

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

01 February 2017

**AUTHOR/S:** Head of Development Management

---

**Application Number:** S/2367/16/OL

**Parish:** Gamlingay

**Proposal:** Outline application for the development of up to 29 dwellings, including open space with access applied for in detail

**Site address:** Land south of West Road and west of Mill Street, Gamlingay

**Applicant(s):** Mr Robert Phillips (of Endurance Estates Strategic Land Ltd)

**Recommendation:** Delegated Approval subject to the completion of a section 106 agreement regarding infrastructure contributions, affordable housing and ecological enhancement, management and monitoring.

**Key material considerations:** Principle of development, density, housing mix, local character, heritage impact, travel and access, services and facilities, ecology, noise and other environmental impacts, residential amenity and S106 contributions.

**Committee Site Visit:** Yes

**Departure Application:** Yes

**Presenting Officer:** Lydia Pravin, Senior Planning Officer

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

**Date by which decision due:** 1 February 2017 (Extension of time)

### Executive Summary

1. In determining this application in the context of a lack of five year housing land supply 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.
2. There are significant economic and social benefits to the scheme. In terms of economic benefits in the short term this would include the creation of jobs in the construction industry as well as the multiplier effect in the wider economy arising from

increased activity. The provision of housing would help meet the needs of businesses within Gamlingay such as at Green End and Mill Hill in the medium to long term.

3. The development would provide a clear public benefit in helping to meet the current housing shortfall in South Cambridgeshire. The site would deliver up to 29 residential dwellings which is clearly demonstrated through the delivery statement and indicative delivery programme. The reserved matters application condition has been agreed with the developer to be provided for approval no later than 18 months from the date of permission and the development shall take place no later than 18 months from the date of the approval of the last of the reserved matters. Officers are of the view significant weight should be afforded to this benefit in the decision making process.
4. The site is located less than 500m from the village centre and is within walking and cycling distance of many of these facilities in Gamlingay which residents of the development would therefore benefit from. The development will gain contributions to ensure there is capacity at early years and primary school level in terms of education. The developer has agreed to a significant package of enhancements including repairs and improvements to the Old Methodist Church, relocation of the tennis courts and bowling green, new play equipment at Butts Playground and a feasibility study to enable the Parish Council to take forward the cycle link project.
5. It is considered that the scheme includes significant positive elements which enhance social sustainability. These include the provision of 40% affordable housing within the development and public open space.
6. Planning application S/1338/15/OL was refused due to it being visually dominant causing significant harm to the character of the village and open countryside, harm to the setting of the Conservation Area and Grade II listed buildings and its overbearing impact on the dwellings at Mill Street and West Road.
7. The Block Plan, Development Framework Parameters Plan and Building Heights Parameters Plan including the illustrative site layout show significant improvements and sufficiently demonstrate that up to 29 units could be located on the site in a manner that would not cause significant landscape harm. This is due to the significant landscape mitigation proposed through the retention of trees and hedgerow planting and a 7m wide native buffer verge along the southern boundary. The planting will reinforce the existing boundary and reduce visual harm into the site. There is also the retention of the existing native hedgerow on Mill Street adjacent to the Conservation Area boundary which will preserve the local landscape characteristics and reduce visual harm to the site.
8. In terms of the impact on the Conservation Area and setting of the Grade II listed buildings the illustrative site layout submitted with the application shows the two dwellings along Mill Street set back with a no build zone to include residential gardens of 8m as detailed on the Development Framework Parameters Plan. There is also a pedestrian access point of 3.5m wide and 1.5m soft landscape boundary, the details of which can be conditioned, adjacent to 48 Mill Street. This combined with limiting development to 1.5 storeys as shown on the Building Heights plan abutting Mill Street shows significant improvements from the refused application (S/1338/15/OL) and there is now not considered to be less than substantial harm to the setting of the Conservation Area and Grade II listed buildings.
9. In terms of residential amenity impact there is a no build zone of 8.5m which widens to 10.5m for the majority of the dwellings along West Road and then a 5m soft landscaping bound which is a significant degree of separation. There is also an area

of public open space near Wooton Field. Setting the dwellings on Mill Street 8m back within the site and limiting them to 1-1.5 storeys high as detailed on the Building Heights Parameters Plan mitigates the impact on 48 Mill Street.

10. The Building Heights Parameters Plan indicates 1-2 storey dwellings to the rear of 48 Mill Street. The Illustrative masterplan showing a single storey element nearest this dwelling and this can be carefully designed at reserved matters stage which will further ensure there is not a significant overbearing impact on the bungalow of 48 Mill Street. The scheme is now considered to overcome the previous overbearing impact, one of the reasons for refusal under S/1338/15/OL.
11. The harm of these aspects 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 which includes 40% affordable housing on site, in a location considered to be sustainable. As such, officers are of the view that refusal on the above grounds would not meet the test set out in paragraph 14 of the NPPF.
12. 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 economic and social benefits that would result from the development outweigh the potential landscape, impact on setting of the Grade II listed building and Conservation Area, and residential amenity 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.

#### **Relevant Planning History**

13. S/1338/15/OL – Outline application for the development of up to 29 dwellings, including open space with access applied for in detail – refused at November 2015 Planning Committee for the following reasons:
  - harm to the setting of the Conservation Area and Grade II listed buildings
  - overbearing impact on the dwellings at Mill Street and West Road
  - visually dominant causing significant harm to the character of the village and open countryside.This application is now the subject of an appeal due to be considered at public inquiry commencing on 28 March 2017.

#### **Planning Policies**

14. *National Planning Policy Framework (NPPF) 2012*  
*National Planning Practice Guidance*

#### **Development Plan Policies**

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.

15. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*

ST/5 Minor Rural Centres

16. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*

DP/1 Sustainable Development  
DP/2 Design of New Development

DP/3 Development Criteria  
 DP/4 Infrastructure in New Developments  
 DP/7 Development Frameworks  
 CH/2 Archaeological Sites  
 CH/4 Development Within the Curtilage or Setting of a Listed Building  
 CH/5 Conservation Areas  
 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/9 Water and Drainage Infrastructure  
 NE/10 Foul Drainage – Alternative Drainage Systems  
 NE/11 Flood Risk  
 NE/12 Water Conservation  
 NE/14 Lighting Proposals  
 NE/15 Noise Pollution  
 NE/16 Emissions  
 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  
 TR/4 Travel by Non-Motorised Modes

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

District Design Guide SPD – Adopted 2010  
 Development Affecting Conservation Areas SPD – Adopted 2009  
 Health Impact Assessment SPD – Adopted March 2011  
 Affordable Housing SPD – Adopted March 2010  
 Open Space in new Developments SPD – Adopted 2009  
 Listed Buildings SPD – Adopted July 2009  
 Trees and Development Sites SPD – Adopted January 2009  
 Landscape and new development SPD – Adopted March 2010  
 Biodiversity SPD – Adopted July 2009

18. *Draft Local Plan*

S/1 Vision  
 S/2 Objectives of the Local Plan  
 S/3 Presumption in favour of sustainable development  
 S/5 Provision of new jobs and homes  
 S/7 Development Frameworks  
 S/9 Minor Rural Centres  
 S/12 Phasing, Delivering and Monitoring  
 CC/1 Mitigation and adoption to climate change  
 CC/3 Renewable and low carbon energy in new developments  
 CC/4 Sustainable design and construction  
 CC/6 Construction methods  
 CC/7 Water quality  
 CC/8 Sustainable drainage systems

CC/9 Managing flood risk  
HG/1 Design principles  
NH/2 Protecting and enhancing landscape character  
NH/4 Biodiversity  
NH/6 Green infrastructure  
NH/14 Heritage assets  
H/7 Housing density  
H/8 Housing mix  
H/9 Affordable housing  
SC/8 Open space standards  
SC/11 Noise pollution  
SC/13 Air quality  
T/I Parking provision

### **Consultation**

19. **Gamlingay Parish Council** – Recommends refusal for the following reasons:
20. “a) Planning Policy – Site is outside the current village boundary in the existing local plan. It was rejected for possible development at a preliminary assessment stage for the new local plan (currently at Local Plan Inquiry) in favour of other sites in the village for housing.
21. b) Visual impact – Many of the objections from local people received by the parish council have raised this as an objection. The appearance of the proposed development on entering the village from the South is very dominant and urban and has a negative impact on the conservation area. The Conservation Area documentation refers to No. 61 as the ‘Village Gateway’ property marking the transition from countryside to entering the village – the significance of its setting will be lost if the development proceeds. The proposal to build 2.5 storey houses on the southern village edge, although only indicative, would create an overbearing dominance in this area and change the profile of the village approach completely. There have been no permitted 2.5 storey properties on the village edge approved in the village to date, due to the impact on the countryside and views from the countryside into the village. Most of the properties in this area are bungalows or low profile houses.
22. c) Privacy and overbearing – The effect on No. 48 and No. 61 Hope Cottage and The Manse is still apparent. The largest impact is on No. 48 in this regard. Also the amenity of Wotton Field residents is significantly affected. The bungalows, previously mentioned will be severely impacted in terms of privacy and overbearing because of the height of the proposed adjacent properties, which will overlook their properties and gardens and the new footpath which will run close to their boundary. Details which have been illustrated by the applicant at a recent public meeting have done nothing to allay fears of the impact in this regard.
23. d) Noise and Smell – The construction itself will cause impact on existing properties in West Rd and Wooton Field and the addition of 29 households will cause ongoing issues with traffic noise and pollution.
24. e) Access/Traffic – Many objectors had grave concerns that 29 additional properties would cause severe problems in the area. The village is poorly served with public transport therefore most new residents will need private transport to get about.

25. There are already 10 additional houses recently completed but not yet occupied at 22A West Road. West Road is a small residential road leading to Wooton Field – an affordable housing site which is a cul de sac and which houses a large number of families with small children. This application proposes access to the 29 properties through this cul de sac which will of course experience a severe increase in traffic movements. At the end of West Road is a small country lane – known as Cow Lane – which is single width access with a blind bend. This will undoubtedly be used more if this proposal goes ahead and is totally unsuitable to cope with any increase in traffic movements.
26. f) Health and safety – Concerns about road safety – children in the Wooton Field cul de sac are accustomed to playing safely in the street, this proposal will significantly alter their amenity.
27. g) Crime and fear of crime – The overbearing nature of parts of the proposed development and the proximity of the connecting footpath to boundary fences raises concerns about security of property and potential crime/fear of crime. Many of the dwellings can be accessed by members of the public on at least 3 sides of their property making the buildings at risk of burglary.
28. h) Economic impact – The mix of houses indicated in the supporting documents seems unsuitable for the needs of the local community to expand and be sustainable. Young families should be encouraged to stay in the village, the majority of the proposed properties appear to be large and therefore potentially unaffordable.
29. i) Ecology/trees and hedges – The proposed ecology area is outside the site boundary. Gamlingay is already well supplied with ecology areas – recently the Millbrook Meadows has been developed for this purpose and it provides a valuable asset for the whole community. The additional ongoing maintenance requirements on the proposed ecology area could become a drain on parish resources but would have little community benefit. The change to preserve and enhance the existing boundary hedge on to Mill Street is welcomed. However the aboricultural survey does not cover the route protection zone requirements (on slope) as the hedge was previously marked for removal in the previous application. No consideration for access to manage and maintain the hedgerow is included in the application.
30. j) Cumulative impact and community benefits – the proposal allows for access on to adjacent farmland which has caused concern about possible future development. Access through a housing estate for farm vehicles is totally unnecessary – there is a large open access of Mill Hill.

Other issues were also raised as follows;

31. k) The parish council does not consider that an outline application is an appropriate process in order for it to be able to determine if this site, outside the village envelope, is a sustainable development for its parish. There are no proposed designs for the houses, there is no firm mix of the size of the houses, and there is only an indicative site layout that has already raised many concerns. We cannot consider a site as a sustainable development if it does not come with evidence of the local need for more housing. Also the proposal in outline does not come with any commitment to a good overall design that would be able to make a positive benefit to the local community. In the Parish Councils view the package of community benefits currently being offered does not mitigate the impact of the proposed development.
32. l) A public meeting was held on Tuesday 18 October 2016 and the agents for

Endurance Estates detailed street view and housing types which were identified by the public as deliberately misleading. The lack of consistency and clarity of information presented to the public for this application is unacceptable and members of the public and the Parish Councils views have been consistently ignored throughout the process.

33. m) Gamlingay has been very closely engaged in the local plan process and has been proactive in identifying suitable sites for new housing. It has accepted that housing growth will take place and has already accepted suitable sites – such as the Green End site. Other sites have also very recently been developed – the large development at Station Road, and the smaller developments at Merton Barns, Stubbs Oak and West Road. The cumulative impact of more development, such as outlined in this proposal, has not been accounted for – the impact on local infrastructure, schools and healthcare has not been taken into account. Gamlingay Parish Council carefully assesses the cumulative impact of all proposed development and is determined to ensure that development is sustainable. We are currently preparing out Neighbourhood Plan and are formally consulting the village on many aspects of the future of the village.
34. A separate response detailing the comments associated with the s. 106 community benefits has been sent to the s.106 Officer for consideration.
35. Further comments were received from Gamlingay Parish Council dated 11 January 2017 in response to the additional illustrative sections and elevations as follows:
  - aa) Cross section H-HH suggests that the proposed footings of the new properties will be at waist height to passing pedestrians along Mill Street. It is considered that this is inaccurate.
  36. bb) The Council recognise these plans are ‘illustrative’ only and the previous objections to the application made on 09 November 2016 still stand.
  37. cc) This further application does not address any of the concerns raised by the community such as the impact on the Conservation Area and the impact on Mill Street.
  38. dd) The hedgerow to the front of the site has been insensitively flailed and damaged in the last week.
39. **Local Highway Authority (LHA)** – Requests a plan showing 2.4m x 70m visibility splays at the junction of Mill Street (B1040) and West Road provided on both sides of the access within the existing adopted public highway or land under the control of the applicant. The LHA can confirm that it will not be adopting any part of the development in its present format. Please condition the developer deposit a letter and drawing showing the site with the Local Planning Authority confirming that the site will not be presented for adopted nor or at any time in the future unless a redesign is brought forward that is acceptable to the LHA.
40. Following provision of the above, the LHA is satisfied that the proposal will have no significant adverse effect upon the public highway subject to conditions governing: falls and levels of driveways (to prevent run-off); bound material for the access with public highway; a traffic management plan to be agreed; the provision of a footway/cycleway link of 3.5m in width along the entire frontage of the site to the village of Gamlingay from the development to provide connectivity into the village and uncontrolled pedestrian crossing points on Mill Street to enable pedestrians to cross the carriageway.

41. **Cambridgeshire County Council Archaeology** – Raises no objection in principle but considered that a condition should be added requiring a programme of archaeological investigation to be secured prior to the commencement of development.
42. **Historic England** – The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
43. **Landscape Officer** – Recommendation: In principle, there is no objection to development upon this site. With careful landscape and mitigation and enhancement measures the landscape and visual effects would be limited.
44. The landscape is not subject to any national designation. At national level the site is situated within the national landscape character area of 90 Bedfordshire Greensand Ridge. At Regional Level the Landscape Character Area of the site has been assessed as Wooded Village Farmlands by Landscape East.  
Landscape Characteristics of the site and the immediate surrounding area include:
- Gentle rolling and elevated arable landscape
  - Open landscape with extensive panoramic views
  - Mixed field and roadside boundaries range from mature shelterbelts to gappy, short flailed boundaries to intact evergreen hedgerows.
  - Varied field patterns
45. At local level the site is situated within the Western Green and as assessed by SCDC within District Design Guide SPD March 2010.
46. Local landscape characteristics within and around the application site include:
- The fairly wooded landscape is interspersed with medium sized arable fields, small areas of pasture and market gardenin.
  - Despite the presence of some worked out gravel puts, the area retains a predominately rural character.
  - Open fields, hedgerowed paddocks, woodland and stream valleys contribute to the distinctive landscape setting, despite a harsh urban edge in parts.
47. As part of the application documents the applicant has submitted a drawing Proposed Site Layout/ Hedgerow Retained, a Design and Access Statement and Hayden's Tree Plan 4397-D Rev B. As indicated by the applicant all boundary trees, hedgerow and trees of landscape interest are to be retained. No key characteristics, individual elements or features are to be removed onn the edge of the village. There would be negligible effects on the wider and local landscape character areas.
48. I agree with the findings made by Bidwells that the greatest magnitudes are limited to receptors immediately adjacent to the site, dwellings immediately to the north, views on the Public Right of Way leading to Potton Wood and views as you approach the village from a southerly direction.
49. The applicant has indicated the following mitigation works:
- The retention of tree and hedgerow planting around the boundary of the site. Existing hedgerow planting to be infilled where gaps to preserve the local landscape characteristics.
  - A 7m wide native buffer verge along the southern boundary. This is in addition to the existing retained hedgerow. The planting will reinforce the existing



boundary, reducing visual harm and screen views into the site. The planting will create a soft village edge which is in contrast to the existing approach to Gamlingay. Applicant to consider gaps within the native buffer edge to break up the linear edge and create glimpses of the site.

- The retention of the existing native hedgerow on Mill Street adjacent to the Conservation Area boundary. Properties have also been set back behind the hedge. Retention of the existing hedgerow will preserve the local landscape characteristics and reduce visual harm to the site.
- The development will be set back along the northern boundary reducing visual amenity harm from existing properties and gardens on West Road.

50. In principle, I have no objection with a development upon this site. With careful landscape mitigation and enhancement measures the landscape and visual effects would be limited. I also welcome the following landscape considerations made by the applicant:

- A green entrance to the site from Wooton Field
- Retention of existing trees and scrub, particularly to the west of the site
- An Ecological Mitigation Area
- Up to 0.25ha of Public Open Space (POS) to be provided on the site.
- The provision of a public footpath link to the wider footpath network leading to Honey Hill to the east of the site.
- An extensive scheme of tree planting throughout the site.

51. Opportunities for the applicant to consider within the detailed design:

- Ensure new developments improve any existing harsh edges within a framework of new hedges, trees and woodland planting relating to local mixes.
- Ensure buildings are positioned to reflect local patterns such as mostly continuous frontages running along the back edge of pavements, with only occasional gaps, giving glimpses of countryside beyond.
- Ensure new developments reflect the form, scale and proportions of the existing vernacular buildings of the area and pick up on the traditional building styles, materials, colours and textures of the locality.
- Retain hedges and introduce them as boundaries alongside roads outside village cores.
- Avoid the use of standardised and intrusive urban materials, street furniture, lighting and signage as part of traffic calming measures wherever appropriate.

52. **Urban Design and Historic Buildings Officer –**

Though detailed designs are not usually required for outline applications, it is important that the applicant can demonstrate that a suitable design could be achieved that limits any harm to the setting of the listed buildings and the conservation area.

53. **Setting of the nearby listed buildings**

The impact on the setting of the grade II listed buildings has been reduced by limiting development to 1.5 storeys across the front part of this site. It is considered this scale of development is acceptable in terms of limiting the harm on the setting of the nearby listed buildings. The detailed design of any housing in this location can be further controlled through a reserved matters application. I would take the opportunity to comment that the suggested design (dormer windows etc) appears broadly in-keeping with character of the conservation area, though the plan depth of the houses should be reduced to a more traditional proportion.

54. Neighbour Amenity  
The impact on the adjacent neighbouring property along Mill Street has been reduced by setting the building back from Mill Road. I am satisfied there is sufficient space within the site to ensure that no other existing properties are unduly affected by the development of this density.
55. Impact on the Conservation Area / Urban Design principles  
The hedge has been retained along Mill Street, and houses reoriented away from Mill Road, and set back from it with back gardens running along Mill Street. I had two initial concerns with this proposal. Firstly this form of development is out of character for this locality which largely comprises houses addressing the street creating a sense of enclosure etc, this would cause harm to the setting of the conservation area. Secondly it does not follow good urban design principles in terms of creating strong building frontages, active streets with opportunities for natural surveillance etc.
56. However, this matter was discussed with the applicant, and it was agreed that there was a way forward which addressed my concerns, and would largely be dealt with at reserved matters stage. For this outline application, a condition should be attached to any consent permitting small openings to be created within the retained hedgerow along Mill Street, to allow pedestrian accesses to be created at the reserved matters stage.
57. At reserved matters stage we will be seeking the following:
- Formation of pedestrian accesses from any properties along Mill Street, to the existing pavement along Mill Street
  - Ensure that the elevational treatment of the houses aligning Mill Street will not appear as “backs” but they will be designed as dual aspect houses and therefore still offer a positive frontage to Mill Street, despite being set back behind the hedge, and having vehicular access from within the site
  - Include a condition to restrict the future occupants of any units facing Mill Street from erecting structures such as sheds or trampolines etc adjacent to Mill Street
  - Ensure the design of the houses adjacent to Mill Street are designed to preserve or enhance the character of the conservation area to which they abut
58. The increased landscape buffer along the southern edge of the site, the set back from Mill Road, and the retention of the existing hedge should also help to reduce the prominence of the development when viewed from the south.
59. The principle of 29 dwellings could be accommodated on this site without causing substantial harm to either the setting of the nearby listed buildings, conservation area and still adhere to good principles of urban design, and I therefore do not object to this application.”
60. **Cambridgeshire County Council Flood and Water Management Team** – no objection in principle to the proposed development. The applicant has demonstrated that surface water can be dealt with on site by using a combination of infiltration and below ground storage, restricting surface water discharge to 5l/s for those areas that discharge into an Anglian Water public sewer.
61. Support the use of infiltration where ground conditions permit and understand that it is unlikely that it will be possible to discharge all surface water to the ground. However, for areas of the site that cannot discharge via infiltration, we will require evidence to demonstrate that SuDS have been considered. A traditional system of below ground pipes and tanks is not considered to be SuDS.

62. Two conditions are recommended to secure a detailed surface water drainage scheme prior to the commencement of development and long maintenance arrangements for any parts of the surface water drainage system which will not be adopted.
63. **Anglian Water** – No assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.
64. The foul drainage from the development is in the catchment of Gamlingay Water Recycling Centre that will have available capacity for these flows.
65. The foul sewerage network has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will advise them on the most suitable point of connection.
66. The surface water strategy. Flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable.
67. Recommend a condition:  
No hard standing areas to be constructed until the works have been carried out in accordance with the surface water strategy approved unless otherwise agreed in writing by the Local Planning Authority.
68. **Environment Agency** – No objection, subject to conditions governing: groundwater and contamination issues; no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority; piling foundations; and a scheme for the provision and implementation of pollution control of the water environment.
69. **Environmental Health Officer** – “We have no objection in principle to this application providing the environmental health issues/health determinants detailed are effectively controlled by condition in order to protect the quality of life/ amenity and health of proposed and existing residential uses/ premises and the wider community/ environment.
70. Construction noise, vibration and dust conditions:  
(a) No construction work and or construction related dispatches from or deliveries to the site shall take place, other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or collection / deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
71. (b) No development shall commence until a construction noise impact assessment and a report / method statement detailing predicted construction noise and vibration levels at noise sensitive premises and consideration of mitigation measures to be taken to protect local residents from construction noise and or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential construction noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS5228:2009+A1:2014: ‘Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration. Development shall be carried out in accordance with the approved details.

72. (c) No development shall commence until a dust management plan / programme to include details of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved dust management plan / programme unless otherwise agreed in writing by the Local Planning Authority.
73. Artificial lighting recommended condition:  
(d) Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site and on the boundary of the site and at future adjacent properties, including consideration of Glare (direct source luminance / luminous intensity in the direction and height of any sensitive residential receiver) as appropriate, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" including resultant sky glow, light intrusion / trespass, source glare / luminaire intensity and building luminance. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.
74. Waste recommended condition:  
(e) Unless otherwise agreed in writing by the local planning authority, any reserved matters application pursuant to this outline approval shall be accompanied by a Waste Management & Minimisation Strategy (WMMS), including the completed RECAP Waste Management Design Guide Toolkit and supporting reference material, addressing the management of municipal waste generation during the occupation stage of the development. No development shall take place until the strategy has been approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority and thereafter.
75. The Waste Management & Minimisation Strategy (WMMS) must demonstrate how waste will be managed in accordance with the requirements of the RECAP Waste Management Design Guide Supplementary Planning Document 2012 (or as superseded) and the principles of the waste hierarchy, thereby maximising waste prevention, re-use and recycling from domestic households and contributing to sustainable development. The WMMS should include as a minimum:
- A completed RECAP Waste Management Design Guide Toolkit and supporting reference material
  - A detailed Waste Audit to include anticipated waste type, source, volume, weight etc. of municipal waste generation during the occupation stage of the development
  - Proposals for the management of municipal waste generated during the occupation stage of the development, to include the design and provision of permanent facilities

e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable materials; access to storage and collection points by users and waste collection vehicles

- Highway vehicle tracking assessment and street widths / dimensions
- Arrangements for the provision, on-site storage, delivery and installation of waste containers prior to occupation of any dwelling
- Arrangements for the efficient and effective integration of proposals into waste and recycling collection services provided by the Waste Collection Authority
- A timetable for implementing all proposals
- Provision for monitoring the implementation of all proposals

76. **Contaminated Land Officer** – Received a copy of the Phase One Desk Study Report by Richard Jackson dated April 2015 and have considered the implications of the proposals.

77. The report notes some on site potential sources of contamination as well as several potential off site sources. In agreement with the recommendations of the report that intrusive investigations are required for the application site, to include the monitoring of potential ground gas. Therefore a condition is required detailing a scheme for the investigation and recording of contamination.

78. **Cambridge County Council (CCC) Education and Waste** –

The current education set-up in Gamlingay is:

- Gamlingay First School – 5 year groups (ages 4-8)
- Gamlingay Village College (middle school) – 4 year groups (ages 9-12)
- Stratton Upper School – 3 year groups (ages 13-5) plus post 16

79. Proposals were published on 27 September 2016 to move Gamlingay to be part of the catchment of Comberton Village College (from September 2017) and for there to be one school in Gamlingay, a full primary school. If the proposals are approved then the set-up would therefore be:

- Gamlingay Primary School – 7 year groups (ages 4-10)
- Comberton Village College – 5 year groups (ages 11-15) plus post 16

80. The information below gives an indication of the requirements for both scenarios (e.g. if the proposals are approved or if they are not).

81. a) Early Years – The development will generate a net increase of 9 early years aged children, 5 of which are entitled to free school provision. There is insufficient capacity in the area in the next 2 years to accommodate the places being generated by this development. Therefore a contribution will be required through the early years classroom project (providing 26 places) at Gamlingay First School. The total costs of the project is £480,000 (at 2Q2016 – contributions in the S106 will need to reflect the increases in indexation from this date). The cost per place is therefore £18,462 (£480,000/26)

82. Therefore a contribution of £92,310 for early years is sought from the development (£18,462 x 5 places).

83. The current project (of an early years classroom at Gamlingay First School) is likely to change if the consultation proposals are approved as Gamlingay First School would be replaced by Gamlingay Primary School (although there would be no increase in available funds from this site). In addition the County Council notes the decision in regard to the application at Green End Industrial Estate (S/2068/15) which allows the Parish Council the opportunity to identify an alternative early years project (but with no

increase in available funds from this site.)

84. b) Primary School - The development would generate a net increase of 8 children in under the catchment of Gamlingay First School.
85. If the consultation proposals are approved this would be 11 primary aged children as the new primary school would accommodate 7 year groups. Both scenarios confirm there insufficient capacity to accommodate this extra demand. Therefore, financial contributions are sought from this development towards primary education facilities through expansion at Gamlingay Primary School or if the proposals are not approved the expansion of Gamlingay First School and the level of contribution would not change. The total cost of the project is £561,736 and once funds have been secured from other development the outstanding balance is £513,835. The remaining cost will be shared between the development at Land at Green End Industrial Estate (S/2068/15) and Land South of West Road. Based on the net number of dwellings at each development a contribution of £128,459 for primary education is sought from this development.
86. c) Secondary School - The development would generate a net increase of 6 secondary aged children at Gamlingay Village College and 5 at Stretton Upper School. If the proposals are approved there would be 8 secondary aged children within the catchment of Comberton Village College. There is sufficient capacity at Gamlingay Village College or Comberton Village College therefore no contribution is sought on this basis.
87. d) Libraries and Lifelong – There is a statutory library provision service in Gamlingay delivered through two mobile library stops and a volunteer run library in the Gamlingay Eco Hub. The development would result in an increase in population of 73 residents. The demand placed on this existing service requires a contribution of £4.08 per head of increase of population. This amounts to a total contribution of £297.84 (£4.08 x 73).
88. e) Strategic Waste – The application falls within the St Neots HRC catchment area for which there is insufficient capacity to meet the demands of the proposed development. New dwellings in this are required to contribute £181 per dwelling, which totals £5,249.00 in this application.
89. f) Monitoring Fees – S106 Monitoring fees of £650 are sought in this application. This is calculated on the basis of hourly officer rates of £50 to monitor various triggers within the S106 agreement.
90. **Central Bedfordshire Council** – The impact on Stratton Upper School will be managed through the planned expansion.
91. **Ecology** - “It has been brought to my attention that there are records for the square-spotted clay moth and the white-spotted pinion moth in proximity to the site. This was not detailed in the ecology report and has been highlighted in a consultation response from a local resident.
92. Habitats within the site comprise moderately species-rich semi-improved grassland, tall ruderal, scrub, species-poor native hedgerow and open water. The scrub comprised bramble, hawthorn, blackthorn, goat willow, English oak, elder and cherry. The hedgerow was dominated by hawthorn with occasional elder and rarely English oak and elm.
93. Invertebrates are not mentioned in the ecology report. Notable records were searched

for from CPERC so records of Section 41 moth species should have been assessed. Whilst any conclusions relating to notable invertebrate species should have been detailed in the ecological report, it is not standard practice to ask for an invertebrate survey unless European Protected Species, Schedule 5 Species on the Wildlife and Countryside Act or Section 41 species are reasonably likely to be present and impacted, in accordance with Natural England standing advice (<https://www.gov.uk/guidance/protected-invertebrates-protection-surveys-and-licences>). Whilst the two species are notable due to localised distribution, only the white-spotted pinion moth is listed on Section 41 of the NERC Act 2006. There are no CPERC invertebrate records for the site itself but there are notable moth species, including Section 41 species, recorded in the wider area.

94. The square-spotted clay moth is found in deciduous woodland on chalk, gravel or clay with scattered undergrowth. The species can also be found in hedgerows, heathland or scrub. There appears to an association with nettle growing under elm in the larval stage.
95. Caterpillars of white spotted pinion moth feed on English elm and wych elm, preferring suckers growing from the trunks known as epicormic growth. Habitats where the species is found are commonly woodlands, copses and shelterbelts.
96. There is no woodland or dense treelines on site. There is a small amount of elm. However, these are immature specimens, many of which were dying. The elms did not have epicormic growth. The site is therefore considered to be sub-optimal habitat for both species. In addition, the tree constraints plan shows that most trees including the southern boundary hedgerow will be retained.
97. The landscape buffer planting and area in the south-west corner of the site should seek to improve conditions for these moth species within the site to meet LDF policy NE/6. Net improvement is achievable within the scheme, given the sub-optimal existing habitats. To ensure that habitat suitable for these, and other moth species, is retained and improved a condition or biodiversity compensation and habitat was requested the following condition to any consent granted:
98. Planting should include elm species with adjacent ruderal habitat including nettle. The hedgerow, landscape buffer and any ecologically-valuable habitat should be managed in a sensitive way to benefit moth and other wildlife species. An annual management schedule will need to be detailed in the Compensation and Enhancement Plan.
99. A condition for a detailed external lighting design including lux contour plan should also be attached. One of the reasons for this condition should be protection of wildlife habitat. Lighting spill onto the southern hedgerow and landscape buffer should be minimised.  
The above comments were made by the Ecology Officer on 19/01/2017
100. The application is supported by an ecological assessment which does not identify any significant biodiversity constraints to development at this site without the provision of appropriate mitigation and advance compensatory habitat creation. The site has been visited and it is agreed that the grassland meadow habitat does not represent an important botanical site.
101. The site is bounded on 2 of its sides by relatively low value hedges. One of the hedges contains a number of dead and dying elms, the other appeared to be dominated by hawthorn but that hedge is to be integrated into a buffer planting screen which is acceptable.

102. At the western end of the site two medium sized oak trees appear to be relatively close to house/gardens/roads, we must seek the view of the tree officer that this is acceptable otherwise the number of dwellings may need to be reduced if these trees are being compromised.  
The above comments were made on 19/1/2017.
103. The ecology report states that reptiles are present on the site and states that a scheme of mitigation will be finalised that would involve their capture and collection, and then be released in a prepared area of new habitat designed to provide for all of their life stages. That is one of the reasons why a relatively large parcel of land has been allocated for ecological gain. That approach is acceptable.
104. Nesting birds in the hedgerows are of at least local value given that nesting bullfinch was confirmed. However, this application will not result in a net loss of hedgerow habitat. Again, that is one of the reasons why the area for ecological gain contains some areas of dense scrub planting.
105. I welcome the proposed area of ecological gain, but its final design should be subject to further scrutiny. It will provide the chance to design in more than might be found in the field alone at present (such as meadows and orchards).
106. A condition must be used to secure habitat creation in advance of any site demolition, archaeological investigation, ground works or infrastructure works – otherwise the reptiles are a threat and an offence may be committed.
107. The new habitats are to be monitored and managed in the future, so a plan will need to be produced to tie that all together. This must be secured by condition and be linked to the S106 agreement so that it is in place for the duration of the development.
108. Pond restoration is also proposed and that is welcomed. Measures are also to be proposed to deliver ecological gain to the houses from specialist nesting boxes for swifts and for bats.”
- Designing Out Crime Officer, Cambridgeshire Policy –**
109. Viewed the application and notes the layout and comments on Security within the Design and Access Statement
110. I have viewed crimes in the Gamlingay village areas since January 2015 – they include 14 burglaries, 12 shed burglaries and two criminal damage – in relation to the Crime and Community Safety in this proposed development I would suggest that vulnerability to crime appears to be actively considered in the design process as I would consider this area to be medium to high in regards to crime.
111. Would like the opportunity to comment should the proposals for the site move forward into the detailed design stage. Like to see the development considered for a Secured by Design application.
112. **Trees Officer –**  
I have no objections to the application but I recommend the following conditions if it is to be approved:  
Prior to commencement, site preparation or the delivery of materials to site the applicant shall submit an UPDATED arboricultural impact assessment and tree protection strategy to reflect the detailed layout in accordance with British Standard BS5837 for the approval of the LPA.



- Prior to commencement, site preparation or the delivery of materials to site the tree protection measures recommended in the approved tree protection strategy shall be erected and remain in position until practical completion of the implementation of the development.

113. **Affordable Housing Officer-**

The site lies outside the development framework of Gamlingay and should be treated as an exception site for the provision of 100% affordable housing to meet the local housing need of Gamlingay. This in accordance with policy H/10 of the Local Plan.

114. However, should this application not be determined as an exception site, then the council will seek to secure 40% affordable housing in accordance with policy H/9, which is that all developments which increase the net number of dwellings by 3 are required to provide 40% of the development as affordable housing. In this case the applicant is required to provide 12 affordable dwellings.

115. The district wide tenure mix is 70% rented and 30% intermediate housing as stated in the Affordable Housing SPD (2010). Therefore, 8 dwellings should be Affordable Rented and 4 Intermediate/Shared Ownership.

116. Currently the local housing need in Gamlingay is:

Specific Village Local Connection	Bedroom Requirements for applicants aged under 60				Bedroom Requirements for applicants aged 60+			Total	Comparis on to 2015
	1 Bed	2 Bed	3 Bed	4+Bed	1 Bed	2 Bed	3 Bed		
Gamlingay	20	13	5	2	8	2	0	50	-4

117. There are approximately 1,700 applicants on the housing register in South Cambs and the district wide demand is reflective of the local need which is a higher demand for 1 and 2 bedroom accommodation.

118. Our preferred mix and tenure split for the 12 affordable dwellings reflective of local and district wide need is set out below:

**Affordable Rented**

4 x 1 Beds  
4 x 2 Beds

**Intermediate/Shared Ownership**

2 x 2 Beds  
2 x 3 Beds

119. As a starting point for discussions on the requirement for a local connection criteria on 5 year land supply sites:

> The first 8 affordable homes on each 5 year land supply site will be occupied by those with a local connection, the occupation of any additional affordable homes thereafter will be split 50/50 between Local Connection and on a District Wide basis.

> If there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to let.

120. The affordable housing should be built in accordance with the DCLG Technical Housing Standards and Nationally Described Space Standards ( March 2015).
121. The affordable housing should be integrated within the development by 'pepper potting' as set out in Chapter 3 - 'Layout and Distribution' - The Affordable Housing SPD (2010)
122. A registered provider of affordable housing should be appointed to manage the affordable housing.
123. We would appreciate being informed by the developer once a Registered Provider is appointed so that we can discuss the delivery of the affordable housing on this site with them.
124. **Cambridgeshire Fire and Rescue Service** - The fire authority would ask for adequate provision to be made for fire hydrants which may be by way of Section 106 agreement or a planning condition. The cost of the fire hydrants will be recovered from the developer.

### **Representations**

125. **Cllr Bridget Smith** – has voiced concerns through the 'West Road Action Group', as summarised in paragraph 126 below.
126. **Owners/Occupiers of**– 36, 48, 51, 57, 59, 61 Mill Street, 5, 9, 13, 17, 18 and 25 West Road, 49 Church Street, 4 Honey Hill, Gamlingay Environmental Action Group and West Road Action Group objected due to
  - a) Traffic generation and impact on local area
  - b) Poor access and highway safety
  - c) Lack of parking
  - d) Urbanising effect of development on village
  - e) Increased pressure on local services & facilities
  - f) Development is outside village area and contrary to the local plan
  - g) The development is not identified in the emerging Local Plan and was rejected through the 'call for site' exercise as being unsustainable
  - h) Light, noise and air pollution
  - i) Impact on ecology/biodiversity and trees/hedgerows and concerns about protection and maintenance of these areas which should be maintained through the Section 106
  - j) Harm to historic environment, countryside and residential character
  - k) Layout, design and materials
  - l) Harm to residential amenity
  - m) Inappropriateness of proposed play area and ecology area
  - n) The application is premature in light of the proposed Neighbourhood Plan
  - o) The housing mix is inappropriate
  - p) Noise and disturbance

- q) Disabled access not considered
- r) Drainage problems and flood risk
- s) Limited utility services in the area
- t) The application is inappropriate in outline format in such an environmentally and historically sensitive location
- u) Limited garden spaces
- v) Concerns about the access to the farmers track to the southerly fields will form the basis of another planning application. It is unnecessary and unacceptable as there is currently access from the track lower down Mill Street
- w) Loss of greenfield land, other sites (particularly brownfield sites) should be considered first
- x) Security threat from the public path
- y) Need to ensure there are appropriate energy reduction measures in place
- z) Inconsistencies in the height of the wall drive and property of 48 Mill Street and illustrative street scene which means the houses will be much higher due to the bank.
- aa) Only minor changes have been made since the previous application.
- bb) Need for developer contributions towards the expansion of the doctors and pedestrian cycle way towards Woodview Farm Shop.

127. Further consultation was conducted on the additional illustrative sections and elevations which were sent out for public consultation until 13 January 2017. The following summarised comments were received from Thrumster, Mill Street, 48, 51 and 61 Mill Street; 5, 10, 13 and 17 West Road and West Road Action Group, objecting due to:

- a) The changes to the Mill Street elevation with the higher hedge disguises the detail of the house base line and the height of the buildings are three feet higher than originally indicated. This information is not illustrative and provides key information which exacerbates the impact on the landscape, heritage and amenity concerns.
- b) Number 48 on the illustrative sections is now shown as a wedge shape rather than an apex on sections D-DD, C-CC and G-GG
- c) The Mill Street properties are set back by 26ft from the pavement wall as opposed to 13 ft on the previous application which will not alter the visual impact when arriving to the village
- d) Impact on setting of Listed Buildings and Mill Street
- e) The set back of the dwellings from the Mill Street frontage is not guaranteed, nor is the number of houses on Mill Street
- f) The style and appearance of the houses proposed for Mill Street is inconsistent and unclear
- g) Biodiversity impact and concerns about the quality of the Ecology report
- h) Concerns regarding the loss of trees and the impact this will have on white-spotted pinion moth and square spotted clay which are protected species. No assessment has been conducted on the value of these species
- i) The farm access should be removed as this will facilitate future development
- j) Loss of important green space
- k) Loss of privacy on Mill Street properties
- l) Highway safety issues due to the traffic generated from the development and car parking concerns on Mill Street, West Road and Wooton Field
- m) Significant impact on overstretched doctors and social facilities
- n) Drainage problems and flood risk
- o) The boundary between the existing gardens along West Road should include a buffer zone and be restricted to 2 storey dwellings
- p) New elevations show the reasons the previous application was refused, this application has not overcome these reasons

- q) Objection to the accuracy of the illustrative drawings
- r) Concerns raised about the 14 day consultation period allowed for the further illustrative material which superseded Illustrative Street Elevations Options 1 and 2 and accessing the latest sectional diagrams.
- s) The application should have been made invalid due to the inaccurate Illustrative Street Elevations first provided.
- t) Concerns raised about whether the application has been advertised in the local newspaper
- u) Concerns raised that through the public consultation event there was no desire to discuss the application with the public.

**128. Site and Proposal**

The site is located west of Mill Street and comprises land used mainly for the grazing of animals south of West Road. The site is outside but adjacent to the boundaries of the village framework and conservation area of Gamlingay.

129. The outline application is for development of the land for residential development with up to 29 dwellings. Access is applied for in detail.

**Principle of Development**

130. 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.
131. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.7 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and the latest assessment of housing delivery (in the housing trajectory November 2016). 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.
132. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely as so not to be restricted 'merely to policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However the Court of Appeal has confirmed that even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should be attached to such relevant policies having regard, amongst other matters to the purpose of the particular policy.
133. In the case of this application, policies which must be considered as potentially influencing the supply of housing land include ST/2 (Housing Provision) and ST/5 (Minor Rural Centres) of the adopted Core Strategy and adopted policies DP/1

(Sustainable Development), DP/7 (Development Frameworks), NE/4 (Landscape Character Areas), NE/6 (Biodiversity), CH/2 (Archaeological Sites), CH/4 (Development Within the Curtilage or Setting of a Listed Building) and CH/5 (Conservation Areas) of the adopted Development Control Policies. Policies S/7 (Development Frameworks), S/9 (Minor Rural Centres), NH/2 (Protecting and Enhancing Landscape Character), NH/4 (Biodiversity) and NH/14 (Heritage Assets) of the draft Local Plan are also material considerations and considered to be relevant (draft) policies for the supply of housing.

134. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).
135. Policy ST/5 of the adopted Core Strategy permits residential development of up to 30 dwellings within the village framework. The site is located outside the framework, given that the site adjoins the village framework, the site is relatable to the village geographically and is dependent on its services and facilities. ST/5 also forms part of a suite of policies, which operate to direct new development to settlements which have an appropriate level of services to meet the requirements of new residents.
136. The Council considers this assessment should, in the present application, have regard to whether the policies continues to perform a material planning objective and whether it is consistent with the policies of the NPPF. In light of the lack of five-year housing land supply and having regard to recent local appeal decisions, the rural settlement policies are considered to be relevant policies for the supply of housing. Therefore existing Policies ST/5 and DP/7 which form part of a suite of policies to control the distribution and scale of new housing can be afforded considerable weight since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided.
137. The precise level of services and job opportunities, their accessibility and their sufficiency to meet the needs of proposed development, will need to be considered on case by case basis. Subject to that matter, and to other material considerations, it is considered that this would mean that the Council will in principle grant permission for development in and adjacent to our larger villages notwithstanding a conflict with rural settlement policies which apply to such settlement. To do so his would also be consistent with in the context of paragraph 14 of the NPPF since, in principle, the grant of planning permission should not give rise to an adverse effect sufficient to outweigh the benefits of housing delivery. and the test that permission should be granted unless there would be evidence of significant harm. This is consistent with local appeal decisions in this category of village since the lack of five-year supply. Paragraph 7 of the NPPF states there are three dimensions to sustainable development: economic, social and environmental, which are mutually dependent. These are assessed below in relation to the proposed development.

### **Economic**

138. The proposed development would give rise to a number of economic benefits. In the short term this would include the creation of jobs in the construction industry as well as the multiplier effect in the wider economy arising from increased activity. The provision of housing would help meet the needs of businesses within Gamlingay such

as at Green End and Mill Hill. Therefore the scheme would bring positive economic benefits thus complying with this dimension of sustainable development.

## **Social**

### **(a) Provision of new housing including affordable housing**

139. Chapter 6 of the NPPF relates to 'delivering a wide choice of high quality homes' and seeks to '*boost significantly the supply of housing*' placing importance on widening the choice of high quality homes and ensuring sufficient housing (including affordable housing) is provided to meet the needs of present and future generations.
140. There remains a significant shortage of deliverable housing sites in the district. The development would provide a clear public benefit in helping to meet the current housing shortfall in South Cambridgeshire. The site would deliver up to 29 residential dwellings within 5 years from the date of granting outline which is clearly demonstrated through the delivery statement and indicative delivery programme. The reserved matters application condition has been agreed with the developer to be provided for approval no later than 18 months from the date of permission and the development shall take place no later than 18 months from the date of the approval of the last of the reserved matters. Officers are of the view significant weight should be afforded to this benefit in the decision making process.

### **(b) Density**

141. Housing density Policy HG/1 is applicable in this instance and seeks a minimum density of 30 dwellings per hectare, unless there are exceptional local circumstances that require different treatment. The site is 1.32 hectares and 29 dwellings constitutes 22 dwellings per hectare. Given the sensitive location of the development located just outside the development framework, abutting the Conservation Area and within the setting of Grade II listed buildings the density is considered appropriate for this location.

### **(c) Mix**

142. 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, approx. 25% 3 bedroom properties and approx. 25% 4 bedroom 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.
143. 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. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme policy compliant.

### **(d) Affordable Units**

144. Weight is being attached to the emerging Local Plan policy with regard to affordable housing which requires 40% affordable housing on new residential schemes for 3 or more dwellings. The proposed development can provide 40% affordable housing (i.e. up to 12 affordable dwellings) without comprising the financial viability of the scheme which is a significant benefit to the scheme and should be given significant weight in

determining the application. The first 8 affordable homes on each 5 year land supply site will be occupied by those with a local connection, the occupation of any additional affordable homes thereafter will be split 50/50 between Local Connection and on a District Wide basis. The final details of the affordable housing, together with their long term management will be conditioned and detailed in the S106 agreement.

#### **(e) Services and Facilities**

145. The South Cambs 2014 Services and Facilities Study for Gamlingay details a range of services and facilities in the village. These include a: bakery, butchers, post office, convenience store, local superstore, pharmacy, restaurant, chinese take-away, petrol station, butchers, allotments, community centre (eco-hub), church hall, sports centre (Gamlingay Village College), scout hut, recreation ground, primary school, village college, fire station, library and GP surgery.
146. The site is located less than 500m from the village centre and is within walking and cycling distance of many of these facilities. Residents of the development would therefore benefit from many of the walking distances to services and facilities set out in Chapter 6 of the District Design Guide. The indicative masterplan also shows generous space allocation for children's playspace on the site in the form of a Local Area of Play to comply with Policy SF/10.
147. Access to employment opportunities exist in Gamlingay at Green End and Mill Hill for example and the towns of St Neots and Biggleswade (circa 7-8 miles distance), as well as further afield in areas such as Royston (circa 12.6 miles distance).
148. From 6 April 2015, the Community Infrastructure Levy (CIL) regulations 6th April 2010 prevent local planning authorities from pooling S106 monies from more than 5 projects towards a specific infrastructure project. The council has already sought S106 monies from more than 5 projects towards open space and indoor community facilities in Gamlingay and officers are unable to seek further generic contributions of this sought under the CIL regulations. Therefore any further contributions can only relate to a specific project and must meet the following tests under the CIL regulations:
  - (i) Necessary to make the development acceptable in planning terms;
  - (ii) Directly related to the development; and
  - (iii) Fairly and reasonably related in scale and kind to the development
149. In terms of local community and sports provision, the applicant proposes contributions towards the following specific projects:
  - £35,000 for repairs and improvements to the Old Methodist Church
  - £30,000 towards relocation of the tennis courts and bowling green
  - £35,000 towards new play equipment at Butts Playground
  - £10,000 toward cycle link feasibility study along Mill Hill to the Farm Shop
150. The above contributions totalling £110,000 are towards specific projects for indoor community space and sports provision as well as facilitating a study into the cycle link along Mill Hill to the Farm Shop. These projects are considered to be CIL compliant and will add significant social benefits to the scheme. Gamlingay's Neighbourhood Plan has sent out questionnaires to the local community for employment sites along Mill Hill up to the County boundary with a cycle link forming a key sustainability requirement. The proposed development through the feasibility study will enable the Parish Council to take forward the cycle link project and is a key benefit to highlight.

151. Comments were provided by Cambridgeshire County Council with regards to education the current education set-up in Gamlingay is:
- Gamlingay First School – 5 year groups (ages 4-8)
  - Gamlingay Village College (middle school) – 4 year groups (ages 9-12)
  - Stratton Upper School – 3 year groups (ages 13-5) plus post 16
152. Proposals were published on 27 September 2016 to move Gamlingay to be part of the catchment of Comberton Village College (from September 2017) and for there to be one school in Gamlingay, a full primary school. If the proposals are approved then the set-up would therefore be:
- Gamlingay Primary School – 7 year groups (ages 4-10)
  - Comberton Village College – 5 year groups (ages 11-15) plus post 16
153. The information below gives an indication of the requirements for both scenarios (e.g. if the proposals are approved or if they are not).
154. a) Early Years – The development will generate a net increase of 9 early years aged children, 5 of which are entitled to free school provision. There is insufficient capacity in the area in the next 2 years to accommodate the places being generated by this development. Therefore a contribution will be required through the early year's classroom project (providing 26 places) at Gamlingay First School. The total costs of the project is £480,000 (at 2Q2016 – contributions in the S106 will need to reflect the increases in indexation from this date). The cost per place is therefore £18,462 (£480,000/26)
155. Therefore a contribution of £92,310 for early years is sought from the development (£18,462 x 5 places).
156. The current project (of an early year's classroom at Gamlingay First School) is likely to change if the consultation proposals are approved as Gamlingay First School would be replaced by Gamlingay Primary School (although there would be no increase in available funds from this site). This money will then be designated to an unknown project for the Parish Council to administer in conjunction with the County Council.
157. b) Primary School - The development would generate a net increase of 8 children under the catchment of Gamlingay First School.
158. If the consultation proposals are approved this would be 11 primary aged children as the new primary school would accommodate 7 year groups. Both scenarios confirm there insufficient capacity to accommodate this extra demand. Therefore, financial contributions are sought from this development towards primary education facilities through expansion at Gamlingay Primary School or if the proposals are not approved the expansion of Gamlingay First School and the level of contribution would not change. The total cost of the project is £561,736 and once funds have been secured from other development the outstanding balance is £513,835. The remaining cost will be shared between the development at Land at Green End Industrial Estate (S/2068/15) and Land South of West Road. Based on the net number of dwellings at each development a contribution of £128,459 for primary education is sought from this development.
159. c) Secondary School - The development would generate a net increase of 6 secondary aged children at Gamlingay Village College and 5 at Stretton Upper School. If the proposals are approved there would be 8 secondary aged children within the catchment of Comberton Village College. There is sufficient capacity at Gamlingay Village College or Comberton Village College therefore no contribution is



sought on this basis.

160. Bedfordshire County Council has confirmed the impact on Stratton Upper School will be managed through the planned expansion.
161. Officers have been made aware the consultation on the proposal to move Gamlingay to be part of the catchment of Comberton Village College (from September 2017) and for there to be one school in Gamlingay, a full primary school on the Middle School site has in principle been agreed. However, this decision is still awaiting ratification from the Board of Trustees.
162. d) Libraries and Lifelong – There is a statutory library provision service in Gamlingay delivered through two mobile library stops and a volunteer run library in the Gamlingay Eco Hub. The development would result in an increase in population of 73 residents. The demand placed on this existing service requires a contribution of £4.08 per head of increase of population. This amounts to a total contribution of £297.84 (£4.08 x 73).
163. e) Strategic Waste – The application falls within the St Neots HRC catchment area for which there is insufficient capacity to meet the demands of the proposed development. New dwellings in this are required to contribute £181 per dwelling, which totals £5,249.00 in this application.
164. Members should note Cambridgeshire County Council have requested a financial contribution to cover their own S106 monitoring activities but, having regard to a decision determined by the Planning Court on 3 February 2015, officers do not consider that such a request satisfies the tests as set out in CIL Regulation 122. Therefore this contribution is not proposed to be secured. For further information on this issue please refer to Oxfordshire CC v Secretary of State for Communities and Local Government [2015] EWHC 186 [Admin]).
165. The total S106 contributions will be £354,324.84 which totals £12,218.09 per dwelling and is a significant level of contributions for outline consent for 29 dwellings which should be given significant weight in the determination of this application.

## **Environmental**

### **(a) Travel, Access and Parking**

166. One of the core principles of the NPPF is to “actively manage patterns of growth to make the fullest possible use of public transport.” Chapter 4 advises “the transport system needs to be balanced in favour of sustainable transport modes.” However “different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.” In summary, the NPPF seeks to promote sustainable transport solutions, whilst recognising the difficulty of achieving this in rural areas.
167. Adopted Policy TR/1 states that planning permission will not be granted to developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non car modes.
168. Gamlingay does not have a train station and the nearest train stations are located in Biggleswade (6.6 miles away) and St Neots (7.5 miles away). However, Gamlingay is served by bus routes to Cambridge, Cambourne, Comberton, Biggleswade, Sandy, Hitchin, Royston and St Neots. Several bus stops are located within walking distance

of the site. The frequency of these services ranges but officers are of the view the site is relatively well served by public transport.

169. Footpath access is provided from the site to the centre of the village. A footpath/cycle link is proposed to the east boundary of the site connecting it to Mill Street. The Local Highway Authority (LHA) has asked for an uncontrolled crossing at this point (i.e. a dropped kerb), which will enable users to cross over to the public bridleway on the opposite side of the road. This is achievable and can be detailed at reserved matters stage. The width of this footpath/cycle path link is shown indicatively on the masterplan and will need to be extended in width to 3.5m to accommodate the recommendations of the LHA and allay crime concerns. This can be addressed at reserved matters stage.
170. Traffic generation has been raised as a concern in this application by local residents. The submitted updated Transport Statement (dated August 2015) has identified that there is sufficient capacity to support the development without compromising highway safety taking into account the recent development of 10 dwellings along West Road. The Local Highway Authority has assessed this report and raises no objection to the principle of 29 dwellings in this location.
171. The applicant has submitted drawing to demonstrate that 2.4m x 70m visibility splays can be achieved at the junction of Mill Street and West Road. This overcomes the concern of the LHA.
172. The LHA is satisfied that the proposal will have no significant adverse effect upon the public highway subject to conditions governing: falls and levels of driveways (to prevent run-off); bound material next to access with public highway; a traffic management plan to be agreed which can be dealt with at reserved matters stage.
173. The indicative masterplan shows that there is sufficient space to achieve 1.5 parking spaces per dwelling and 1 secure cycle space per dwelling in accordance with Policy TR/2. Visitor parking can also be achieved in addition to this.

#### **(b) Landscape, Village and Historic Character**

174. Policy NE/4 (Landscape Character Areas) of the LDF and policy NH/2 (Protecting and Enhancing Landscape Character) of the draft Local Plan relate to the supply of housing, and are therefore considered as being out date. However, the aims of the policy are to ensure development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area. The importance of the landscape is reflected in the National Planning Policy Framework adopted 2012 (NPPF) which in paragraph 109 states the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscape. This is also echoed through paragraph 17 which recognises the intrinsic character and beauty of the countryside. Therefore existing policy NE/4 which affects the scale and density of new housing can be afforded considerable weight.
175. In terms of landscape impact the greatest magnitudes are limited to receptors immediately adjacent to the site, dwellings immediately to the north, views on the Public Right of Way leading to Potton Wood and views as one approaches the village from a southerly direction.
176. There is significant landscape mitigation proposed through the retention of tree and hedgerow planting around the boundary of the site and a 7m wide native buffer verge

along the southern boundary in addition to the existing retained hedgerow. The planting will reinforce the existing boundary, reducing visual harm as well as screening views into the site. The development will continue the edge of village character with houses set behind trees and hedges.

177. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special regard shall be paid to desirability of preserving or enhancing the character or appearance of that area.
178. Planning policy CH/5 (Conservation Areas) of the LDF and policy NH/14 (Heritage Assets) of the draft Local Plan relate to the supply of housing, and are therefore considered as being out of date. However, the aims of the policy are to ensure development within and impacting the setting of Conservation Areas which consist of areas of special architectural or historic interest and because the overall quality of the area, its mix of uses, historic layout, characteristic materials, scale and detailing of buildings and open spaces preserve or enhance the character and appearance of the area.
179. These policies are consistent with the NPPF paragraph 129 which seeks to ensure the significance of the heritage asset is taken into consideration that may be affected to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal. It is also consistent with paragraph 131 of the NPPF which states in determining planning applications local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Therefore existing policy CH/5 which affects the scale and density of new housing can be afforded considerable weight
180. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to preserving or enhancing the character or appearance of a Listed Building.
181. The *Barnwell* judgement indicates that any harm caused to a listed building via its setting should be given great weight in any such balancing process derived from paragraph 134. This directly stems from S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This places a statutory duty on the decision maker to 'have regard to the desirability of preserving', i.e. keeping from harm.
182. With regard to policy CH/4 (Development Within the Curtilage or Setting of a Listed Building) of the LDF and policy NH/14 (Heritage Assets) of the draft Local Plan relate to the supply of housing, and are therefore considered as being out of date. However, the aims of the policy are to ensure development does not cause adverse harm by dominating the Listed Building or building in its curtilage by scale, form, mass or appearance or harm the visual relationship between the Listed Building and its formal or natural landscape surroundings.
183. These policies are consistent with the NPPF paragraph 129 which seeks to ensure the significance of the heritage asset is taken into consideration that may be affected including development affecting the setting of a heritage asset to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal. Therefore existing policy CH/4 which affects the scale and density of new housing can be afforded considerable weight.
184. Paragraph 128 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. The level of detail

should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

185. The Built Heritage Statement by RPS CgMs dated July 2016 sets out there are a number of listed buildings, all Grade II within Gamlingay Conservation Area to the east and northeast of the site. The Heritage Statement details the School next to the Baptist Chapel on Honey Hill; the Baptist Chapel itself, Blythe Farmhouse, Mill Street; Barn at Blythe Farmhouse; milestone in garden wall to 34 Mill Street and 38 Mill Street have been discounted from further consideration due to negligible or complete lack of visibility or functional association with the site. Their lack of intervisibility is due to their situation within the dense built up area of the southern part of the Conservation Area.
186. The significance of 53-55 Mill Street, 57 Mill Street as well as Mill House, 61 Mill Street and 6 Honey Hill, and Gamlingay Conservation Area including the contribution made by their setting and listing description is included in the assessment. Therefore it is considered the requirement of paragraph 128 has been met by the applicant.
187. The assessment made in the Built Heritage Statement by RPS CgMS dated July 2016 with regard to the impact on the setting of 53-55 Mill Street, a Grade II listed building states there will be a degree of intervisibility with the asset. It is deemed to be at an extreme oblique angle combined with the strengthened planting of the existing boundary hedge adjacent to Mill Street. The impact on the setting of this building is considered to be neutral.
188. With regard to the setting of 57 Mill Street and its wider setting the proposed development will have a degree of intervisibility at an oblique angle. However, the rear gardens of the two units address Mill Street with the houses set away from Mill Street and the impact on the setting of this building is considered to be neutral.
189. The Mill House, 61 Mill Street and 6 Honey Hill is a Grade II listed building. Its significance is derived from the special architectural and historic interest of the fabric and form of the building itself. Its immediate setting of its grounds and adjacent streetscape provide a secondary input to its significance, and this is of particular importance due to the landmark status of the building as a strong marker to the southern entrance to the village.
190. It sits opposite the Mill Street frontage of the site, however, it is the main southern aspect that offers the greatest experience of the asset when approaching Gamlingay from Potton to the south. The extended setting including the Mill Street frontage of the site provides a small contribution to the asset's significance as part of the open landscape to the south of Gamlingay. Only Plots 15 and 16 will have some intervisibility with the asset and this is perpendicular to the buildings main aspect and façade.
191. Plot 16 will be directly opposite the rear of the plot although this is restricted by a high wall topped with lapboard and a number of mature trees forming the side boundary to Mill Street. The rear boundary of the hedge above Mill Street will be strengthened with further planting and the current tunnel effect of the view from the south up Mill Street. Therefore it is considered there will be a small degree of negative impact on this building.
192. With regard to the impact on the Conservation Area which abuts the site along the Mill

Street frontage this is considered to be of moderate significance. The significance of this is derived from the close knit morphology which is urban in character in the core of the village and the strong sense of enclosure to the streets. The site is visually dislocated due to the elevated and hedged eastern boundary and the twentieth century houses in the south-western corner of the site showing that direct inter-visibility from the site to the Conservation Area is limited. Distant sequential views from the south taking in the southern edge of the area and harsh built edge means there will be a small degree of negative impact on the Conservation Areas significance. The inter-visibility is largely restricted to the eastern portion of the site abutting Mill Street.

193. The Heritage Statement concludes that great weight should be afforded to any harm to the identified assets significance cause by the proposed scheme and that this gives rise to less than substantial harm with the public benefits outweighing any harm to the identified heritage assets significance as identified under paragraph 134 of the National Planning Policy Framework. This is the case the agent has put forward to the Local Planning Authority.
194. The assessment of the application has firstly paid regard to paragraph 132 of the National Planning Policy Framework which 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 assets 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.
195. Paragraph 134 of the National Planning Policy Framework 2012 states 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.
196. The South Cambridgeshire Village Capacity Study (1998) describes Gamlingay as set on the Greensand Ridge in an undulating landscape. Gamlingay Wood is prominent to the north across open arable fields. To the east, south and west the landscape is more enclosed with small fields and hedgerows. To the south the land falls down to Millbrook and then rises again towards Potton. There are wide views north to the village from Potton Road over the large field to the south of the site which extends all the way to Millbridge Brook, with the existing housing visible in the distance above hedgerows. The open field to the south of the site provides the most visible element of the immediate setting for Gamlingay when approaching from the south. Arrival in the village being marked by the Listed Building at the corner of Mill Lane and Honey Hill (61 Mill Street aka 6 Honey Hill) which is to the south eastern corner of the site
197. Numbers 53-55 Mill Street are located 25 m from the site in the north north eastern corner and there will be very limited inter-visibility with this Grade II listed building and its setting. Numbers 57 Mill Street and The Mill House, 61 Mill Street and 6 Honey Hill are also Grade II listed buildings located on the opposite side of Mill Street from the site and within the Conservation Area. These dwellings will have some inter-visibility with Plots 15 and 16 of the proposed development with the site being perpendicular to The Mill House, 61 Mill Street and 6 Honey Hills' main aspect and façade.
198. In terms of the impact on the Conservation Area and setting of the Grade II listed buildings the indicative masterplan submitted with the application shows the two dwellings set back from Mill Street. The Development Framework Parameters Plan (to scale) indicates a no build zone to include residential gardens of 8m fronting Mill

Street with a pedestrian access point of 3.5m wide and 1.5m soft landscape boundary which can be conditioned. This is combined with limiting development to 1.5 storeys across the front part of the site as detailed on the Building Heights Parameters Plan.

199. The suggested design (dormer windows etc) appears broadly in-keeping with character of the Conservation Area, though the plan depth of the houses should be reduced to a more traditional proportion which would be dealt with within the reserved matters.
200. The reserved matters stage would also deal with the formation of pedestrian accesses from any properties along Mill Street, to the existing pavement along Mill Street to ensure good principle of urban design. It would ensure that the elevational treatment of the houses aligning Mill Street will not appear as “backs” but they will be designed as dual aspect houses and therefore still offer a positive frontage to Mill Street, despite being set back behind the hedge, and having vehicular access from within the site. It could include a condition to restrict the future occupants of any units facing Mill Street from erecting structures such as sheds adjacent to Mill Street and ensure the design of the houses adjacent to Mill Street are designed to preserve or enhance the character of the Conservation Area to which they abut.
201. These measures would be considered to cause less than substantial harm to the setting of the Conservation Area and Grade II listed buildings in accordance with paragraph 134 of the National Planning Policy Framework 2012. Therefore this limited harm should be weighed up against its public benefits and including securing its optimum viable use.
202. The height of the development above the road is a material consideration that needs to be taken into account and has been included in the assessment. The existing height of the application land can be ascertained from the submitted block plan (C,1,830) showing the topography of the site. The amended ‘Illustrative Sections and Elevations’ plans whilst they are not part of the determination at outline stage provide an illustration of how the parameter plans might be translated at reserved matters stage. This is through the design of a typical 1.5 storey dwelling, 6.5m high taken from the existing site level as shown on Illustrative section H-HH.
203. The dwellings will be restricted to 1-1.5 storeys at the east end of the site as detailed on the Building Height Parameter Plan (SZ258000027-202 Rev B) and will be set back from Mill Street as shown on Development Framework Parameter Plan (SZ258000027-201 Rev B) which would be conditioned. This enables a proper assessment of the impact on the character of the village, open countryside, setting of the listed buildings and Conservation Area appropriate to the outline nature of the application.
204. Final issues regarding layout and design cannot be considered in this outline application and will be subject to assessment at reserved matters stage. Nonetheless, Officers are of the view that the indicative masterplan and housing density demonstrates that the site can accommodate up to 29 dwellings and provide sufficient space for private garden areas, informal open space, children’s playspace, parking, landscaping and access.
205. The development is considered to lead to less than substantial harm to the significance of the Grade II listed buildings and Conservation Area in line with paragraph 132 of the NPPF 2012. This harm should be weighed against the public benefits of the proposal. It is considered the development will provide a significant contribution to the lack of 5 year

housing land supply and chronic shortage of affordable housing as well as providing significant economic benefits which will secure the optimum viable use of the site. It is therefore considered the present application overcomes the previous reasons for refusal under S/1338/15/OL which was the harm to the setting of the Listed Buildings and Conservation Area as well as the impact on the character of the village and open countryside.

### **(c) Ecology, Trees and Hedges**

206. The application is supported by an ecological assessment, which does not identify any significant biodiversity constraints to development of this site. The ecology report states that reptiles are present on the site and a scheme of mitigation will be finalised. This would involve the relatively large parcel of land to the south of the site (that is within the applicant's ownership), being allocated for ecological gain only. This approach is accepted by the council's ecology officer.
207. The ecology officer has agreed that the grassland meadow habitat does not represent an important botanical site. The site is bounded on two of its sides by relatively low value hedges. One of the hedges contains a number of dead and dying elms, the other appears to be dominated by hawthorn that would be integrated into a buffer planting screen.
208. Concerns have been raised regarding the Ecology report and whether it has addressed the S41 protected white-spotted pinion moth and square spotted clay moth. Whilst invertebrates are not mentioned in the ecology report, notable records were searched for from CPERC so records of Section 41 moth species should have been assessed. It is noted that whilst any conclusions relating to notable invertebrate species should have been detailed in the ecological report, it is not standard practice to ask for an invertebrate survey unless European Protected Species, Schedule 5 Species on the Wildlife and Countryside Act or Section 41 species are reasonably likely to be present and impacted, in accordance with Natural England standing advice. Whilst the two species are notable due to localised distribution, only the white-spotted pinion moth is listed on Section 41 of the NERC Act 2006. There are no CPERC invertebrate records for the site itself but there are notable moth species, including Section 41 species, recorded in the wider area.
209. The square-spotted clay moth is found in deciduous woodland on chalk, gravel or clay with scattered undergrowth. The species can also be found in hedgerows, heathland or scrub. There appears to be an association with nettle growing under elm in the larval stage.
210. Caterpillars of white spotted pinion moth feed on English elm and wych elm, preferring suckers growing from the trunks known as epicormic growth. Habitats where the species is found are commonly woodlands, copses and shelterbelts.
211. There is no woodland or dense treelines on site. There is a small amount of elm. However, these are immature specimens, many of which were dying. The elms did not have epicormic growth. The site is therefore considered to be sub-optimal habitat for both species. In addition, the tree constraints plan shows that most trees including the southern boundary hedgerow will be retained.
212. The landscape buffer planting and area in the south-west corner of the site should seek to improve conditions for these moth species within the site to meet LDF policy NE/6. A condition has been added with a requirement for enhancement measures so that this would benefit moth and other wildlife species. A condition has also been

attached as part of any reserved matters application requiring details of the external lighting to ensure wildlife habitat is protected.

213. The hedging will also be retained along the eastern boundary of the site with Mill Street which is an enhancement to the previously refused application S/1338/15/OL.
214. The submitted tree survey confirms the location of two medium sized oak trees at the western end of the site. Their position is sufficiently distanced from the indicative dwellings and roadways to ensure their long term retention. The Trees Officer has no objection to the application and requests two conditions, an updated arboricultural impact assessment and tree protection strategy to reflect the detailed layout in accordance with British Standard BS5837 for the approval of the LPA which will ensure retention of the hedge. The second condition involved prior to commencement, site preparation or the delivery of materials to site the tree protection measures recommended in the approved tree protection strategy shall be erected and remain in position until practical completion of the implementation of the development.
215. The final design of the ecological enhancement scheme, management and monitoring will need to be agreed as part of the S106 agreement. A clause is recommended to secure habitat creation in advance of any site demolition, archaeological investigation, ground works or infrastructure works.
216. Pond restoration is also proposed and welcomed by the council's ecology officer. Public access to the pond will be created as part of this scheme. The measures to deliver ecological gain in the form of specialist nesting boxes for swifts and for bats are also welcomed.
217. Consequently, the creation of the ecological mitigation habitat and enhancements to the existing pond promote an ecologically sustainable approach to the development.

#### **(d) Noise, Light and Air Pollution**

218. The Council's Environmental Health Officer raises no objection to the principle of the development subject to conditions to control:
  - construction noise, vibration, dust etc;
  - artificial lighting;
  - operational waste and recycling/waste management strategy in accordance with the RECAP Waste Management Design Guide Toolkit
219. These details can be controlled by way of condition or in any subsequent reserved matters application to address the concerns of neighbours. Subject to these conditions, the development would accord with adopted Policies DP/3, NE/14 and NE/15.

#### **(e) Residential Amenity**

220. The site is surrounded by residential properties to the north, east and west. The application is only in outline form but the parameters plan shows a no build zone of 8.5m which widens to 10.5m for the majority of the dwellings along West Road and then a 5m soft landscaping bound which will be conditioned. There is also an area of public open space near Wooton Field. Most of the West Road properties to the north of the site benefit from generous rear gardens (over 25m in length) allowing rear-to-rear distances in excess of the minimum 25m distance set out in paragraph 6.68 of



the council's District Design Guide.

221. The Parameters Plan which can be conditioned shows a 3.5m wide pedestrian access point and 1.5m soft landscape boundary along the side boundary with 48 Mill Street which is a bungalow and is considered a sufficient degree of separation. The key changes to this application are there is now an 8m no build zone fronting Mill Street with the two dwellings significantly set back which reduces the impact on 48 Mill Street.
222. The Building Heights plan which can also be conditioned shows 1-1.5 storey dwellings along Mill Street and along the southern boundary of 48 Mill Street with 1-2 storey dwellings to the rear of 48 Mill Street. The Illustrative masterplan shows a single storey element nearest this dwelling and this can be carefully designed at reserved matters stage which will further ensure there is not a significant overbearing impact on the bungalow of 48 Mill Street, which has received planning permission for extensions (S/0598/13/FL). The scheme is now considered to overcome the previous overbearing impact, one of the reasons for refusal under S/1338/15/OL.
223. The illustrative masterplan shows that on the whole sufficient garden spaces can be achieved for the 29 dwellings, although further negotiation on this issue will be required at detailed design stage and can be addressed at reserved matters stage.

#### **(f) Archaeology**

224. The comments of CCC archaeology are acknowledged. A condition requiring a programme of archaeological investigation to be secured prior to the commencement of development is recommended.

#### **(g) Flood Risk, Surface Water Drainage and Foul Water**

225. The Cambridge County Council Flood and Water Management Team have confirmed that the surface water drainage scheme is considered acceptable in principle. A condition is recommended to secure a detailed surface water drainage scheme prior to the commencement of the development and a or long maintenance arrangements for any parts of the surface water drainage system which will not be adopted.
226. Anglian Water has confirmed there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.
227. The foul drainage from the development is in the catchment of Gamlingay Water Recycling Centre that will have available capacity for these flows and the foul sewerage network has available capacity for these flows.
228. The Environment Agency raises no objection, subject to conditions and informatives governing: groundwater and contamination issues; no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority; piling foundations; and a scheme for the provision and implementation of pollution control of the water environment. These conditions are agreed except for contamination, which is addressed below.

#### **(h) Contamination**

229. The comments of the Contaminated Land Officer are noted. The Phase One Desk Study Report by Richard Jackson dated April 2015 notes some on site potential

sources of contamination as well as several potential off site sources. In agreement with the recommendations of the report that intrusive investigations are required for the application site, to include the monitoring of potential ground gas. Therefore a condition is required detailing a scheme for the investigation and recording of contamination.

**(i) Energy**

230. The Energy and Sustainable Design Statement by Frith: Blake Consulting Ltd applicant has proposed a 25% reduction in carbon emissions through the use of renewable energy. This exceeds the 10% reduction required under adopted Policy NE/3. Although there will be no formal compliance with Code for Sustainable Homes (the scheme is due to be phased out) the requirements of the Code will be used as a basis to discuss the potential energy saving options and there will be an 'off plan' Enhanced Sustainability Home incorporating a host of sustainable technologies available for potential purchasers.
231. The final scheme of renewable energy is subject to further detailed design and is therefore recommended to be secured by condition.

**(j) Water Conservation**

232. A condition is recommended to ensure the development incorporates all practicable water conservation measures at detailed design stage in accordance with adopted Policy NE/12.

**(k) Waste**

233. Very little information is provided in the application on the development's compliance with the RECAP design guide. It is agreed that this is often a detailed design matter and adequate information would need to be provided on operational waste and recycling provision. This can be secured by planning condition.

**(l) Environmental Impact Assessment (EIA) Screening**

234. The local planning authority previously considered a request for a screening opinion of this site in 2014 and confirmed that the proposed development is not EIA development. This view is maintained in this application.

**Other considerations**

**Crime, Fire and Rescue and local consultation**

235. Crime and security will need to be considered as part of any reserved matters application.
236. The comments of Cambridge Fire and Rescue Services are noted and a condition is agreed to secure a scheme of fire hydrant provision to serve the site.
237. Objections have been raised by local residents in relation to the small changes to this resubmission and engagement with them by the developer. During the application process the developer has extensively engaged with the local community which included a public meeting held on 18 October 2016. On this basis, officers are satisfied that a reasonable level of public engagement and consultation has been

carried out.

238. Illustrative Street Elevations Option 1 and option 2 were sent out for public consultation on 19 September 2016 as part of the application. Illustrative Street Elevations Option 1 showed the refused application S/1338/15/OL and Illustrative Street Elevations Option 2 shows the illustrative proposals for the current application S/2367/16/OL.
239. Concerns were raised about the accuracy of the illustrative plans and this leading to misrepresentation. Subsequently further illustrative material was prepared in response to comments made by residents and includes the following plans:
- Illustrative section H-HH: Ref: UDS30092-A1-0207;  
Illustrative section elevation G-GG: Ref: UDS30092-A1-0207;  
Illustrative section F-FF: Ref: UDS30092-A1-0206;  
Illustrative section E-EE: Ref: UDS30092-A1-0205;  
Illustrative section D-DD: Ref: UDS30092-A1-0204;  
Illustrative section C-CC: Ref: UDS30092-A1-0203;  
Illustrative section B-BB: Ref: UDS30092-A1-0202; and  
Illustrative section A-AA: Ref: UDS30092-A1-0201;
240. These plans supersede all previous illustrative sections and elevations. This information was sent out for further consultation to neighbours and the Parish Council. Due to the need to carefully consider the objections raised in consultation with the Legal Officer it was agreed to further extend the consultation period and defer the application until February 2017.
241. The application has been advertised in the Cambridge Independent News in line with the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning (Development Management Procedure) (England) Order 2015.
242. The illustrative information does not go to the heart of the decision due to the nature of the application being outline in format.
243. Any further comments received will be provided through a verbal update at Planning Committee.

### **Conclusions**

244. In determining this application in the context of a lack of five year housing land supply 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.
245. There are significant economic and social benefits to the scheme. In terms of economic benefits in the short term this would include the creation of jobs in the construction industry as well as the multiplier effect in the wider economy arising from increased activity. The provision of housing would help meet the needs of businesses within Gamlingay such as at Green End and Mill Hill in the medium to long term.
246. The development would provide a clear public benefit in helping to meet the current housing shortfall in South Cambridgeshire. The site would deliver up to 29 residential dwellings which is clearly demonstrated through the delivery statement and indicative

delivery programme. The reserved matters application condition has been agreed with the developer to be provided for approval no later than 18 months from the date of permission and the development shall take place no later than 18 months from the date of the approval of the last of the reserved matters. Officers are of the view significant weight should be afforded to this benefit in the decision making process.

247. The site is located less than 500m from the village centre and is within walking and cycling distance of many of these facilities in Gamlingay which residents of the development would therefore benefit from. The development will gain contributions to ensure there is capacity at early years and primary school level in terms of education. The developer has agreed to a significant package of enhancements including repairs and improvements to the Old Methodist Church, relocation of the tennis courts and bowling green, new play equipment at Butts Playground and a feasibility study to enable the Parish Council to take forward the cycle link project.
248. It is considered that the scheme includes significant positive elements which enhance social sustainability. These include the provision of 40% affordable housing within the development and public open space.
249. Planning application S/1338/15/OL was refused due to it being visually dominant causing significant harm to the character of the village and open countryside, harm to the setting of the Conservation Area and Grade II listed buildings and its overbearing impact on the dwellings at Mill Street and West Road.
250. The present scheme provides a number of material changes. These can be summarised as:
- The Block Plan, Development Framework Parameters Plan and Building Heights Parameters Plan including the illustrative site layout show significant improvements and sufficiently demonstrate that up to 29 units could be located on the site in a manner that would not cause significant landscape harm.
  - Significant landscape mitigation proposed through the retention of trees and hedgerow planting and a 7m wide native buffer verge along the southern boundary. The planting will reinforce the existing boundary, reducing visual harm and screen views into the site.
  - There is also the retention of the existing native hedgerow on Mill Street adjacent to the Conservation Area boundary which will preserve the local landscape characteristics and reduce visual harm to the site.
  - In terms of the impact on the Conservation Area and setting of the Grade II listed buildings the illustrative site layout submitted with the application shows the two dwellings along Mill Street set back with a no build zone to include residential gardens of 8m as detailed on the Development Framework Parameters Plan.
  - A pedestrian access point of 3.5m wide and 1.5m wide soft landscape boundary, the details of which can be conditioned, adjacent to 48 Mill Street. This combined with limiting development to 1.5 storeys as shown on the Building Heights plan abutting Mill Street shows significant improvements from the refused application. As such, there is now considered to be less than substantial harm to the setting of the Conservation Area and Grade II listed buildings.
  - In terms of residential amenity impact there is a no build zone of 8.5m which widens to 10.5m for the majority of the dwellings along West Road and then a 5m soft

landscaping bound which is a significant degree of separation. There is also an area of public open space near Wooton Field. Setting the dwellings on Mill Street 8m back within the site and limiting them to 1-1.5 storeys high as detailed on the Building Heights Plan mitigates the impact on 48 Mill Street.

- The Building Heights plan indicates 1-2 storey dwellings to the rear of 48 Mill Street. The Illustrative masterplan showing a single storey element nearest this dwelling and this can be carefully designed at reserved matters stage which will further ensure there is not a significant overbearing impact on the bungalow of 48 Mill Street. The scheme is now considered to overcome the previous overbearing impact, one of the reasons for refusal under S/1338/15/OL.

251. The changes shown in the drawings accompanying the application can be suitably delivered at reserved matters stage. The drawings are specifically shown as being a condition of any outline approval and which is fundamentally achieved by proposed conditions (d) and (f).
252. The harm of these aspects 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 which includes 40% affordable housing on site, in a location considered to be sustainable. As such, officers are of the view that refusal on the above grounds would not meet the test set out in paragraph 14 of the NPPF.
253. 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 economic and social benefits that would result from the development outweigh the potential landscape, impact on setting of the Grade II listed building and Conservation Area, and residential amenity 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**

254. Officers are recommended that the Committee approved the application subject to:

### **Requirements under Section 106 of the Town and Country Planning Act 1990**

- (a) Completion of an agreement confirming payment of the following as outlined in Appendix 1:

- £92,310 towards Early Years Education
- £128,459 towards Primary School Education
- £297.84 towards libraries and lifelong learning
- £5249.00 towards strategic waste
- £18,009 towards GP Surgery
- £35,000 towards Old Methodist Church
- £30,000 towards relocation of tennis courts and bowling green
- £35,000 towards The Butts Playground
- £10,000 towards a cycle link feasibility study
- Scheme of 40% affordable housing provision to be agreed
- Scheme of on-site public open space and management to be agreed
- Scheme of ecological enhancement, management and monitoring

### **Conditions**

- 255.
- (a) Approval of the details of the layout of the site, the scale and appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
(Reason - The application is in outline only.)
  - (b) Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than 18 months from the date of this permission.  
(Reason - The application is in outline only.)
  - (c) The development hereby permitted shall begin no later than 18 months from the date of approval of the last of the reserved matters to be approved.  
(Reason - The application is in outline only.)
  - (d) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing number A,46,721 (Site Location Plan), C. 1,830 (Block Plan), SZ25800027-201 Rev B (Development Framework Parameters Plan), SZ25800027-202 Rev B (Building Height Parameters), A.46,721a (Ecological Mitigation Land Plan), SK03, SK04 and 4397-D Rev B (Reason - To ensure the development will not have a material adverse impact on the conservation area, the setting of nearby listed buildings, ecological interests, highway safety and trees in accordance with policies CH/4, CH/5, DP/2 and DP/3 of the adopted Local Development Framework 2007.)
  - (e) Notwithstanding the approved plans identified a maximum of two pedestrian access points will be provided into the site along the eastern boundary known as Mill Street, through the existing retained hedgerow.  
(Reason – To ensure the development provides good accessibility in accordance with policy DP/3 of the adopted Local Development Framework 2007.)
  - (f) The submission of reserved matters in accordance with the details required in condition (a) shall include a plan showing the finished floor levels of the proposed buildings in relation to the existing and proposed ground levels of the surrounding land. No development shall take place until this submitted plan is approved by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved plan.  
(Reason: To ensure the development is properly assimilated into the area in accordance with policies CH/4, CH/5, DP/2 and DP/3 of the adopted Local Development Framework 2007.)
  - (g) No development approved by this permission shall be commenced until:
    - a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
    - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
    - c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the

Local Planning Authority, in accordance with the approved scheme.

d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.

(Reason (a) - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

(h) Prior to the commencement of any development, details of a strategy for water conservation measures to be incorporated within the development have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure compliance with the aims of Policy NE/12 of the adopted Local Development Framework 2007).

(i) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

(j) Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify run-off sub-catchments, SuDS components, control structure, flow routes and outfalls. In addition the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.  
(Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework 2012.)

(k) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

(l) Prior to the commencement of any development, a scheme for the provision and implementation of pollution control shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and

completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)

- (m) No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
- (n) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
  - (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street
  - (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
  - (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway
- (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (o) No development including demolition or enabling works shall take place until a Site Waste Management Plan for the construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.  
(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007.)
- (p) Prior to commencement, site preparation or the delivery of materials to site the applicant shall submit an updated arboricultural impact assessment including tree and hedge protection strategy to reflect the detailed layout in accordance with British Standard BS5837 for the approval of the LPA.  
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (q) Prior to commencement, site preparation or the delivery of materials to site the tree protection measures recommended in the approved tree protection strategy shall be erected and remain in position until practical completion of the implementation of the development.  
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework



2007.)

- (r) No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.  
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
- (s) No development shall take place until a scheme for the provision of on-site renewable energy to meet 25% reduction in the projected carbon emissions from the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained in operation.  
(Reason: To ensure the development provides renewable energy in accordance with policy NE/3 of the adopted Local Development Framework 2007.)
- (t) No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.  
(Reason - To ensure an adequate water supply is available for emergency use.)
- (u) As part of any reserved matters application an artificial lighting scheme (to maximise energy efficiency and minimise lighting pollution) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any external lighting of the site and a Lighting Spill Plan. The Artificial Lighting Scheme shall have regard for the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light – GN01:2011 (or as superseded). The lighting scheme will be implemented in accordance with the approved details.  
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/6 and NE/14 of the adopted Local Development Framework 2007.)
- (v) As part of any reserved matter application details of the housing mix (including both market and affordable housing) shall be provided in accordance with local planning policy or demonstration that the housing mix meets local need shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the approved details  
(Reason: To ensure an appropriate level of housing mix, both market and affordable housing in accordance with policies H/8 and H/9 of the South Cambridgeshire Local Plan Proposed Submission July 2013)
- (w) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted

or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- (x) During the period of construction, no power operated machinery shall be operated on the site, and there shall be no construction related deliveries taken at or dispatched from the site, before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

- (y) The proposed access hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the highway and shall be constructed from a bound material to prevent displacement of materials onto the highway. The development shall be retained as such thereafter.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

## 256. Informatives

- (a) The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- (b) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- (c) There shall be no burning of any waste or other materials on the site, without prior consent from the Environmental Health Department to ensure nuisance is not caused to local residents.
- (d) Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

### **Background Papers:**

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- Planning File Ref: S/2367/16/OL

**Report Author:**

Lydia Pravin

Telephone Number:

Senior Planning Officer

01954 713020

