facilities not strictly required to accommodate the increase in pupil numbers).
65. In addition, a sum of £72,595 for early years and £261,166 for primary provision was secured towards the project was secured as part of the Section 106 Agreement at 18 Boxworth End appeal which was allowed, reducing the coverall project shortfall of the combined project to £1,304,776.
66. This proposal would result in an anticipated 21 early years children, 11 of which would qualify for free provision and the 2 pre-school classroom element of the extension described above is the project against which contributions for this element can be sought.
67. In relation to primary provision, combining this proposal and the application for up to 99 dwellings on Fen Drayton Road (ref. S/1027/15/OL), the anticipated population increase would result in an anticipated increase of 60 children. This scheme alone would generate 25 primary school age children. The project identified to mitigate this impact is space within the 3 classroom extension which has already been completed to the primary school, but for which a funding shortfall has been identified and the County Council.
68. The County Council have calculated that 41% of the anticipated increase in primary school pupils would come from this scheme, 59% from the Fen Drayton Road development. The contribution towards the total cost of the pre-school and primary education provision being sought from this scheme therefore is £534,958.16 (41% of £1,304,776).

69. In relation to secondary school provision, the anticipated number of pupils from the development is 8. In assessing the potential impact of developments within the catchment of Swavesey Village College (within which the application site falls), the County Council have assessed the cumulative impact of this proposal alongside others within the same catchment area. These schemes are the live planning applications at The Ridgeway in Papworth Everard (54 secondary age pupils), Land at Mill Road in Over (14 pupils) and rear of 18 Middle Watch in Swavesey (18 pupils).
70. The County Council have confirmed that an extension to increase capacity at the Village College by 150 pupils has been completed, as a result of an identified shortfall in capacity in 2012. The total cost of the extension project was £3,900,000. Of this amount, a total of £3,150,000 was secured through grant funding sourced by the Village College and the County Council, leaving a shortfall of £750,000. The capacity increase resulting from this extension would allow the cumulative impact of each of these schemes to be mitigated.
71. A sum of £106,002 was secured from the planning permission granted on appeal for 30 dwellings on land south of this site, leaving a deficit of £643,998. Dividing £643,998 proportionately between the above listed schemes, the contribution sought from this scheme is £103,040 (16% of the contribution as 70 units equates to 16% of the housing stock proposed across these applications).
72. A contribution of £4,627.00 is requested to improve the provision of library services. This would finance the provision of an additional mobile library route within the village and an increase in the range of materials offered by the library service, to accommodate the additional population resulting from the development. A figure of £28.92 per the additional residents (160 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant as a specific project to make the scheme acceptable in planning terms.
73. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment acknowledges that there may need to be an upgrade in public service facilities to accommodate the needs of the occupants of the development to ensure that the high standards of public health in locality are maintained. The report identifies that Swavesey surgery is currently operating above the Royal College of General Practitioners guideline of 1 doctor per 1,800 enrolled patients.
74. NHS England has commented on the application and has stated that their assessment of capacity is based on the amount of floorspace required to run a practice as opposed to the number of GP's. On the basis of their calculation, NHS England have requested a sum of £23,040 to provide an additional 11.52 square metres of floorspace to accommodate the additional 168 anticipated population increase (nb. Different projection to the County Council figures above). The NHS response indicates that this figure does not include an assessment of any additional car parking capacity and have indicated that they do not have the evidence base to make a request for extension/reconfiguration of the site in this regard.
75. NHS England have indicated in their response that they consider the requested sum to meet the tests for seeking contributions as set out in the NPPF, quoted above. This sum is considered necessary to mitigate the deficit in the capacity of Swavesey surgery that would result from the projected population increase from the development and subject to this being secured through the section 106 agreement, the development would not be socially unsustainable in this regard.

76. The fact that the developer has agreed to the principle of paying the contributions to fund the additional infrastructure required to offset the impact of the development in this regard ensures that the impact of the scheme on the capacity of these facilities could be adequately mitigated, weighing in favour of the social sustainability of the scheme.
77. In addition to the primary, secondary schools and a GP surgery, Swavesey has a post office and village store, a newsagent, library access point and mobile library and a good range of shops and services. There are a number of offices, including the Cygnus Business Park on Middle Watch.
78. The Memorial Hall provides a main hall of 155 square metres and meeting rooms. There is a recreation ground which includes an equipped area of play space, a pavilion and football pitches for both junior and senior levels. The village college also offers a number of sports facilities and there are two sites of allotments in the village.
79. Cumulatively, it is considered that Swavesey offers a range of services beyond meeting day to day needs and this is reflected in the proposed status of the village as a Minor Rural Centre i.e. second in the list of sustainable groups of villages in the district.
80. Given the above assessment and the supporting evidence submitted with the planning application, it is considered that the adverse impacts of the development in terms of social sustainability could be mitigated through the contributions towards expanded education, library and NHS provision, to be secured via a Section 106 agreement.

Economic sustainability:

81. The provision of up to 70 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.
82. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Density of development and housing mix

83. At 25 dwellings per hectare (70 units on a site of 2.8 hectares), this scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (30 dwellings per hectare). However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and that development within the framework to the east is at a relatively low density (a linear pattern of development prevails on both sides of the road), it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
84. Under the provisions of policy HG/2, the market housing provision of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of

the 3 categories, with the 10% margin to be applied flexibly across the scheme.

85. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF quoted above. The applicant has indicated a mix amongst the 42 market dwellings that would comply with this policy. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme policy compliant.
86. In response to comments raised by residents and the Parish Council, the applicant has agreed to accept a condition that the development will bring forward a minimum of 4 bungalows as part of the development at the reserved matter stage. This will help to secure a number of smaller properties and accommodation suitable for a range of ages and needs within the final scheme, enhancing the social sustainability of the development.

Character of the village edge and surrounding landscape

Landscape Impact

87. The application site was included within the Strategic Housing Land Availability Assessment (SHLAA) which formed part of the evidence to support the emerging Local Plan. It formed part of site 083 which extended further south (including the land which has subsequently been granted for 30 dwellings at land to the rear of 18 Boxworth End) and extended further west than the red line site area in this application. The indicative proposal at that stage was for 175 dwellings on the overall site.
88. The assessment of the site as part of the SHLAA process comments that Swavesey lies within a 'predominantly flat, arable landscape, with some hedgerows and clumps of trees breaking up long views across the countryside.The openness of the arable farmland contrasts strongly with a more intimate landscape at village edges.' This assessment highlights the sensitivity in landscape terms of extending from the built form of the village into the fen edge landscape.
89. In relation to this site, the report considered that 'from the western approach along Rose and Crown Road, much of the built development is hidden behind trees and hedgerows.' Maintaining the mature planting on the western boundary and a landscape 'buffer' on the western edge is therefore an important consideration in any development of this site. The SHLAA report concludes that the landscape and townscape impact of a development of a smaller number than 175 and in the area extending west of Boxworth End (including this application site) could potentially be mitigated.
90. The Design Officer has raised no objection to the principle of development and considers that the site could be developed at the density proposed in a manner that provided adequate open space, in an appropriate location, allows for adequate separation between buildings and provides suitable plot sizes. The indicative location of the bungalows is supported as this would provide a space between the taller buildings within the scheme and the existing properties on Middle Watch, reducing the visual impact of the development from public views from the east and also preserving the residential amenity of the occupants of existing properties.
91. The Design Officer considers that 2.5 storey development would be acceptable in locations which help to improve the legibility of the development but should be

restricted in number. The locations of the taller buildings and the exact number of 2.5 storey dwellings is a consideration for the reserved matters stage due to the assessment that including of some units at this height would not result in harm to the character of the surrounding landscape.

92. The Landscape Design Officer (LDO) has not objected to the principle of development. The site is not subject to any national designations. It is classified on a regional level as being part of the Bedfordshire and Claylands Landscape Character Area and at a local level, the site is within the Lowland Village Farmlands Character Area.
93. The LDO agrees that the existing site is relatively well contained by the vegetation on the boundaries of the land. Whilst the existing boundary planting would be retained, large areas of deciduous woodland in the northern, western and southern parts of the site would be lost. The LDO considers these to be key landscape features of the site which should be retained.
94. Whilst the loss of this vegetation is acknowledged as causing some harm, it is considered that this harm would be localised to the site. In visual terms, the planting on the boundaries of the site, which are to be retained, are considered to be the key features which provide a sense of containment of the development and are the features visible in the sensitive longer distance views. In biodiversity terms, new trees and hedges could be planted extensively within the areas of open space and along the access road into the development, as shown on the indicative drawings.
95. In assessing the impact of the loss of vegetation in the southern portion of the site, officers consider that the extant outline permission for 30 dwellings to the south of the site is a factor which weighs against refusal of the application on landscape grounds. Whilst the retention of some of the existing planting as part of 'buffer' between the rear boundaries of the properties and the southern boundary of this site, the erection of buildings to the south of this would undermine the wider landscape benefits of this.
96. As such, officers are of the view that the retention of a significant landscape 'buffer' on the western edge of the development is the more important objective given that the properties could be surrounded to the north, south and east by other development. The indicative layout submitted is considered to demonstrate that a substantial area in the western portion of the site can be achieved at the density proposed.
97. It is considered necessary to condition the retention of the planting on the boundaries of the site. Details of new landscape planting can be secured by condition and the details of the location of the planting can be determined at the reserved matters stage.

Trees

98. The District Council Tree Officer has raised no objections to the proposals. The Arboricultural Report submitted with the planning application provides a comprehensive overview of the nature of the tree cover on the site. It is clear that the existing tree cover is mainly dense scrub and small trees that have self-set and this has arisen as a result of the absence of management. The tree coverage is therefore of significantly less value than a woodland, despite covering a large part of the site. Details of tree protection during the construction of the development and once the scheme is completed can be secured by condition at this outline stage.

Ecology

99. Initially a holding objection was raised by the Ecology Officer, as further survey work was required with regard to the presence of great crested newts on the site and also additional detail with regard to the potential risks to bats, reptiles, badger and breeding birds. The ecologist highlighted the fact that there is a population of Great Crested Newts within 1 kilometre of the site and a number of ponds within 500 metres which have been found to support this protected species. The ecologist highlighted that there is a pond within the site as well as suitable habitat to sustain protected wildlife.
100. Following the submission of additional survey work by Applied Ecology, the Ecology Officer has removed this objection. The updated report did not identify any trees that were suitable for roosting bats being present on the site and no signs of roosting activity were recorded during the emergence survey period. The Ecology Officer is content that, whilst bats may forage over the site, there is no evidence to suggest that they use the site to roost and therefore, subject to compliance with mitigation measures, bats do not present a constraint to development of the site.
101. Due to the dense coverage of large parts of the site with scrub and planting, the repeat survey regarding the presence of a badger sett on the site could not be conclusive. The Ecology Officer considers that it is reasonable in this case to attach a condition requiring a scheme for the protection of badgers to be attached to the permission, requiring specific mitigation measures to be agreed prior to the commencement of development. This approach is supported because there are risks to the habitats of breeding birds of clearing the entirety of the planting on the site and therefore assessment needs to take place at an appropriate time of year and closer to the commencement of the construction phase of the development.
102. The Ecology Officer considers that there is sufficient evidence to demonstrate that any impact on Great Crested Newts could be mitigated subject to a condition requiring the developer to secure the appropriate European protected species licence before any works on site commence.
103. Conditions relating to the submission and approval of a detailed mitigation strategy for the protection of Great Crested Newts, compliance with the mitigation measures in the Applied Ecology report and details of biodiversity enhancements are all considered reasonable and can be secured at this outline stage.

Highway safety and parking

104. The Local Highway Authority has removed its objection following the submission of additional information, subject to the securing of footpath improvements and additional cycle stands at Swavesey guided busway being secured. Details of these schemes should be secured through conditions at this outline stage. The traffic survey has been revised following the collection of data in September (8-21st) which is considered to be a neutral month and is therefore acceptable.
105. The impact of traffic on the Ramper Road routes to Cottenham and Girton has been considered in the revised information. The proposed upgrading of bus shelters adjacent to the site includes seating and shelters. A scheme for these improvements can be secured by condition. Real Time Passenger Information displays will also need to be installed at a cost of £54,000 and this should also be included in the Section 106 Agreement. Swavesey Parish Council has agreed in principle to taking on the provision and ongoing maintenance of the improved facilities. Details of improvements of the footpaths and a pedestrian crossing across Middle Watch, in addition to the provision of additional cycle stands at the Swavesey guided busway stop are

schemes that the applicant has agreed to in principle. Details of the footpath improvement scheme can be conditioned, a commuted sum can be secured via the Section 106 Agreement for additional cycle stand provision at the guided busway stop.

106. There is no objection to the new access on highway safety grounds, with adequate visibility splays being achieved along Middle Watch in both directions from the proposed access. Given the low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.

Residential amenity

107. 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 is considered to indicate that the separation distances as prescribed in the adopted design guide (25 metres between elevations with habitable windows, 13 metres from elevations with windows facing blank elevations) can be achieved in terms of loss of light, overbearing and overlooking issues. It is considered that sufficient separation could be retained to the rear elevations of the plots on Whitton Close to the north and Middle Watch to the east could be adequately preserved at the detailed stage.
108. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of neighbouring properties or the occupants of the proposed development.
109. Comments have been made by the occupiers of neighbouring properties regarding the proximity of the properties indicatively shown as bungalows on the plans. Given the single storey height of those buildings, it is considered that the separation distances to be retained (a minimum of 14 metres where the gable of a proposed bungalow would face the rear elevation of one of the existing properties on Middle Watch) would be sufficient to ensure that the amenity of that property would be preserved, exceeding the design guide requirement (13 metres) for this relationship. Requiring this elevation to be blank is a matter that can be secured and guaranteed by condition at the reserved matters stage once the location of the plots are fixed. The indicative plan is sufficient to indicate that the proposed density of development could be achieved without causing adverse overlooking into or overshadowing of neighbouring properties.
110. Other plots adjacent to the rear of the properties on Middle Watch could be arranged at an oblique angle, as indicatively shown on the masterplan, to increase the separation distances to the neighbouring properties.
111. In relation to the impact on the properties on Whitton Close to the north of the site, the length of the rear gardens of the majority those dwellings are sufficient to ensure that adequate separation distances between the corresponding rear elevations of the proposed units could be achieved. Due to the low density of the scheme, dwellings could be arranged within the proposed development so that blank gable elevations face the common boundary, meeting the requirements of the adopted Design Guide.

Surface water and foul water drainage

Surface water drainage

112. Cambridgeshire County Council as LLFRA originally objected to the application on the basis that insufficient measures were proposed to demonstrate that the development would not lead to greater rate of surface run off from the site than the existing situation. Concerns were also expressed by Swavesey IDB regarding the surface water discharge arrangements into adjacent watercourse. The concern related to inadequate mitigation in a situation where the flood gates to the River Great Ouse are closed and water continued to drain into the arterial watercourses within the village.
113. In response to this, the applicant has submitted a revised Flood Risk assessment. The document confirms that the surface water run off from the site will be limited to a single discharge rate of 2 litres per second over a hectare. This is lower than the greenfield run off rate and demonstrates that the scheme would reduce the risk of flooding (not just maintain, as required by national policy) beyond the existing situation. This is considered to be an environmental benefit of the scheme.
114. The amended information confirms that the measures would attenuate a volume of surface water to accommodate a 1 in 100 annual probability level of flood risk, with zero discharge for 3 weeks of the year. Both swales and an attenuation pond would be included within the development to provide a sustainable drainage system. On the basis of this information, both the LLFRA and the IDB have withdrawn their respective objections to the application. Compliance with the flood risk assessment, including full details of all attenuation measures (including the mechanism for monitoring surface water levels on the site) can be secured by condition at this outline stage.
115. The site is located in flood zone 1 and from that perspective is considered to be at a low risk of flooding. The Environment Agency has raised no objection to the application, subject to compliance with the flood risk assessment.

Foul water drainage

116. Anglian Water has commented that the site is within the catchment of the Over Water Recycling Centre, which does not currently have capacity to treat the flows from the proposed development. However, they acknowledge in their response that they are legally obliged to accommodate the demands of any development and would therefore ensure that there is sufficient capacity to deal with the flows, should planning permission be granted. The lack of sufficient capacity is therefore not considered to be a sound reason on which to refuse planning permission as this deficit will be addressed through legislation separate from the planning system.
117. In terms of foul water, Anglian Water has confirmed that there is capacity within the sewage network to cope with the additional demands placed on the existing infrastructure.

Section 106 contributions

118. In addition to the requirements of the County Council as Education Authority and the NHS already identified in this report, the Section 106 Officer has confirmed that the level of open space to be provided is compliant with the Open Space SPD for developments of this size and the LEAP satisfies provision for children aged 2-8. This assumption is made on the basis that the majority of the proposed SUDS basin is predominantly dry. If this was not to be the case, once the layout is to be fixed at the reserved matters stage, a contribution for off site provision of open space would be

sought.

119. To meet the needs of older children, a contribution of £15,000 towards a youth facility on the sports ground (or alternative site if a more suitable location is identified) is required. A contribution of approximately £70,000 (made up of a tariff based contribution based on housing mix) is considered necessary to provide a contribution towards preparing the agricultural land acquired by the Parish Council through the appeal on land to the south of this site (approval of 30 dwellings) for use as formal sports space. As there have not been 5 pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations. The on site informal public open space provision is considered to be sufficient to ensure that no offsite requirement should be sought.
120. It is considered that a contribution of approximately £36,000 towards the upgrading of the facilities and physical condition of the Memorial Hall community facility would allow the scheme to comply with current and emerging local policies which require the impact of development on the capacity of community indoor facilities to be mitigated. As there have not been five pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations.
121. Household Waste Receptacles charged at £72.50 per house, £150 per flat and a monitoring fee of £1,500 (flat fee) are required by the District Council The County Council's requirements as Highway Authority in terms of the upgrading works to pedestrian facilities along High Street would be in addition to this.

Other matters

Archaeology and Heritage

122. The site is considered to be of potential archaeological interest. There is evidence of Roman remains to the west of the site, which have been registered on the Historic Environment Record and the earthworks at Trinity Farm which include evidence of ancient civilisation are located 480 metres to the north east of the site. The site of the 'Castle Hill' earthworks and evidence of Iron Age to medieval settlement exists on sites to the north of the historic core of Swavesey. A condition requiring a scheme of investigation and any necessary mitigation measures to be undertaken prior to the commencement of development can be added at this outline stage to ensure any risk in terms of archaeological significance is mitigated.
123. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
124. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".
125. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the

substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

126. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
127. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
128. There is a group of grade II listed building approximately 150 metres to the north of the site. Given that the development would extend westwards from Middle Watch and would be viewed within the context of the development to the north of the site, it is considered that the proposal would not have an adverse impact on the setting of those buildings. No. 36 Boxwoth End is a grade II listed property which is located approximately 230 metres south of the application site. Within the context of the extant scheme for 30 units approved on appeal on land to the south of this site and closer to the listed property, it is considered that this proposal would not have an adverse impact on the setting of that listed building.
129. The site is a significant distance from the southern boundary of the Swavesey conservation area and would be separated from it by a significant amount of modern and relatively dense development. The proposed development would not extend westwards for a distance significant enough to have an adverse impact on the setting of the conservation area.
130. The District Council Historic Buildings Officer has raised no objections to the outline proposals.

Environmental Health

131. The Public Health Specialist has commented that the Health Impact Assessment (HIA) is acceptable and that the scale of the scheme and the resulting impacts can be assessed without requiring the revision of the HIA.
132. There is no objection to the proposal 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.
133. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on the A14 and closer primary routes, including Middle Watch is required and the implications of this in terms of sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition at the outline stage. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.

134. The site is considered to be a low risk in relation to land contamination and as such it is considered that a scheme of investigation into any potential harm and suitable remediation can be secured by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.
135. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
136. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage 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. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement. The developer should ensure that the highway design allows for the use of waste collection vehicles and this is a detailed matter relating to the layout of the scheme at the reserved matters stage.
137. The applicant has indicated that a minimum of 10% of the energy needs generated by the development can be secured through renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated.

Prematurity

138. 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.
139. The Planning Practice Guidance states that the NPPF explains how weight may be given to policies in emerging plans. 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.
140. The PPG 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.
141. Where permission is refused on grounds of prematurity, the PPG 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.

142. Following the assessment throughout this report, it is considered that the harm arising from the proposal would be less than substantial when conducting the balancing act of weighing the benefits against the harm caused by the scheme.

Cumulative Impact

143. Officers are aware that there are other large scale application for residential development in Swavesey where the principle of development relies on the District Council's deficit in five year housing land supply. These are the applications listed in paragraphs 64-71 in relation to education provision. Each planning application has to be assessed in its own merits. Whilst officers realise that all development has the potential to contribute to a cumulative impact, the CIL regulations require that each applicant must only be responsible for mitigating the impact of that specific scheme.
144. Therefore, officers are of the view that only schemes of a size that would attract contributions to increasing education and health provision can be reasonably included in the assessment of cumulative impact. Officers have considered the cumulative impact of these schemes on the capacity of services and facilities in Swavesey and have worked with consultees to ensure that they have done the same, including in relation to education provision.
145. The County Council as Education Authority have considered the anticipated population increase if all schemes came forward (acknowledging that the 30 dwellings at Boxworth End has been granted outline approval) and have come to the conclusion that the extensions already built at the Primary School and the Village College are sufficient to meet the cumulative anticipated population increase from these schemes. The County Council have made this assessment with knowledge that the Primary School have written in objection this application and the proposed scheme on Fen Drayton Road and that the Village College also objected to that application.
146. In relation to the capacity of health services, whilst a specific scheme is not identified, the amount of space required to mitigate the population increase arising from this proposal amounts to one tenth of the space required per GP according to the NHS England guidelines. Whilst it is acknowledged that there is insufficient room to extend to the front of the surgery (due to the impact this would have on parking capacity), there is space at the rear of the site for an extension to the building. In relation to this application, the site is within walking distance of the surgery, which would reduce the likely level of additional pressure on the parking capacity of the surgery.
147. Given this information, it is considered that there is insufficient evidence to substantiate a refusal of this application as part of a cumulative effect on the capacity of social infrastructure within Swavesey.
148. In relation to drainage, it is considered that the revised information submitted with this application would achieve the requirement not to result in additional surface water on the site once the development has been constructed. This is evidenced by the removal of the LLFRA's initial objection and the lack of objection from Anglian Water to the proposed scheme. In relation to landscape impact, it is considered that the two schemes would be sufficiently separated to avoid cumulative impact in this regard.
149. Following this assessment, officers are content that the sustainability credentials of this proposal have been demonstrated satisfactorily when assessed alongside the proposal at land south of Fen Drayton Road and the other sites identified in this report and that approval of this application would not prejudice the outcome of the other

application.

Conclusion

150. In considering this application, the following relevant (to varying degrees, as assessed in the report) adopted Core Strategy and Development Plan policies are to be regarded as out of date while there is no five year housing land supply:

Core Strategy

ST/2: Housing Provision

ST/6: Group Villages

Development Plan

DP/1: Sustainable Development

DP/7: Village Frameworks

HG/1: Housing Density

HG/2: Housing Mix

NE/6: Biodiversity

NE/17: Protecting High Quality Agricultural Land

CH/2: Archaeological Sites

CH/4: Development Within the Setting of a Listed Building

CH/5: Conservation Areas

151. Policies ST/6 and DP/7 of the LDF are considered to carry some weight in the determination of this application. Despite being considered out of date, the purpose of these policies is to restrict the number of residential units permitted in Group Villages as third behind Rural Centres and Minor Rural Centres in the hierarchy of settlements. This remains a valid purpose in assessing the overall impact of the proposal.
152. Emerging policy S/9 is considered to carry some weight in the determination of this application. This assessment is made on the basis that there were not objections received to the emerging policy, which considers that Swavesey should be re-categorised as a village where larger schemes can, in principle, be considered sustainable.
153. The 2012 Village Classification Report contains an assessment of the services and facilities of the villages in the District and is part of the evidence base behind the emerging Local Plan. This document acknowledges that Swavesey does not perform the same function as some Minor Rural Centres because of its relatively close proximity to the Northstowe site, but it does have a greater range of services and facilities than most Group Villages, including sources of employment. The evidence points to the Village College in this assessment but also a doctors surgery and the guided busway in relatively close proximity.
154. Within the context of a lack of five year housing land supply and the consequent status of ST/6 and DP/7 as out of date, it is considered that the fact that this site is not within the existing village framework is not sufficient to warrant refusal, unless harm is identified in relation to the definition of sustainable development as set out in the NPPF.
155. Policies HG/1, HG/2 and HG/3 are all housing policies which are considered to carry some weight in the decision making process as these relate to the density of development, housing mix and affordable housing, all of which contribute to sustainable development. In relation to the other relevant policies of the LDF quoted in this report are considered to be consistent with the definition of sustainable

development as set out in the NPPF and therefore have been given some weight in the assessment of this application.

156. The site is located close to existing amenities, including a GP surgery and pre school, primary and secondary school provision all which are considered to have capacity to accommodate the population increase arising from the development. The developer has agreed to a package of enhancements including the upgrading of pedestrian facilities on the Middle Watch/ Boxworth End and the provision of additional cycle stands at the guided busway stop. The fact that bus services exist close to the site which would allow commuting to and from Cambridge is both a social and an environmental benefit of the scheme.
157. It is considered that the scheme includes positive elements which enhance social sustainability. These include the provision of 40% affordable housing within the development and public open space, including equipped areas of play. The package of contributions to be secured through the Section 106 towards the enhancement of offsite community facilities would be a wider benefit of the proposals, further enhancing the social sustainability of the scheme.
158. It is considered that the illustrative masterplan sufficiently demonstrates that up to 70 units could be located on the site in a manner that would respect the built form of the surrounding development, particularly within the context of the more densely developed area to the north and the approved development of 30 units on a plot of the same depth (east-west) to the south. This assessment is made within the context of the approved scheme for 30 dwellings on land to the south of this site and the fact that this site does not project any further west than that development, granted outline planning permission on appeal.
159. The illustrative layout is therefore considered to demonstrate that the density of development proposed would preserve the character of the landscape and the residential amenity of neighbouring properties. The layout at this stage is indicative only and it is considered that the detailed landscape and design comments can be addressed at the reserved matter stage as the principle of development at the quantum proposed is accepted.
160. It is considered that the loss of vegetation within the site would not result in substantial harm from a landscape perspective, given that a significant landscape 'buffer' could be provided in the western portion of the development. The western edge is considered to be the most sensitive in wider landscape terms, given the density of the residential development to the north and the fact that the extant scheme to the south would extend development back from Middle Watch to the same extent as is proposed in this scheme.
161. The loss of vegetation is therefore considered not to be sufficient to significantly and demonstrably outweigh the benefit of providing houses towards the deficit in the five year housing land supply in a location considered to be sustainable. As such, officers are of the view that refusal on this ground would not meet the test set out in paragraph 14 of the NPPF.
162. It is considered that the issues raised in relation to environmental health, trees and ecology can be dealt with by condition.
163. It is considered that the scheme includes positive elements which enhance social sustainability. These include:

- the positive contribution of up to 70 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector
- the contribution of 40% affordable housing in the context of a significant level of district wide housing need
- public open space, including equipped areas of play.
- the package of contributions to be secured through the Section 106 agreement towards the enhancement of offsite community facilities and pedestrian links
- potential for access to public transport, services, facilities and employment
- employment during construction to benefit the local economy.
- potential to result in an increase in the use of local services and facilities

164. Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the social benefits that would result from the development outweigh the potential landscape and environmental disbenefits. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

165. Officers recommend that the Committee grants planning permission, subject to conditions based on the following and grant delegated powers to officers to complete the section 106 agreement (covering issues outlined in this report).

Draft conditions

- (a) Outline planning permission
- (b) Time limit for submission of reserved matters
- (c) Time limit for implementation (within 2 years of approval of reserved matters)
- (d) Approved plans
- (e) Landscaping details
- (f) Contaminated land assessment
- (g) Dust, noise, vibration mitigation strategy
- (h) Noise assessment relating to impact of road traffic on the A14 and primary routes adjacent to the site on the amenity of the occupants of the proposed development– including necessary mitigation measures
- (i) Details of renewable energy generation (including water efficiency/conservation measures) and within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (j) Scheme to detail upgrading of highway facilities on Middle Watch
- (k) Foul water drainage scheme
- (l) Surface water drainage scheme (including technical specification of surface water monitoring device)
- (m) Sustainable drainage strategy
- (n) Tree Protection measures including
- (o) Retention of boundary hedges
- (p) Compliance with flood risk assessment
- (q) Traffic Management Plan
- (r) Time restriction on the removal of trees
- (s) Detailed plans of the construction of the accesses
- (t) Pedestrian visibility splays
- (u) Ecological enhancements including bird and bat boxes
- (v) Scheme of archaeological investigation

- (w) Site waste management plan
- (x) Restriction on the hours of power operated machinery during construction
- (y) Phasing of construction
- (z) Approved ecological surveys
 - (aa) Compliance with ecological survey submitted
 - (bb) External lighting to be agreed
 - (cc) Cycle storage
 - (dd) Housing mix within market element to be policy compliant
 - (ee) Minimum of 4 bungalows to be provided
 - (ff) Boundary treatments
 - (gg) Waste water management plan
 - (hh) Construction environment management plan
 - (ii) Details of piled foundations
 - (jj) Fire hydrant locations
 - (kk) Screened storage for refuse
 - (ll) Vehicle Charging Infrastructure Strategy

Informatives

- (a) Environmental health informatives
- (b) Exclusion of indicative plans from approval

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1605/15/OL

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