

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 November 2016

AUTHOR/S: Head of Development Management

Application Number:	S/1745/16/OL
Parish(es):	Bassingbourn
Proposal:	Outline planning permission for development of up to 30 dwellings, additional parking for Bassingbourn Surgery including vehicular access, pedestrian links, public open space, drainage, landscaping and associated works. All matters reserved except for access.
Site address:	Land East of Spring Lane, Bassingbourn
Applicant(s):	E. W. Pepper 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 Public Right of Way 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 Bassingbourn 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 Bassingbourn village framework, the

boundary of which skirts the northern boundary of the site. Residential development is located to the north and west of the site. The site is currently accessed via a field gate leading from Spring Lane in the north western corner. The land to the south is open countryside. There is a Public Right of Way (PRoW) which runs through part of the site, connecting the access in the north western corner to a pathway which runs parallel with the southern boundary of the application site.

2. 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 30 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 30 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 village edge by including a significant landscape 'buffer' on the eastern edge of the development.
3. 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 any potential 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

4. There is no relevant planning history on the application site.

National Guidance

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

Development Plan Policies

6. 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.
7. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/6 Group Villages
8. **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

9. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

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

10. **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

11. **Bassingbourn Parish Council** – the Parish Council recommend refusal of the application for the following reasons:

- Significant weight should be given to the emerging Local Plan, which provides evidence of how the District Council will achieve a 5 year supply of housing land and is currently going through examination. This site is not allocated for housing in the emerging Local Plan or the current Local Development Framework (LDF).
- The proposed development is premature as the emerging Local Plan is in the final stages of the examination.
- There is an area of high flood risk (zone 3) immediately on the western boundary of the site. Pluvial flooding has been experienced on Spring Lane and Pepper Close, adjacent to the site, during 2016. The Flood Risk Assessment proposes some mitigation but this is considered to be inadequate as it fails to demonstrate that the impact of additional surface water can be fully addressed on site.
- The applicant has not demonstrated that that telecommunications infrastructure in the vicinity of the site has sufficient capacity to support the additional population that would arise from the development. As such, the development is not considered to comply with section 42 of the NPPF and is considered to be unsustainable.
- The setting of the Public Right of Way (21/12) will be materially affected, contrary to section 75 of the NPPF which requires policies to protect and enhance public rights of way.
- There are existing parking and traffic issues on Spring Lane and the High Street, which would be exacerbated by the proposed development
- Bats have been seen by residents in the trees around the proposed development and regularly fly over Clarkes Way. The proposed development may disturb bats contrary to section 117 of the NPPF.

12. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment (HIA) has been assessed as Grade C, which although not meeting the required standard (A or B) of the SPD Policy, it is considered that the scale of the scheme and the resulting impacts can be assessed without requiring the revision of the HIA.

13. Further assessment of the potential noise generated by the noise of traffic on Spring Lane 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.
14. 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.
15. 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.
16. **District Council Urban Design Officer** – does not object to the principle of development and the principle of arranging the properties along a central ‘spine’ road is supported, with the gardens of the properties to the north of that road backing on to the gardens of the existing properties on Spring Lane. The proposed equipped area of open space (LEAP) is considered to be well located within the scheme. The location of open space across the development would help limit the landscape impact.
17. **Natural England** - no comments to make on the application.
18. **District Council Landscape Design Officer** – No objection to the proposals. The site is located in the East Anglian Chalk National Character Area and the Lowland Village Farmlands Regional Character Area. It is considered that the proposed development of the site would not result in the removal of any features of landscape importance. The scheme is considered to represent a new informal edge to the village which positively addresses the countryside beyond. Garden sizes are considered to be generous.
19. **Cambridgeshire County Council Local Highway Authority** – no objections to the proposals following the submission of a revised Transport Statement, subject to conditions relating to the management of traffic and materials during the construction phase of the development and details of the construction of the site access. These details, along with a scheme for the upgrading of pedestrian facilities on the High Street can be secured by condition at this outline stage. A sum of £10,000 is also required to upgrade the pedestrian facilities on High Street. This commuted sum should be included in the Section 106 Agreement.
20. **Cambridgeshire County Council Historic Environment Team (Archaeology)**– The site is considered to be of potential archaeological interest. It is located 110 metres to the south east of a medieval moated site and the designated Bury Yard moated site is 670 metres to the north west. There is evidence of Iron Age, Saxon and Medieval settlement in this part of the District. As such, a standard condition requiring a scheme of investigation to be agreed and any necessary measures carried out prior to the commencement of development, to ensure that any risk to archaeology is mitigated.

21. **Cambridgeshire County Council Flood & Water Team (LLFRA)** – no objection subject to the application following the submission of a revised Flood Risk Assessment (FRA). The LLFRA are satisfied that the installation of an attenuation tank and the use of permeable paving in areas where hard surfacing is to be located. The locations of the attenuation tanks are considered to be of a capacity that would meet the infiltration rates on the site. Conditions requiring compliance with the submitted drainage strategy and details of future management and maintenance should be attached to the decision notice.
22. **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.
23. **Anglian Water** - Anglian Water (AW) has commented that in relation to foul drainage, waste water from the development would be treated at Bassingbourn Water Recycling Centre and that the facility currently has capacity to deal with flows from the development. The sewerage system is also 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.
24. **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.
25. **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
26. **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. There are currently 75 people on the Housing Register within the parish of Bassingbourn.

The developer is proposing 30 dwellings, which consists of 18 market dwellings and 12 affordable dwellings which meets the 40% requirement.

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 12 affordable units would be:

Affordable Rented:

2 x 1 beds
4 x 2 beds
2 x 3 beds

Intermediate/Shared Ownership:

2 x 2 beds
2 x 3 beds

8 properties should be allocated to those with a local connection to Bassingbourn and the remaining 4 should be allocated on a 50/50 split basis between applicants with a local connection to Bassingbourn 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 Regional 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 governments appointed home buy agent in this region.

27. **Section 106 Officer** – details of the summary of section 106 requirements are appended to this report (Appendix 1) and discussed in detail later in 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 extension and improvement of the pavilion at the recreation ground and the upgrading of that building which is also used as an indoor community facility.
28. **Cambridgeshire County Council Growth Team** – This scheme has been considered alongside the planning application on land to the north of the Causeway for residential development of up to 26 dwellings (Ref. S/1566/16/OL also on this committee agenda). The County Council indicate that there is capacity in the early years provision and that the 5 child spaces in that age bracket (the number calculated for s.106 purposes) could be accommodated as there is sufficient capacity in the next 3 years to mitigate the impact of the development.

The proposed development would result in a projected increase of 11 primary school aged children. There is considered to be sufficient capacity at Bassingbourn primary school, to accommodate this demand.

No contribution is sought in relation to secondary school provision as Bassingbourn Village College, the catchment area for which the site is within, has capacity to accommodate the additional 8 pupils within this age group projected to result from the proposed development.

The proposed increase in population from the development will be approximately 75 new residents (30 dwellings x 2.5 average households). Bassingbourn is served by a weekly mobile stop and a volunteer library service (independent from the County Council provision) for 8.5 hours a week. The County Council confirm that there is sufficient capacity to accommodate the demand arising from the development for these services.

No pooled strategic waste contribution can be sought despite there being insufficient capacity in the Cambridge and Thriplow Household Recycling Centre catchment area as five such contributions have already been agreed.

In light of the above, no monitoring fee is requested.

29. **Historic England** – no objection.
30. **District Council Historic Buildings Officer** – no objections raised
31. **NHS England** – no comment to make on the application due to the size of the scheme (below 50 dwellings). However, officers have contacted Ashwell and Bassingbourn surgery and the Practice Manager has confirmed that there are currently 8000 patients enrolled across the two surgeries (all enrolled residents have access to both sites) and 4 Partner GP's with at least one Registrar GP at any one time. The Royal College of GP standard guidance of 1,800 enrolled patients per GP would therefore not be breached by the anticipated population of this development (approximately 73) or that of the land north of the Causeway scheme (approximately 63).
32. **District Council Ecology Officer** – no objection, subject to the attachment of conditions to the outline planning permission.

The application is supported by an Extended Phase 1 Habitat Survey.

Despite the assertion that there are '*no significant ponds within 250m*' of the site boundary, there are two ponds within 50m to the west according to Ordnance Survey mapping. However, there are no known records of Great Crested Newts within Bassingbourn or the surrounding area. Therefore, it is considered extremely unlikely that this species which is protected by UK and EU law is present and therefore no further information is required regarding suitability of the ponds for this species.

No further measures to protect reptiles are required as, given limited distribution of reptile species in the area, it is considered very unlikely that they are present.

Although it is appreciated that there will be limited clearance of trees and hedgerows and the potential for the site to be used by ground-nesting birds is reduced by regular access via the footpath, it is possible that ground nesting birds use the area. Therefore, a condition to protect nesting birds will need to be attached to any consent granted.

Retention of the boundary trees and northern and eastern hedgerows are welcomed. To ensure that these are retained and protected, these should be outside of garden curtilages. Hedgerows should also be augmented with native planting.

Some of the mature trees around the site boundary have moderate potential for roosting bats according to the Ecology report. These will need to be retained and protected, including ensuring that dark corridors are maintained along site boundaries in the vicinity of these trees. This will involve sensitive external lighting design, especially along the west and part of the northern boundaries. In particular, lighting for the additional parking area for the surgery will need to be carefully considered. If reduction in light spill to acceptable levels for use by bats is not possible, further surveys of trees with moderate bat potential would need to be completed to inform the lighting design.

The underground attenuation tank, rather than an above ground pond, is a missed opportunity for biodiversity. However, it is appreciated that there may be additional constraints which have resulted in this option being put forward.

The securing of biodiversity enhancements can be secured by condition at this outline stage and the details of external lighting should be addressed at the reserved matters stage.

33. **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.
34. **District Council Tree Officer** – no objections to the principle of development. Acknowledges the presence of the trees subject to a Tree Preservation Order (TPO) on the western boundary of the site. The Arboricultural Report submitted with the planning application makes prudent recommendations for managing the trees which the Tree Officer considers acceptable. 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.
35. **County Council Rights of Way Officer** – no comments received although the issue is addressed in detail in the main body of the report.
36. **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.
37. **Cambridgeshire Constabulary** – no comments to make in relation to ‘Secured by Design’ standards at this outline stage.

Representations

38. Two petitions of 192 names (combined) objecting to the application and 67 letters of objection (including representations made via the Council’s website) have been received which raise the following concerns (summarised):
 - Bassingbourn is facing a potential additional 200 houses being built as a result of planning applications that have either been approved or are awaiting a decision. This cumulatively represents unsustainable development.
 - The site is outside of the village framework and has not been included in the emerging Local Plan and is not allocated in the current LDF and therefore should not be considered appropriate for development.
 - The site is ecologically important – there is evidence of buzzards (protected species) using the trees on the western edge of the site and flying across the site. There is also evidence of bats flying from dusk over the site.
 - There are insufficient employment opportunities within walking or cycling distance of the site for future residents of the development.
 - Public transport services are limited and so there would be a reliance on the use of the car for residents to access services. The bus from Bassingbourn to Royston arrives in Royston at 08.40 and there is only one service back at commuting time.

- Traffic congestion on High Street and the A428 is already severe at rush hour, causing air pollution. The proposed development will result in 60 plus additional cars and that will make the situation even worse.
- The development is premature as there is no planned allocation of the site and the Local Plan is not yet adopted.
- The doctors and dentist are at capacity and the additional numbers in the schools would strain the ability of these services to provide a good standard of education.
- The retail offer in the village is insufficient to meet more than basic needs.
- There are flood risk issues on the site – some of the potentially affected properties have not been considered in the proposed mitigation measures.
- Electricity and sewage supplies may have to be re-directed through neighbouring properties.
- The proposals would result in an adverse impact on the residential amenity of the properties to the north of the site.
- The proposed housing development would put significant pressure on the capacity of the dentist in the village, the pharmacy and the shop.
- A plan for 12 traveller pitches was refused due to the impact on highway safety – this planning application should be refused on the same grounds.
- Development should be concentrated in the larger settlements and new towns in the Districts such as Northstowe, Cambourne and Trumpington Meadows.
- There is evidence of regular flooding in Pepper Close and this would be adversely affected by the proposed development.
- The potential re-occupation/development of the Barracks would have an adverse impact on the capacity of services. The schools are already full to capacity.
- During wet periods of weather, water stands on the site and the flood risk assessment is flawed in that the soakaway results appear inconclusive.
- It is not possible to commute directly to Cambridge or London from Basingbourn and the limited employment opportunities within easy commute reduces the sustainability of the scheme.
- Brownfield sites should be developed before greenfield development is approved.
- There would be a loss of outlook to the rear of the properties to the north of the site which currently overlook open fields and benefit from expansive views.
- The office development at the junction with the High Street is already causing a highway safety hazard, this would be made worse by the traffic generated by the proposed scheme.
- The land is prime agricultural land and should remain undeveloped and used for that purpose.
- The foul water sewage infrastructure does not have capacity to deal with the additional demands that will be placed on the network as a result of the proposed development. Regular blockages of the system have been reported to Anglian Water.
- The development is of poor design and does not reflect the character of the village.
- There will be an increase in noise, disturbance and pollution that will have an adverse impact on the amenity of neighbouring residents during the construction phase and once the properties are occupied.
- The loss of open space would have an adverse impact on the enjoyment of the users of the Public Right of Way which runs through part of and parallel with the southern boundary of the site.
- The application is incorrect to state that there are no mature trees or hedges on the site which are of biodiversity value.
- The Transport Statement is unrealistic in considering cycling to Melbourn and

Royston from the site a viable proposition.

- Infill plots within the framework should be developed before this site to prevent the urbanisation and sprawl of the village.
- Concerns regarding the level of community involvement in the application.
- The creation of public open space within the site is a poor substitute for the loss of space adjacent to the public footpath.
- The fact that the site is not allocated in the emerging Local Plan should be given significant weight in the determination of the application due to the advanced stage of the Local Plan examination.
- The proposal indicates that surface water would drain into the ditch to the east corner of the site. This ditch is not on the site and there is no information in relation to the capacity of the ditch or details of how it could be maintained.
- It is considered unacceptable to connect the surface water drainage infrastructure from the development to the mains system on Spring Lane due to existing problems with flooding.
- The Transport Statement submitted with the application is considered to underestimate the level of trip generation associated with the proposed development and cumulative impact of this scheme with other developments (including the application for 26 dwellings on land north of the Causeway). Consequently the Transport Statement underestimates the impact of the proposals on the capacity of the highway network.
- Insufficient parking provision within the development will lead to additional parking on Spring Lane and neighbouring streets, which will result in harm to residential amenity and highway safety.

Site and Surroundings

39. The application site is located on the south eastern edge of Bassingbourn. The site is accessed from the north western corner via track which connects to Spring Lane adjacent to the doctors' surgery. A Public Right of Way runs from Spring Lane parallel with the western boundary of the site and then turns eastwards, running parallel with the southern boundary of the application site. The existing properties on Clarkes Way and Elm Tree Drive back onto the land (with the gables of some facing southwards towards the site. There is a group of trees protected by a Tree Preservation Order (TPO) on the western boundary of the site and land to the west is in flood zone 3 (at a higher risk of flooding). Land levels on the site are relatively flat.

Proposal

40. 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 30 residential units and additional parking for Bassingbourn surgery, including vehicular access, pedestrian links, public open space, drainage, landscaping and associated works.

Planning Assessment

41. 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

Five year housing land supply:

42. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
43. 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.
44. 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".
45. 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.
46. 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.
47. 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).

48. The site is located outside the Bassingbourn village framework, although adjacent to the south eastern 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 30 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.
49. 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.
50. Development in Group Villages (the current status of Bassingbourn) 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.
51. It is proposed to elevate Bassingbourn 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 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.
52. 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 Bassingbourn specifically, can, in principle, accommodate at least 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. Due to the extent of the evidence base behind the proposed elevation of the status of the village to a Minor Rural Centre in the emerging Local Plan and the maximum size of the scheme, it is considered that emerging policy S/9 should be afforded significant weight in the determination of this application.
53. 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.
54. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

55. The environmental issues 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 grade 2 (in this case) agricultural land unless :
- a. Land is allocated for development in the Local Development Framework
 - b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
56. The site is not allocated for development in the existing or the emerging Local Plan. However, 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, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with criteria b of NE/17 should be afforded more weight than the conflict with criterion a.

Social sustainability:

57. 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.
58. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 30 residential dwellings. 40% of these units will be affordable (12 units). Ensuring that the housing mix complies with emerging policy H/8 (being afforded more weight than the existing policy due to compliance with the NPPF and the nature of the unresolved objections to the policy) can be secured by condition at this outline stage. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 30 additional houses, including the affordable dwellings, is a 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 Bassingbourn (75 people with a local connection on the Register).
59. The adopted Open Space SPD requires the provision of approximately 850 square metres of open space on site for a development on the scale proposed, based on a compliant housing mix. At the density proposed, this scheme would deliver 4900 square metres of open space at the eastern end of the development and an equipped area of space (LEAP) in an areas measuring 1500 square metres in the centre of the site. This represents a significant over provision of open space and the provision of a LEAP in a development of this size exceeds the requirements of the Open Space SPD (only a requirement in developments of 50 dwellings or more).
60. Given that Bassingbourn has an identified short fall in play space and informal open space (particularly in relation to play space), this level of provision is considered to be a significant social benefit of the proposals, particularly the provision of the equipped play space.
61. This level of open space is considered to be achievable in the detailed layout stage which would follow should this outline application be approved. In the vast majority of cases, the properties to the north of the 'spine road' as shown in the indicative layout

would retain more than the 25 metres separation distance in a back to back relationship with the properties on Elm Tree Drive and Clarkes Way and this requirement could be met in all cases, given the low density proposed.

62. 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.
63. This scale of development must be considered in light of the facilities in Bassingbourn and the impact of the scheme on the capacity of public services.
64. 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.
65. There are bus stops within 400 metres to the north of the site on High Street. These bus stops are accessible from the site via public footpaths. There is 1 morning bus to Royston and 2 back (17:10 and 18:25) at commuting times on weekdays with a bus going to Royston every 2 hours and 3 scheduled journeys back throughout the day on those days. A similar level of service operates on a Saturday, no services are available on Sundays. Given the close proximity of the site to the bus service 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 to Royston, a two a range of facilities and employment to meet more than day to day needs. This enhances the environmental sustainability of the scheme by reducing reliance on car travel.
66. The County Council as the relevant Authority has identified that the number of children estimated within the population increase that would result from the development would not require an increase in the capacity of provision of any of the three tiers of education (early years, primary and secondary). The comments confirm that Bassingbourn Community pre-school, Bassingbourn Community Primary School and Bassingbourn Village College would not require extension to meet the demands of this proposal and have made the same assessment in relation to the application for up to 26 units at the Causeway.
67. This information is considered to enhance the social sustainability of this scheme and the cumulative impact of the larger scale proposals currently being considered as live applications in Bassingbourn. Whilst it is acknowledged that smaller schemes also contribute to the cumulative impact, the fact that no contributions at all are being sought indicates that existing infrastructure would not be adversely affected by the proposed scheme.
68. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment concludes that the number of GP's and the resulting amount of patients that can be accommodated by Bassingbourn surgery indicate that the existing infrastructure could cope with the increased demand. NHS England has not provided a response on the application as it is below their threshold of 50 dwellings for providing comments.

69. However, officers have contacted the Bassingbourn surgery direct and they have confirmed that the surgery employs at least 5 (depending on whether one or 2 Registrars are employed, which fluctuates over time) doctors and has 8000 enrolled patients. On that basis, the anticipated population increase of approximately 73 (dependent on final mix) would not increase demand beyond the Royal College of General Practitioners guideline of 1 doctor per 1,800 enrolled patients. In terms of social sustainability therefore, it is considered that the scheme would not have an adverse impact on healthcare provision in Bassingbourn and the increase in car parking provision could be considered a benefit of the proposals
70. In addition to the GP surgery (which opens the majority of the daytime Monday, Thursday and Friday, half day hours on Tuesdays and Wednesdays), Bassingbourn has a library (not funded by the County Council and limited opening on Thursdays and Saturdays), a dentist (the Practice Manager of which has confirmed that there is currently capacity to take on NHS patients, with a 2 waiting time for appointments), a pharmacy, a village store and a bakery. There is a childcare facility and a public house. Cumulatively, given the close proximity of the site to public transport links to Royston, it is considered that Bassingbourn offers a range of services to meet day to day needs for occupants of the proposed development. This level of provision, including the GP surgery and Village College is reflected in the proposal to elevate the status of the village as a Minor Rural Centre i.e. second in the list of sustainable groups of villages in the district in the emerging Local Plan.
71. The village also has 3 community halls: the United Reform Church Hall, Knutsford Road Community facility and The Limes community facility on the High Street. The Village College also provides a variety of indoor and outdoor community facilities.
72. Given the above assessment and the supporting evidence, it is considered that the adverse impacts of the development in terms of social sustainability would not represent a demonstrable level of harm that would outweigh the benefits of the provision of additional housing within the context of the Council's lack of a 5 year housing land supply.

Economic sustainability:

73. The provision of 30 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.
74. 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

75. The 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) when taking the site as whole (just below 5 hectares in area). The density equates to approximately 12 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 west is of low density (heading southwards from the centre of the village), it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of

development.

76. 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.
77. 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. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme policy compliant.

Character of the village edge and surrounding landscape

Landscape Impact

78. The low density of the scheme and the design approach of arranging properties in a linear pattern along a central spine road are considered to be key elements which soften the landscape impact of the scheme. The fact that the scheme is considerably lower density than the development to the north is considered to provide a transition from the existing village edge and the open countryside beyond, whilst also responding to the lower density of development to the west on Spring Lane. This transition is enhanced by the indicative location of the public open space in the central part of the site, which would be accessible from the Public Right of Way (which would continue to run parallel with the southern boundary of the site) and the indicative proposal to locate the majority of the dwellings on the northern edge of the spine road.
79. The indicative layout is considered to demonstrate that the proposed number of units could be accommodated on the site without extending eastwards of the eastern boundary of the existing settlement, as defined by the rear boundaries on the plots on the eastern side of Clarkes Way. The eastern edge of the application site would be occupied by public open space in the indicative scheme. This ensures that the scale and massing of the built form would appear contained and as a logical extension to the village in longer range views of the site when approaching the village northwards along Spring Lane.
80. The applicant has submitted a Landscape and Visual Appraisal of the proposed development. The assessment concludes that the properties located to the north of the application site currently have open views of the countryside. The District Council Landscape Officer agrees with the conclusion that the sensitivity of these views high to medium in landscape terms. In relation to users of the Public Right of Way (PRoW), the sensitivity of the open views is considered to be medium in landscape terms, as the existing development on Elm Tree Drive and Clarkes Way form the backdrop to these views. The Landscape Officer also agrees with this conclusion.
81. Recognising the sensitivities of these views, the Landscape Officer is satisfied that the retention of long gardens to the rear of the properties positioned to the north of the 'spine' road in the indicative plan would offset the impact on the sensitive views from the properties to the north of the site. The provision of a hedgerow along the southern boundary of the site is considered to improve the definition of the PRoW and soften the integration of the rear boundaries of the properties to the south of the 'spine' road into the wider landscape.

82. The installation of landscape planting along the boundaries would help provide definition to the edges of the site and planting within the extensive areas of open space within the development would enhance biodiversity and respect the character of the local landscape character.
83. The Landscape Design Officer has no objections to the principle of the development of the site with 30 units and considers that biodiversity enhancements, appropriate landscape planting and boundary treatments can be secured at the reserved matter stage to ensure that the development assimilates satisfactorily into the surrounding landscape.
84. The Design Officer has no objection to the indicative layout or the outline application. Considerations raised in relation to how the development presents itself to the PRoW to enhance integration and provide as much natural surveillance of the footpath and areas of open space as much as possible are matters to be dealt with at the reserved matters stage. In addition, softening the impact of the car parking provision for the doctors' surgery will need to be considered when the detailed landscaping scheme is considered at the reserved matter stage.

Public Right of Way

85. There is a designated Public Right of Way (PRoW) which runs into the site, from the access with Spring Lane, parallel with the western boundary of the site and southwards through the site until it heads eastwards, parallel with the southern boundary of the application site. The indicative layout plan shows an infringement of the Right of Way in the location of the proposed additional car parking for the doctors' surgery. However, at the reserved matters stage, when the layout is to be fixed, this infringement could be avoided through moving these car parking spaces south east of the location currently shown. In that scenario, the Right of Way would be temporarily obstructed whilst the formal footpath within the development is installed but a permanent diversion would not be required. If the parking spaces were not moved from the location indicatively shown, the Right of Way could be formally diverted along the footpath to be installed, via an application to the County Council. The applicant is aware of the potential requirement for such a variation to the definitive route and there is no requirement to have a diversion confirmed prior to the granting of planning permission. In any case, this issue can be adequately addressed when the layout is fixed at the reserved matters stage to ensure that footpath provision allows the route of the Right of Way to remain legible to users.

Trees

86. There is a group of trees subject to a Tree Preservation Order (TPO) on the western boundary of the site. The Arboricultural Report submitted with the planning application makes prudent recommendations for managing the trees which the Tree Officer considers to be acceptable. 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

87. There are two ponds within 50m to the west according to Ordnance Survey mapping. However, the Ecologist has confirmed that there are no known records of GCN within Bassingbourn or the surrounding area. Therefore, it is considered extremely unlikely that this species which is protected by UK and EU law is present and therefore no further information is required regarding suitability of the ponds for this species.

88. No further measures to protect reptiles are required as, given limited distribution of reptile species in the area, it is considered very unlikely that they are present. Although it is appreciated that there will be limited clearance of trees and hedgerows and the potential for the site to be used by ground-nesting birds is reduced by regular access via the footpath, it is possible that ground nesting birds use the area. Therefore, a condition to protect nesting birds, by preventing the removal of trees during the bird breeding season will need to be attached to any consent granted.
89. Retention of the boundary trees and northern and eastern hedgerows are welcomed. To ensure that these are retained and protected, these should be outside of garden curtilages. Hedgerows should also be augmented with native planting.
90. Some of the mature trees around the site boundary have moderate potential for roosting bats according to the Ecology report. These will need to be retained and protected, including ensuring that dark corridors are maintained along site boundaries in the vicinity of these trees. This will involve sensitive external lighting design, especially along the west and part of the northern boundaries. In particular, lighting for the additional parking area for the surgery will need to be carefully considered. If reduction in light spill to acceptable levels for use by bats is not possible, further surveys of trees with moderate bat potential would need to be completed to inform the lighting design.
91. The underground attenuation tank, rather than an above ground pond, is a missed opportunity for biodiversity. However, it is appreciated that there may be additional constraints which have resulted in this option being put forward.
92. The securing of biodiversity enhancements and the details of external lighting can be secured by condition at this outline stage.

Highway safety and parking

93. The Highway Authority initially objected to the proposals on the basis lack of information in relation to the visibility splays at the site access. Following the provision of additional information in the revised Transport Statement, this objection has been removed. Standard conditions in relation to the management of traffic and materials during the construction phase of the development and the level of the access being constructed to prevent displacement of surface water onto the highway should be added at this outline stage in the interests of highway safety.
94. The scheme is considered to be sustainable from an access point of view as the proposal includes a footpath link from the entrance of the site, connecting to Spring Lane where the existing footpath provides a connection to the public transport links and other services on the High Street. A planning condition requiring this obligation to be secured can be added at the outline stage. A sum of £10,000 is also required to upgrade the pedestrian facilities on High Street. This commuted sum should be
95. included in the Section 106 Agreement.

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

96. 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 Elm Tree Drive and Clarkes Way could be adequately preserved at the detailed stage.
97. Standard conditions relating to the construction phase of the development haven 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.

Surface water and foul water drainage

Surface water drainage

98. 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. The applicant has submitted a revised Flood Risk assessment and the LLFRA conclude that, whilst there are variable infiltration rates across the site (corroborating the comments made in some of the objections to the application), the area where it is proposed to locate the infiltration tanks (in the revised scheme) has infiltration capacity and therefore is considered acceptable.
99. The LLFRA consider that the applicant has run hydraulic calculations based on the worst case scenario of no infiltration from the permeable paving within the development. As the proposal is to provide this permeable paving, this would provide additional surface water run off attenuation and this is considered therefore to be a benefit of the scheme. Maintenance of the drainage ditch to the east of the site can be secured via the Section 106 Agreement, along with the future management and maintenance of the Sustainable Urban Drainage System to be installed to serve the development.
100. The Environment Agency has raised no objection to the application. The junction of the access with Spring Lane (currently part of the hard surfaces highway) is within Flood Zone 3, as is a large section of Spring Lane itself which serves existing residential development. As it has been demonstrated that the development would not increase the risk of flooding within the development site, it is considered that it would be acceptable to secure measures for ensuring access by emergency services at all times, including times of higher water levels could be secured as part of the surface water drainage strategy.

Foul water drainage

101. Anglian Water has commented that the existing Bassingbourn Water Recycling Centre, which would treat wastewater from the proposed development, does currently have capacity to treat the flows from the development. They have no objection to the application in this regard therefore. It should be noted that issues of blockages within

the system causing overflow/flooding are issues of maintenance as opposed to capacity and it is the latter that is material in assessing the impact of this, or any other, proposed development.

102. 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

103. 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. A contribution of approximately £30,000 (made up of a tariff based contribution based on housing mix) is considered necessary to provide a contribution to the upgrading and extending of the sports pavilion at the recreation ground. 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.
104. It is considered that a contribution of £15,000 towards the upgrading and extension of the pavilion as a 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 been no other pooled contributions made towards this infrastructure previously, this contribution is considered to be compliant with the CIL regulations.
105. Household Waste Receptacles charged at £72.50 per house, £150 per flat and a monitoring fee of £1,000 (flat fee) is also 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 (a commuted sum of £10,000) would be in addition to this.

Other matters

Archaeology and Heritage

106. The site is considered to be of potential archaeological interest. It is located 110 metres to the south east of a medieval moated site and the designated Bury Yard moated site is 670 metres to the north west. There is evidence of Iron Age, Saxon and Medieval settlement in this part of the District. As such, a standard condition requiring a scheme of investigation to be agreed and any necessary measures carried out prior to the commencement of development, to ensure that any risk to archaeology is mitigated.
107. 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 (listed) building or its setting or any features of special architectural or historic interest which it possesses." In respect of conservation areas, Section 72 states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".
108. 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".

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.

109. 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".
110. 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.
111. It is considered that the indicative layout would not have any adverse affect on the setting of the listed building to the south west of the site (barn north of 47 Spring Lane), due to the separation distance to be retained and the containment of the site provided by the protected trees on the western boundary of the site. The other nearest listed buildings are located in the eastern portion of the conservation area, which are located in excess of 130 metres to the north of the site. Given the low density of the scheme and the separation provided by the higher density development between the site and the conservation area, it is considered that development of a maximum of 30 units on the site would not have an adverse impact on the setting of the designated area. The Council's Historic Buildings Officer has raised no objections to the scheme.

Environmental Health

112. The Environmental Health Specialist has commented that the Health Impact Assessment has been assessed as Grade B, which meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
113. 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.
114. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on Spring Lane is required and the implications 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.

115. 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.
116. 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.
117. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on the B1050 and adjacent primary routes 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.
118. 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.
119. 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.
120. 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.
121. 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

122. 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.

123. 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.
124. 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.
125. 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.
126. Following the assessment in 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.
127. Cumulative Impact

Officers are aware that there is another large scale application for residential development in Bassingbourn where the principle of development relies on the District Council's deficit in five year housing land supply, land north of the Causeway (ref. S/1566/16/OL). This application is also on the agenda for this committee and officers have considered the cumulative impact of both schemes on the capacity of services and facilities in Bassingbourn.
128. The County Council as Education Authority have considered the anticipated population increase if both schemes came forward and have come to the conclusion that no mitigation is required at all in terms of the capacity of education provision at any of the pre-school, primary or secondary tiers. The GP surgery has also confirmed that there is sufficient capacity to accommodate the cumulative population increase within the limits of the existing provision.
129. 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 Bassingbourn.
130. 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.

131. Following this assessment, officers are content that the sustainability credentials of this proposal have been demonstrated satisfactorily when assessed alongside the proposal at land north of the Causeway and that approval of this application would not prejudice the outcome of the other application.

Broadband provision:

132. The issue of the capacity of broadband infrastructure has been raised by the Parish Council and in the responses received to the application from residents. Paragraph 42 of the NPPF refers as cited by the Parish Council in their response states that 'Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology also plays a vital role in the provision of local community facilities and services.'
133. Whilst it is acknowledged that broadband speed may be a concern in the locality in terms of actual speed not meeting the advertised network speed, there is no evidence to suggest that the approval of 30 additional dwellings would in of itself reduce the network capacity further. Furthermore, improved infrastructure can be put in place whether the site is developed or not, this proposal does not prevent this from occurring (and could be argued to increase the viability of the case for improvement). As such, it is considered that the scheme would not result in harm to this objective of the NPPF.

Conclusion

134. 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

135. 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.
136. 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 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.
137. Emerging policy S/9 is considered to carry some weight in the determination of this

application. This assessment is made on the basis that the two objections received to the emerging policy suggest that no evidence has been presented to demonstrate that there are sites within the village that could accommodate 30 units and that the basis of upgrading the village primarily due to the presence of a village college is flawed.

138. In terms of those objections, 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 Bassingbourn does not perform the same function as some Minor Rural Centres because of its relatively close proximity to the bigger settlement of Royston but it does have a greater range of services and facilities than most Group Villages. The evidence points to the Village College in this assessment but also the presence of a full time post office and a doctors surgery.
139. 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. The evidence in the Village Classification Report is considered to respond to the second objection in that there are facilities and services (including but not limited to secondary education) that residents in Bassingbourn can access within the village, or through transport links to larger settlements, more readily than residents in most Group Villages.
140. Policies HG/1 and HG/2 are considered to carry some weight in the decision making process as these relate to the density of development and housing mix, both of which contribute to sustainable development. In relation to the other relevant policies of the LDF quoted in this report, these 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.
141. 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 High Street. The fact that bus services exist close to the site which would allow commuting to and from Royston is both a social and an environmental benefit of the scheme.
142. It is considered that the illustrative masterplan sufficiently demonstrates that up to 30 units could be located on the site in a manner that would respect the built form of the surrounding development and provide an appropriate transition from dense development to the north, through to open countryside to the south. 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.
143. It is considered that the issues raised in relation to environmental health, trees and ecology can all be dealt with by condition.
144. It is considered that the scheme includes positive elements which enhance social sustainability. These include:

- the positive contribution of up to 30 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, which exceed policy requirement.
- 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 and facilities
- employment during construction to benefit the local economy.
- potential to result in an increase in the use of local services and facilities

145. 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 any 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

146. Officers recommend that the Committee grants planning permission, with delegated powers to negotiate a Section 106 Agreement covering the requirement identified in this report and conditions based on the following:

Draft conditions

- Outline planning permission
- Time limit for submission of reserved matters
- Time limit for implementation (within 2 years of approval of reserved matters)
- Approved plans
- Landscaping details
- Contaminated land assessment
- Dust, noise, vibration mitigation strategy
- Noise assessment relating to impact of road traffic on Spring Lane on the amenity of the occupants of the proposed development – including necessary mitigation measures
- 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.
- Scheme to detail upgrading of highway facilities on High Street Bassingbourn
- Foul water drainage scheme
- Surface water drainage scheme (including details of mitigation to allow access for emergency vehicles)
- Sustainable drainage strategy
- Tree Protection measures
- Compliance with flood risk assessment
- Traffic Management Plan
- Time restriction on the removal of trees
- Detailed plans of the construction of the accesses
- Pedestrian visibility splays

- (t) Ecological enhancements including bird and bat boxes
- (u) Scheme of archaeological investigation
- (v) Site waste management plan
- (w) Restriction on the hours of power operated machinery during construction
- (x) Phasing of construction
- (y) Approved ecological surveys
- (z) Compliance with ecological survey submitted
- (aa) External lighting to be agreed
- (bb) Cycle storage
- (cc) Housing mix within market element to be policy compliant
- (dd) Screened storage for refuse
- (ee) Boundary treatments
- (ff) Waste water management plan
- (gg) Construction environment management plan
- (hh) Details of piled foundations
- (ii) Fire hydrant locations
- (jj) Cycle storage
- (kk) Management of temporary closure of the Public Right of Way
- (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/1745/15/OL

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