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# Planning Statement

Land at Teversham Road, Fulbourn

January 2017

**Planning Statement**  
**Land at Teversham Road, Fulbourn**

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## 1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by the Barton Willmore Partnership on behalf of Castlefield International Limited, pursuant to an outline proposal for residential development at land off Teversham Road, Fulbourn.
- 1.2 The submitted application seeks outline planning permission for a high quality residential development of up to 110 homes, with areas of landscaping and public open space, access points and associated infrastructure works on land off Teversham Road, Fulbourn. It is proposed that all detailed matters (other than means of access) including layout, scale, appearance and landscaping will be determined as part of reserved matters applications. A more detailed analysis of the site and proposal is provided within the submitted Design and Access Statement. A site location plan is contained in **Appendix 1**.
- 1.3 This scheme follows a previous application S/2273/14/OL on the same site. That application was refused by the Council, and dismissed at appeal.
- 1.4 This Planning Statement provides the planning rationale for the proposals and outlines the primary objectives of the scheme and a description of the site and surroundings. It demonstrates the strategic planning merits of the proposals in the context of the emerging spatial strategy and the requirement for South Cambridgeshire to have a five year housing land supply. It highlights the benefits of the development and provides a detailed planning rationale for the proposals, having regard to local and national planning policy.
- 1.5 This Statement also assesses the appeal decision, and the comments from the Planning Inspector. Whilst the appeal was dismissed, the Inspector found no conflict with Policies DP/1, DP/2, DP/3 and NE/4 dealing with design and landscape matters. In addition he found no conflict with policies CH/5 (Conservation Area) and Policy NE/6 (Biodiversity). Significant weight must therefore be given to the comments of the Inspector.

## 2.0 SITE SUITABILITY AND DELIVERABILITY

### Site Description

- 2.1 The Site lies on the north western edge of Fulbourn, a village located within the South Cambridgeshire district which lies approximately 8km south-east of the centre of Cambridge.
- 2.2 The village of Fulbourn is located on the Cambridge Road which runs between Cambridge and Balsham.
- 2.3 The application site comprises land to the east of Teversham Road, to the south of the railway line, and to the north of Cow Lane, Fulbourn. The site abuts the Fulbourn Conservation Area to the south and is adjacent to the former Fulbourn pumping station. The Green Belt lies to the north of the railway line. The site is accessible from the public highway and is located within walking distance of the nearby High Street, local shops and facilities. There are no public rights of way or permissive routes across the Site.
- 2.4 The Application Site encompasses 6.85 hectares of undeveloped land which is partitioned by a narrow Chalk Stream. A small part of the site fronting Cow Lane was formerly an ornamental garden but is now inaccessible and heavily overgrown. The site abuts a pond known as Poorwell Water, across which a low quality pedestrian access has been informally created.
- 2.5 The site is generally flat, and in terms of natural vegetation, the field boundaries comprise hedgerows and various mature trees, generally following the alignments of the linear drains. The fields themselves are open grassland, whilst the pumphouse garden retains some more ornamental planting although in general it has become neglected and heavily overgrown.
- 2.6 A small section of the site, the ornamental garden lies within the Fulbourn Conservation Area. The remainder of the Conservation Area lies predominately to the south and south east of the site. No other designated or non-designated heritage assets lie within the site.
- 2.7 The site is not covered by any statutory environmental designations but two Sites of Special Scientific Interest are located within 2km of the Site (Fulbourn Fen and Great Wilbraham Common) which are designated primarily for their botanical interest. The site lies within the low risk Flood Zone 1.

- 2.8 A review of the earliest available historical map, dated 1886, indicates that the site has remained undeveloped. The pond was first noted to be present in 1902 and was introduced to the site with the construction of the Fulbourn Pumping Station by the Cambridge Waterworks Company. Extensive residential development then occurred to the east and south of the site along with the construction of small industrial structures to the north west.

### **Wider Surroundings**

- 2.9 The area immediately surrounding the site is generally characterised as edge of settlement. To the south, east, and west of the site the nature of the wider surroundings are predominately residential. Immediately to the north of the site is the railway line and further afield open countryside.
- 2.10 Wider afield the village is separated from the outer Cambridge City boundary by farmland. North of the village the land is flat, drained fen, and to the south and southwest of the village are the Gog Magog Hills. Outside the residential area the land is open farmland, with relatively few trees.
- 2.11 Fulbourn is well served by existing shops/services and facilities which also provide employment opportunities. The village benefits from a small cooperative supermarket, butchers, chemist, three public houses, a nursery, a health centre, and a library. The village has a well-appointed recreation ground adjacent to which is the newly refurbished Townley Memorial village hall, which now includes meeting rooms, a small indoor sports hall, a venue for sports and social clubs. Approximately 3kms from the site, there is a large 7,349m<sup>2</sup> 24 hour Tesco Superstore which is also accessible via public transport using the CITI number 1 bus.
- 2.12 Fulbourn has its own 1.3FE primary school located on School Lane which is less than 1km from the site and within walking distance. Secondary schooling for the village is at the Village College in Bottisham which has 7FE and is located 8km to the north of Fulbourn. In addition, there are a number of secondary schools in Cambridge which is located approximately 8km from Fulbourn.
- 2.13 The site has the potential to reduce vehicular movements as it is located within cycling distance approximately 8 km from the centre of Cambridge. In addition, the CITI number 1 and 3 buses run a service every 20 minutes daily, hourly evenings and weekends from Fulbourn to Cambridge City Centre taking approximately 30 minutes. Further services include Stagecoach service 16 & 17 linking Fulbourn to Haverhill and Newmarket. The

closest bus stop is located on Teversham Road near to The Bakers Arms public house directly adjacent to the site.

### **Suitability and Deliverability**

- 2.14 The application site is suitable and deliverable for the scale of the development proposed. The site lies on the north western edge of Fulbourn and is enclosed by defensible boundaries on all sides i.e. the railway line to the north, Cow Lane to the south, Teversham Road to the west, and Cox's Drove to the east. This therefore represents a natural direction for sustainable growth in relation to the established pattern of development. The proposed development logically extends the pattern of Fulbourn northwards using the full area of land as efficiently as possible.
- 2.15 The application site comprises undeveloped, non-agricultural land, with good long-term defensible boundaries. Fulbourn and the site are within a predominantly flat landscape, ranging between 10m Above Ordnance Datum (AOD) to 20m AOD. Although the majority of the site comprises two fields that are open in character, the site is well enclosed and its boundaries defined by substantial tree belts. Due to the flat topography and the extensive vegetation structure within and surrounding the Site, views to the wider landscape are curtailed, as such, the landscape value will be retained.
- 2.16 The combination of the adjoining residential properties and industrial / employment units, the adjoining roads and the railway embankment which extends along the northern edge of the site contribute an urbanising influence to the site. As such, the integral relationship of the site to the existing settlement will allow for the proposed development to be a functional extension of Fulbourn and not a competing separate entity. The site is the natural direction for the expansion of Fulbourn, consistent with policy and the established pattern of the settlement.

### **3.0 THE APPLICATION PROPOSALS**

- 3.1 The application proposals have not altered since the recent planning appeal. It seeks outline planning approval for a high quality residential development of up to 110 dwellings including points of access, with areas of landscaping and public open space, and associated infrastructure works.
- 3.2 The precise number and layout of dwellings has yet to be determined, but a maximum of 110 is proposed, and the Inspector has confirmed the site has adequate capacity for that number of dwellings whilst providing generous areas of green space.
- 3.3 The existing ornamental garden in the south western corner of the site will be retained and open to the public. It is considered that the open space, together with additional planting, will create an attractive environment and soften the built form of the development in this edge of settlement location.
- 3.4 The scale of the development is a reserved matter, but in order to ensure that the surrounding views are preserved, the height of the dwellings would be a maximum of 2.5 storeys high where appropriate. Care will be taken to ensure taller units are located away from the adjacent Conservation Area.
- 3.5 It is proposed that vehicular access to the site will be a ghost right junction from Teversham Road, which will facilitate all vehicular movements to and from the Site. There will also be an emergency access from Cox's Drove, which will also provide a pedestrian/cycle access point. The proposal also includes a pedestrian access from Cow Lane, and also a further access point from Poorwell Water, although the applicant does not control the land through Poorwell Water. As part of this application, a Transport Assessment has been undertaken by Cannon Consulting Engineers to support proposals for residential development. In addition, a Travel Plan also accompanies the application which provides a strategy for encouraging sustainable travel
- 3.6 The proposal would provide 30% affordable housing. A viability statement is provided to demonstrate the level of affordable housing and the abnormal site development costs. The affordable housing will be secured through a legal agreement.
- 3.7 A Tree Survey has been undertaken by Forbes-Laird Arboricultural Consultancy to inform the application proposals. It is proposed that the majority of the existing blocks of mature trees and planting across the site will be retained and enhanced.



3.8 The site lies within Flood Zone 1 and is therefore not considered to be at risk of tidal or fluvial flooding. The application is accompanied by a Flood Risk Assessment (FRA) prepared by Cannon Consulting Engineers which provides details of the drainage strategy for the site.

3.9 The Site is available, suitable, and deliverable within the first 5 years of the Local Plan period. The Site is within a sustainable location in Fulbourn and forms a logical extension to the existing urban form which will contribute to the housing target to meet the identified shortfall.

### **Planning History**

3.10 As noted, a previous planning application (S/2273/14/OL) was refused at Planning Committee. The refusal was based upon three grounds, which are summarised below:

1. Collective adverse impact on landscape character, setting of Fulbourn Conservation Area, village character and ecological interests.
2. The site being proposed as a Local Green Space in the emerging local plan.
3. The lack of evidence demonstrating the scheme can be delivered within 5 years.

3.11 The decision was appealed and heard at a Public Inquiry in September. The appeal, reference APP/W0530/W/3139730, was dismissed dated 3 November 2016. However, the Inspector rejected the reasons for refusal highlighted above, and considered the development was acceptable on all of these grounds. The appeal was dismissed on grounds of the content of the legal agreement in terms of the open space provision. A copy of the appeal decision can be viewed within **Appendix 2**.

3.12 A formal Screening Opinion was issued by the Council on 1 August 2014 confirming that an Environmental Statement is not required, and it is considered the development would be "unlikely to have a significant effect on the environment".

3.13 A revised Screening request is to be submitted alongside the application, to seek further clarity against the revised Environmental Impact Assessment regulations.

## 4.0 RELEVANT PLANNING POLICY

4.1 This section sets out the relevant national and local planning policy applicable to the submitted development proposals.

### National Policy Context

#### *National Planning Policy Framework*

4.2 The National Planning Policy Framework (NPPF) published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. With the exception of waste, the NPPF replaces the majority of the Planning Policy Statement's (PPS's) and Planning Policy Guidance notes (PPG's) and covers aspects such as economic growth, transport and biodiversity.

4.3 Paragraph 6 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 states that there are three dimensions to sustainable development: economic, social and environmental, and that these dimensions give rise to the need for the planning system to perform a number of roles:

- **An economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **A social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;
- **An environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

4.4 Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.

4.5 This should be seen as a golden thread running through both plan-making and decision-taking. For **plan-making** this means that:

- **“local planning authorities should positively seek opportunities to meet the development needs of their area;**
- **Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:**
  - **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or**
  - **specific policies in this Framework indicate development should be restricted.”**

4.6 For **decision-taking** this means (unless material considerations indicate otherwise):

- **“approving development proposals that accord with the development plan without delay; and**
- **where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:**
  - **any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or**
  - **specific policies in this Framework indicate development should be restricted.”**

4.7 Section 6 of the NPPF sets out a commitment to delivering a wide choice of high quality homes which emphasises the importance of a plan-led approach and local planning authorities ensuring a five year housing land supply (plus an additional buffer of 5%) of deliverable sites. Where there has been a record of persistent under delivery of housing,

LPA's should increase the buffer to 20%. Paragraph 47 sets out the overarching objectives for the planning and delivery of housing:

**“To boost significantly the supply of housing, local planning authorities should:**

- **use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for the market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;**
- **identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;**
- **identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;**
- **for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet the housing target; and**

- **set out their own approach to housing density to reflect local circumstances.”**

4.8 Paragraph 49 reaffirms the primary objective of the NPPF; the presumption in favour of sustainable development:

**“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”**

4.9 Paragraph 50 sets out the overarching objective of delivering a wide choice of high quality homes should be achieved:

**“To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:**

- **plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);**
- **identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and**
- **where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating**

**mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.”**

- 4.10 Paragraph 76 encourages appropriate land to be designated as Local Green Space, where local communities will be able to rule out new development other than in very special circumstances. Identifying such land should be consistent with local planning of sustainable development, and complement investment in sufficient homes, jobs and other essential services.
- 4.11 Paragraph 77 provides the criteria as to when the Local Green Space designation will be appropriate. This includes where the land is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife.
- 4.12 Paragraph 118 notes that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. One of the identified principles is if significant harm resulting from a development cannot be avoided, adequately mitigated or as a last resort, compensated for, then planning permission should be refused.
- 4.13 Section 12 relates to conserving and enhancing the historic environment. Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Paragraph 133 continues that where a proposed development will lead to substantial harm to or total loss of significance, consent should be refused.
- 4.14 Paragraph 204 provides the tests when planning obligations should be sought, and paragraph 206 provides the tests for the use of planning conditions.
- 4.15 Paragraph 215 notes that due weight should be given in relevant policies in existing plans according to their degree of consistency with the framework.
- 4.16 Paragraph 216 states that:

**“From the day of publication, decision-takers may also give weight to relevant policies in the emerging plans according to:**

- **the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);**
- **the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);**  
**and**
- **the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."**

### *Planning Practice Guidance*

4.17 The Planning Practice Guidance (PPG) was published by the Government in March 2014 and provides supplementary guidance to the NPPF. The 'Rural Housing' section of the PPG highlights the role of housing in supporting the broader sustainability of villages and smaller settlements. Paragraph 001 (Reference ID: 50-001-20140306) of the PPG recognises that:

**"a 'thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship'."**

4.18 The PPG concludes that 'rural housing is essential to ensure viable use of these local facilities'.

### **Local Policy Context**

#### *The Development Plan*

4.19 Section 38 (6) of the Planning and Compulsory Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

4.20 The current Development Plan comprises the South Cambridgeshire Local Development Framework which encompasses the following documents:

- Core Strategy Development Plan Document (DPD) adopted January 2007;
- Development Control Policies DPD adopted July 2007; and
- Site Specific Policies DPD adopted January 2010.

4.21 The Core Strategy sets out the overall approach to development in the district. It reflects the strategy in the Cambridgeshire & Peterborough Structure Plan 2003 with the focus on locating new development in the most sustainable locations.

4.22 Given the age of the Core Strategy, many of the policies are now considered to be out of date in particular those relating to housing numbers and allocations as the planning period has expired and the emergence of new national planning guidance. Annex 1 of the NPPF advises how the national guidance should be implemented and what weight should be given to development plans depending on their age or stage of development. As the 12 month period from the date of publication of the NPPF has now expired, paragraph 215 is relevant:

**“In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”**

4.23 Paragraph 216 then provides guidance as to how much weight to be given to the emerging local plan and its policies.

4.24 In light of the above, the 2007 Core Strategy policies which are consistent with NPPF will be considered, in addition to, the relevant policies contained in the emerging Submission Local Plan which are a material consideration in the determination of this application.

***The Core Strategy DPD January 2007***

4.25 Policy ST/2 'Housing Provision' states that the District Council will make provision for 20,000 new homes in South Cambridgeshire during the period 1999 to 2016 in locations in the following order of preference:



1. On the edge of Cambridge;
2. At the new town of Northstowe;
3. In the rural area in Rural Centres and other villages.

4.26 Policy ST/4 Rural Centres outlines Fulbourn as a Rural Centre and states that development and redevelopment without any limit on individual scheme size will be permitted within the village frameworks of Rural Centres, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.

***Development Control Policies DPD July 2007***

4.27 Section 2 of Development Control Policies DPD sets out the 'Development Principles' that need to be taken into account in new development. Policy DP/1 'Sustainable Development' states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. The policy requires that for major developments, a Sustainability Statement and a Health Impact Assessment are to be submitted with the application. Policy DP/2 'Design of New Development' encourages high quality design in order to enhance the character of the local area and be compatible with its location. All the design elements of new development are to be set out in a Design and Access Statement and to be submitted alongside the application. In conjunction with Policies DP/1 and DP/2, Policy DP/3 'Development Criteria' provides a checklist to help ensure that all design principle requirements are met.

4.28 Policy DP/4 'Infrastructure and New Developments' requires that new development make suitable arrangements for the improvements or provision of infrastructure necessary to make the scheme acceptable in planning terms including affordable housing, education and public open space. Policy DP/5 'Cumulative Development' requires that sites make proper contribution to the infrastructure needs commensurate with the size of the development.

4.29 Policy DP/6 concerns construction methods and seeks that development that is likely to impact upon the local environment and amenity during construction will require the preparation of a Resource-Re-use and Recycling Scheme to cover all waste during construction.

4.30 Policy DP/7 'Development Frameworks' states that outside urban and village frameworks, development of unallocated land will be permitted provided that the site does not form an

essential part of the local character and development would be sensitive to the character of the location and landscape and there is necessary infrastructure to support the capacity.

- 4.31 Section 4 of the Development Control Policies DPD sets out the policies relating to 'Housing'. Policy HG/1 'Housing Density' encourages residential developments to make the best use of the site by achieving average net densities of at least 30 dwellings per hectare. Policy HG/2 'Housing Mix' stipulates that developments should contain a mix of housing to meet local needs and Policy HG/3 'Affordable Housing' states the amount of affordable housing sought will be at least 40% of the dwellings on sites of two or more dwellings.
- 4.32 Section 5 of the Development Control Policies DPD sets out the policies relating to 'Services and Facilities'. Policies SF/10 'Outdoor Playspace, informal open space and New Developments' and SF/11 'Open Space Standards' requires a contribution towards outdoor playing space as an integral part of the development, in a location well related to the proposed new dwellings.
- 4.33 Section 7 sets out the policies relating to the 'Natural Environment'. Policies NE/1 'Energy Efficiency' and NE/3 'Renewable Energy Technologies in New Development' aims to promote renewable energy within new developments and requires that all proposals over 10 dwellings incorporate technology to provide at least 10% of their energy requirements.
- 4.34 Policy NE/4 'Landscape Character Areas' states that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which is it located. Policy NE/6 'Biodiversity' requires new development to maintain, enhance, restore or add to biodiversity.
- 4.35 Policies NE/9, NE/11 and NE/12 relate to water and flooding and seek to ensure that there is adequate water supply, sewerage and land drainage systems in place to meet the needs of the development. Policy NE/11 ensures that flood risk is taken into account in all stages of the planning process, to avoid inappropriate development in areas at risk of flooding. Policy NE/12 requires that all development proposals greater than 10 dwellings will be required to submit a Water Conservation Strategy prior to commencement of development.
- 4.36 Policy NE/14 seeks to ensure that development proposals which include external lighting are kept to the minimum required for reasons of public safety and security and that there is no unacceptable adverse impact. Policy NE/15 relating to noise states that permission will not be granted for residential proposals near to an existing noise source or those that result in an increase in an unacceptable noise level.

- 4.37 Section 9 sets out the policies relating to 'Travel' and policies TR/1, TR/2 and TR/3 are considered relevant and aim to ensure that new developments do not give rise to a material increase in travel demands unless the site has sufficient accessibility and offer sustainable modes of transport. Policy TR/3 requires that for all major proposals, a Transport Assessment and Travel Plan is submitted alongside an application. Policy TR/2 requires that car parking is provided in accordance with the correct standards and seeks to promote sustainable modes of transport.

### **Emerging Policy Context**

#### ***South Cambridgeshire Submission Local Plan (July 2013)***

- 4.38 The emerging Submission Local Plan sets out the policies and land allocations that will guide the district for the period 2011 – 2031. The spatial strategy for the period states that in Policy S/5 in order to meet objectively assessed needs there is a housing need for 19,000 new homes which implies an average delivery rate of 950 dwellings per year.
- 4.39 The Development Strategy in Policy S/6 states that the need for homes will be met in the following order of preference:
- a. On the edge of Cambridge;
  - b. At new settlements;
  - c. In the rural area at Rural Centres and Minor Rural Centres.
- 4.40 The following 3 new strategic scale allocations are proposed for housing-led development to 2031 and beyond:
- a. A new town north of Waterbeach for 8,000 to 9,000 homes, 1,400 of which by 2031;
  - b. A new village based on Bourn Airfield for 3,500 homes, 1,700 of which by 2031;
  - c. A major expansion of Cambourne for a fourth linked village of 1,200 homes, all of which by 2031.
- 4.41 Development in the rural area will be limited, with allocations for jobs and housing focused on Rural Centres and Minor Rural Centres.
- 4.42 Policy S/9 'Minor Rural Centres' identifies the following villages as Minor Rural Centres and states that development up to a maximum size scheme of 30 dwellings will be permitted within the development frameworks of Minor Rural Centres:

- a. Bar Hill
- b. Bassingbourn
- c. Comberton
- d. Fulbourn
- e. Gamlingay
- f. Girton
- g. Linton
- h. Melbourn
- i. Milton
- j. Papworth Everard
- k. Swavesey
- l. Waterbeach
- m. Willingham

- 4.43 Policy S/12 outlines the phasing, delivery and monitoring of the Local Plan to ensure a continuous supply of housing throughout the plan period. The Policy outlines the New Village at Bourn Airfield to deliver housing within the plan period from 2022 and Cambourne West to come forward from 2016. The Policy also states that the Council will provide a 5% buffer as part of its 5-year housing land supply.
- 4.44 Chapter 4 focuses on Climate Change to ensure that development delivered in the district can better cope with the predicted impacts of climate change. In addition to policies applicable in the adopted Development Control Management DPD i.e. NE/1, NE/3, NE/9, NE/11 and NE/12 and the following policies are considered relevant to this application:
- 4.45 Policy CC/1 requires that applications for new development submit a Sustainability Statement to demonstrate how climate change principles have been embedded into the development proposal. Policy CC/4 requires that all new residential developments must achieve Code for Sustainable Homes Level 4 for water efficiency and Policy CC/5 states that on developments where a show home is being provided, a sustainable show home must be provided demonstrating environmentally sustainable alternatives. The Chapter also includes a separate policy regarding sustainable drainage systems, Policy CC/8 which states that developments must incorporate appropriate surface water drainage systems (SuDS) appropriate to the nature of the site.
- 4.46 Chapter 5 focuses on Delivering High Quality Places in order to secure high quality design and a good standard of amenity. Policy HQ/1 'Design Principles' is comparable with the design policies DP/1, DP/2, DP/3 of the Development Control Management DPD with the only difference that larger and more complex developments will be required to submit

Masterplans and Design Codes to agree an overall vision and strategy. Policy HQ/2 'Public Art and New Development' is comparable to Policy SF/6.

- 4.47 Chapter 6 encourages the protection and enhancement of the natural and historic environment and the majority of policies in the chapter are relevant to the policies contained in the Development Control Management DPD. Policy NH/6 'Green Infrastructure' is a new policy which aims to conserve and enhance green infrastructure within the district. The Council will encourage proposals which reinforce, link, buffer and create green infrastructure and promote, manage and interpret green infrastructure and enhance public enjoyment of it. All new developments will be required to contribute towards the enhancement of the green infrastructure network. Policy NH/11 'Protected Village Amenity Areas' have been identified on the Policies Map and include the Application Site as one of the proposed areas. The policy states that development will not be permitted within or adjacent to these areas if it would have an adverse impact on the character, amenity, tranquillity or function of the village.
- 4.48 Policy NH/12 'Local Green Spaces' states those Local Green Spaces identified will be protected from development that would adversely impact on the character and particular local significance placed on such green areas which make them valued by their local community, and only in exceptional circumstances and in discussion with the local community would development be permitted.
- 4.49 Chapter 7 considers the housing needs of the district and specifies standards for housing density, housing mix and affordable housing. The policies contained in this chapter are comparable to those in the Development Control Management DPD. Policy H/11 however, specifies residential space standards and encourages the provision of sufficient space within and associated with new homes. The policy details room size minimums and outlines minimum gross internal floor area in m<sup>2</sup> for all house types.
- 4.50 Chapter 9 of the Local Plan sets out the policies for promoting successful communities. Policy SC/2 requires that developments of 100 or more dwellings a full Health Impact Assessment will be required. Policy SC/4 'Meeting Community Needs' is comparable to Policy DC/4 of the Development Control Management DPD which seeks all housing developments to include or contribute to the provision of the services and facilities necessary to meet the needs of the development including primary schools and secondary schools, health facilities, libraries, sports facilities and commercial facilities. Services and facilities should be provided in accessible locations.

- 4.51 Policy SC/7 'Outdoor Play Space, Informal Open Space and new Developments' is comparable to Policy SF/10 of the Development Control Management DPD and seeks all housing developments to contribute towards the provision of outdoor play space. Larger schemes are expected to provide for more types of open space such as allotments, sports pitches and neighbourhood equipped area for play (NEAP). Policy SC/8 sets out the specific minimum standards for open space to ensure provision for the future needs of the district.
- 4.52 Policies SC/10 and SC/11 concern lighting proposals and noise pollution and are comparable with policies NE/14 and NE/15 of the Development Control Management DPD. They seek to prevent development that proposes insensitive lighting causing light pollution and proposals that will generate unacceptable levels of noise.
- 4.53 Policy SC/13 concerns air quality and seeks to prevent proposals that would lead to an unacceptable impact on air quality.
- 4.54 Chapter 10 of the Local Plan sets out the policies for promoting and delivering sustainable transport and infrastructure. Policy TI/2 encourages developments to reduce the need to travel, particularly by car and instead promote the use of sustainable transport options. The policy requires that new developments incorporate sufficient integration and accessibility by walking, cycling or public transport. Larger developments will be required to demonstrate maximised opportunities for sustainable transport and applications are to be accompanied by a Transport Assessment and Travel Plan together with a Low Emissions Strategy Statement. Policy TI/3 encourages car and cycle parking provision to be provided through a design-led approach. Specific standards are provided requiring 2 car parking spaces per dwelling and 1 cycle space per bedroom.
- 4.55 Policy TI/8 concerns infrastructure and new developments and requires proposals to have made suitable arrangements for the improvement and provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions will be secured via planning obligations and/or Community Infrastructure Levy.
- 4.56 The submitted application has been devised to address the above policy and Section 6 of this statement will demonstrate how the proposals are policy compliant with the existing adopted Local Development Framework and the emerging Local Plan.

## 5.0 THE SPATIAL STRATEGY AND FIVE YEAR HOUSING LAND SUPPLY

- 5.1 The end date of the Adopted Core Strategy (31 March 2016) has now passed and the emerging new Local Plan to replace it was formally submitted to the Secretary of State for independent examination on 28 March 2014. A key feature of the emerging Local Plan is the proposed reduction in the annual dwelling requirement from the former Core Strategy of 1,176 dwellings per annum (dpa) to only 975 dpa in the emerging Local Plan to 2031, based on a revised 2011 Strategic Housing Land Availability Assessment (SHLAA).
- 5.2 The relevant base date for this reduction in annual dwelling requirement is April 2011. However this OAN figure has not been independently corroborated by the Secretary of State and remains subject to substantive objection at the Examination in Public, which is currently ongoing. Notwithstanding the Council's use of a much reduced OAN requirement there has still been continuous and substantial shortfalls in housing delivery since 2011.
- 5.3 The planning case for land off Teversham Road is predicated on a number of key factors. Primarily, these include an insufficient number of dwellings to meet the District's overall housing requirements to 2031, the current and projected continued lack of a five year housing land supply and the village classification of Fulbourn. The evidence for the first two matters can be found in the most recently published Annual Monitoring Report (AMR) published in December 2016, which covers the period April 2015 to March 2016 and which includes the most up to date projections of likely future dwelling completions.

### **Overall Dwelling Provision to 2031**

- 5.4 Annual dwelling completions evidence from the latest available AMR (2015/16) indicates that at no time, since 2011, has the annualised number of dwellings (975 dpa) ever been met and that the forecast number of dwellings for the current monitoring year (2016/17) will again be some 500 dwellings short of the annual requirement, at only 481 dwellings (see Table SC1a of the December 2016 AMR). Indeed, there is only one year (2006/7) in the past 17 years, since 1999, where the prevailing target was actually met. In each and every other year, a shortfall accrued and this is forecast to continue into 2017 by the AMR. This section is however concerned only with the accrued shortfalls since 2011, together with the further 2016/17 shortfall forecast by the December 2016 AMR.
- 5.5 On this basis, the imposition of a 20% buffer to the housing land supply requirement is unequivocal and has been endorsed in all recent Section 78 appeal decisions against the Council (notably Appeal refs: APP/W0530/A/13/2209166; and APP/W0530/A/13/2207961).

### **Lack of Five Year Housing Land Supply**

- 5.6 Where a 20% buffer is applied, SCDC acknowledges that that it does not have a five year housing land supply and this is confirmed within the latest 2016 AMR (Table at page 62). Whilst there is an aspiration to combine the housing land supply trajectory with that of Cambridge City (under the Memorandum of Understanding) this has not been sanctioned by the Local Plan Inspector, despite requests by the Council for clarification to do so.
- 5.7 Consequently, Paragraph 4.30 of the AMR confirms that the use of five-year supply calculations for Greater Cambridge will not be relied upon in relation to planning decisions or planning appeals until such time as the Inspector examining the Local Plan has reported and has found the approach to be sound.
- 5.8 The current five year housing land supply for South Cambridgeshire is shown in the 2016 AMR as four potential variables, although as discussed above, the use of calculations based on only a 5% buffer can effectively be discounted. Therefore there are only two potentially valid scenarios; a 20% buffer and the 'Sedgefield' method of shortfall recovery or a 20% buffer and the 'Liverpool' method. In each case, the supply falls well short of five years.
- 5.9 In the case of the 'Liverpool' method the AMR indicates that there is 4.4 years of supply and this falls to only 3.7 years supply if the 'Sedgefield' method is applied. In this respect, it is now common practice for the Sedgefield method to be adopted by the Secretary of State, particularly where there is a relatively up-to-date SHLAA and the shortfalls have only accrued in the recent past. Indeed it is almost universally accepted that in conformity with the NPPF and the need to significantly boost the supply of new housing that the Liverpool method of recovery is now generally the exception rather than the rule.
- 5.10 Page 62 of the AMR sets out the 'Sedgefield Methodology' table and the component figures of the 3.7 year's supply calculation. In this respect, the key figures are that 3,401 dwellings were completed up to 31<sup>st</sup> March 2016 and that there was consequently a shortfall against the annualised requirement of 1,474 dwellings. This means that the annualised five year requirement, plus the shortfall and a 20% buffer equates to a net requirement of 7,619 dwellings, against which only 5,707 dwellings are predicted to be completed by the AMR.
- 5.11 The AMR indicates a five year supply figure of **3.7** years (actual 3.745). In absolute terms this means that at the time of writing South Cambridgeshire are at least **1,912** dwellings short of their five year housing land supply target. However of material significance is that the AMR also predicts a further shortfall of **500** dwellings in the current monitoring period, ending 31<sup>st</sup> March 2017, thereby exacerbating this lack of a five year supply even further.



### **The Village Classification of Fulbourn**

- 5.12 The current adopted Core Strategy sets out the development strategy for South Cambridgeshire to 2016. The majority of the housing growth is planned at urban extensions to Cambridge and the new town of Northstowe. A relatively small amount of growth was allocated within the villages, focussing on Rural Centres which are considered the better served and most sustainable villages in the district. As documented in the evidence base, the Core Strategy placed emphasis on identifying the most sustainable villages with the best services and facilities as Rural Centres. Policy ST/4 identifies Fulbourn as a Rural Centre as a result of its services and facilities and its relative sustainability.
- 5.13 Fulbourn is one of the largest most sustainable villages in the South Cambridgeshire District. The village is situated approximately 8kms to the south-east of Cambridge and 3km from the village of Cherry Hinton. The village benefits from a comprehensive range of facilities which include a Co-Operative supermarket, butchers, green grocers, chemist, take away, hairdresser, beauty salon, café and three public houses. In addition, the village also has a number of education, community and sports facilities including a children's nursery, a primary school, library, church, large newly build village hall (Fulbourn Centre), health centre, community centre, tennis courts and an all weather sports area.
- 5.14 As noted in the Core Strategy's Inspector's Report (2006), "Fulbourn has excellent transport links with Cambridge" which is evident via its regular public transport services. Fulbourn offers good access to sustainable transport opportunities and there are a number of bus services which provide access to the key areas in Cambridgeshire including Cambridge Service Citi 1 and 3 providing the primary linkage between Fulbourn and Cambridge, operating a service every 20 minutes. Stagecoach Service 16 links the Fen Estate and Cambridge with Haverhill, and is readily accessible. Stagecoach Service 17 shares the same route as the number 16 but continues outward to Newmarket in place of Haverhill.
- 5.15 In the context of the new South Cambridgeshire Local Plan, the scale of development that is required and how it should be distributed across the district has been considered. In terms of the allocations within the rural area of the district, the settlement hierarchy has been reviewed which includes the village categories which have been assessed in terms of their sustainability and ability to accommodate new growth.
- 5.16 In reviewing the settlement hierarchy for the district, SCDC has utilised the former Core Strategy settlement classification methodology to identify Rural Centres which included a scoring system based on the following four tests:

- Public transport accessibility;
- Accessibility of secondary education;
- Village facilities;
- Local employment opportunities.

5.17 SCDC has applied the above tests to the village of Fulbourn and concluded that Fulbourn does not perform as well as some of the other villages.

**“Fulbourn has no village college, and no direct public transport link to Bottisham Village College which it is served by. It has a lesser offering in terms of shops and services (note: at over 3km from the village centre the Tesco at Yarrow Road has not been included in the Fulbourn assessment). It does have a good public transport to Cambridge provided by the Citi 1 service. It does score particularly well in terms of access to employment, with a high ratio of jobs to people due to the business park and hospitals that fall within the ward.”**

5.18 In view of the above, it is evident there are some discrepancies with the scoring criteria used by SCDC within the Village Classification Report which are discussed in further detail below:

#### **Access to Secondary School**

5.19 The assessment test specifically states that there is a requirement for good access by public transport or via a safe cycle route to a village college. Therefore, it is considered that in a rural district such as South Cambridgeshire, colleges that can be reached by public transport should be recognised within the assessment. In the case of Fulbourn, although not direct, safe public transport services to Bottisham Village College are readily available and reliable. In addition, a number of school buses operate between Fulbourn providing transport to the Village College, and pupils staying on for after school activities can now board the Cambridge Regional College bus back to Fulbourn. Therefore, in view of the above options, Fulbourn should be scored positively in the assessment criteria.

### Village Services and Facilities

- 5.20 The assessment fails to take into account the level and range of the services with the size of the population. Fulbourn has a population of approximately 3,480 and has 23 shops and services. In comparison, Sawston has a population of 7,150, double that of Fulbourn and only has 42 shops and services. Therefore, Fulbourn when compared with Sawston is well served by a range of shops and services relative to its population.
- 5.21 It should also be noted that the assessment criteria fails to take into account the 24 hr Tesco 7,349 m<sup>2</sup> Superstore on the edge of the settlement which is well served by public transport to and from Fulbourn, and only 3km from the village centre. The Tesco is considered a valuable retail unit for Fulbourn which meets the needs of the residents and therefore should be taken into account within the assessment criteria and not be discounted.

### Local Employment Opportunities

- 5.22 When reviewing the assessment criteria, it is apparent that the latest Census information has not been used and is therefore out of date. It is also clear that future employment opportunities have not been taken in account, for example, the Fulbourn Hospital site which is proposed for redevelopment will increase employment opportunities in the village and should be recognised by the assessment. Overall, it can still be said that out of all the villages in South Cambridgeshire, Fulbourn scores as one of the top three centres in respect of work population: employment ratio.
- 5.23 In view of the above, Table 5.1 below illustrates a revised assessment of Fulbourn village which has been compared with the SCDC Village Classification Assessment.

**Table 5.1: Comparison of SCDC Village Classification Assessment**

	Population (2010)	Public Transport to Cambridge or Market Town	Secondary Education	Village Services and Facilities	Employment	Total Score
1	3,480	3	1*	6**	2	12
2	3,480	3	0	3	2	8

#### Key

1 - Revised assessment undertaken for Fulbourn

2 - SCDC Assessment of Fulbourn (Village Classification Report 2012)

\* Acknowledges that secondary education can be reached via public transportation

\*\* Accounts for the Tesco store on Yarrow Road

- 5.24 Taking into account the methodology used by SCDC in their Village Classification Report, the above assessment makes a more appropriate appraisal of Fulbourn in respect of its sustainability. It is clear from the table that when making a comprehensive assessment of Fulbourn that it fulfils all the necessary criteria and performs well as a Rural Centre and therefore should not, as put forward in the Local Plan, be downgraded to a Minor Rural Centre.
- 5.25 In the Inspector's Report for the Core Strategy (2006), Fulbourn was seen as providing an important role in serving the villages to the east of Cambridge City. It was found that there are no other Rural Centres or Minor Rural Centres that serve this part of the district and the two Group Villages, Teversham and Great Wilbraham are not considered to be wholly sustainable. The Council's written evidence identified a role for Fulbourn in helping to serve the area east of Cambridge and it was decided that Fulbourn should be identified as a Rural Centre and not as a Minor Rural Centre. It is for this reason which, remains largely unchanged, why Fulbourn should not be downgraded to a Minor Rural Centre in the emerging Local Plan.

### **Summary**

- 5.26 The preceding section of this Statement has demonstrated that:
- SCDC has an audited history of persistent undersupply and therefore under paragraph 47 of the NPPF, such a demonstrable history of under delivery requires the Council to provide a 20% buffer in addition to the objectively assessed 5 year housing land supply need. It is therefore considered that imposition of a 20% buffer is completely justified, as agreed by appeal Inspectors.
  - The Council cannot demonstrate a five year supply of deliverable housing sites of 5% in addition when not taking into account the accrued LDF shortfall.
  - When the LDF shortfall is factored in the results vary significantly depending upon whether the Sedgefield or Liverpool methods of recouping housing shortfall are employed. At the very most, the Council can only demonstrate a 4.4 year supply when using the Liverpool method and a 3.7 year supply when using the Sedgefield method.
  - There is no evidence to suggest that Fulbourn should not be a Rural Centre within the settlement hierarchy. It should be noted that nothing has changed in Fulbourn to warrant a reclassification of the settlement. Furthermore, it is evident from the re-assessment of Fulbourn using the methodology SCDC used in the Village Classification Report, that Fulbourn fulfils all the necessary criteria and performs well as a Rural Centre.

- 5.27 In the absence of a five year supply of deliverable housing sites, the housing policies contained in the Council's development plan cannot be considered up to date and the NPPF's presumption in favour of sustainable development must be applied. This means that planning permission should be granted for the proposed development unless any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits of the scheme or specific policies in the NPPF indicate that development should be restricted.
- 5.28 The benefits and potential impacts of the scheme are discussed in more detail in the subsequent section, with reference to the evidence prepared to support the planning application, NPPF, and the current adopted development plan.

## 6.0 ASSESSMENT OF THE PROPOSALS

6.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In view of this, the assessment of the proposals section takes into consideration NPPF, the current adopted development plan policies for South Cambridgeshire i.e. the policies within the Development Control Policies DPD. In addition, as the emerging South Cambridgeshire Local Plan is currently under Examination, the relevant policies contained in the Submission Local Plan which are a material consideration in the determination of this application are also considered.

6.2 This assessment combines observations and the findings of various reports along with the views of the Planning Inspector when assessing the appeal for application S/2273/14/OL.

### **Principle of Development**

6.3 The site is located adjacent but outside of the designated Fulbourn village framework, and the application is therefore technically a Departure from the extant development plan.

6.4 The Council are still unable to achieve a 5-year housing land supply, as described in chapter 5 above. The Annual Monitoring Report dated December 2016 confirms the only 3.7 years can be demonstrated using the appropriate Sedgfield method. This is lower than the agreed Common Ground of between 3.9 and 4.1 years during the planning inquiry, showing a negative current trend. In addition, the current AMR predicts a further shortfall of 500 dwellings in the current monitoring period.

6.5 As a result, paragraphs 14 and 49 of the NPPF remain relevant. Paragraph 49 confirms the relevant planning policies for the supply of housing cannot therefore be considered up-to-date, and paragraph 14 states that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits.

6.6 Given these circumstances, the fourth bullet point of paragraph 14 described above is the key test. The Inspectors report for application S/2273/14/OL confirmed that both the economic role and environmental roles of sustainable development would be satisfied. The appeal was dismissed on the social role being unfulfilled. However, as described below, this application seeks to further address that matter, via the provisions of a revised legal agreement.

- 6.7 An acceptable Section 106 Agreement will ensure that the third strand of sustainable development will be met, and the application would therefore meet the full aims and objectives of the NPPF.

### **Design and Layout**

- 6.8 This is an outline application with only access to be considered at outline stage, and therefore approval is not sought for the design and layout of the scheme. However, an Illustrative Masterplan has been prepared to demonstrate how residential development could be accommodated on the Site. A full detailed account of the design and evolution of the scheme is included in the submitted Design & Access Statement.
- 6.9 In view of the site's position adjacent to the existing built up area, important considerations in the preparation of the Masterplan have been the need to minimise impacts on the wider countryside, and the existing adjacent residential uses. In accordance with adopted DPD Policy DP/2 and HQ/1 of the emerging Local Plan, the proposals represent a high quality residential development which includes extensive areas of open space. It is proposed that approximately 3.55ha, over half of the site, is provided as open space incorporating a Meadow Park, children's play areas and the existing ornamental garden. It is considered that the open space, together with the existing and proposed trees and landscape features, will create an attractive environment and soften the built form of the development in this edge of settlement location.
- 6.10 The key concept principles illustrate the rationale behind the design of the site and comprise:
- The development has been structured around a network of generous publicly accessible, linked green spaces and existing mature planting;
  - Over 50% of the site is offered as open space and landscaping, and all of the high quality trees and 92% of the B Grade trees are retained as part of the proposals;
  - The proposed Meadow Park and green corridors provide recreational opportunities, biodiversity hotspots, and accommodate surface water run-off. There will be zero net impact on the existing watercourse;
  - The Pump House Garden would be opened to the public to benefit the new and existing residents of Fulbourn;
  - Development should be in keeping with the built character of the village;

- Main pedestrian/cycle access points are from Teversham Road and Cox's Drove, with another access from Cow Lane via the ornamental garden, and a link to Poorwell Water, which creates a green entrance to the development;
- Vehicular access is taken from Teversham Road; and
- An emergency and pedestrian/cycle access is proposed from Cox's Drove.

- 6.11 Policy DP/2 of the Development Control Policies DPD states that planning permission will be granted on appropriate sites for new residential development provided that proposals are satisfactory with regard to scale, mass, form, siting, design, proportion, and detailing. Given that the application is outline at this stage, the exact number of dwellings is not seeking approval and would be a reserved matter. However in accordance with local planning requirements, a figure of up to 110 dwellings has been quoted as a capacity estimate. The Net residential area measures 3.31ha, which gives an average net density of up to approximately 33dph to achieve up to 110 homes. The gross density for the site is approximately 16dph, which is significantly lower than the recent proposals for the Swifts (44dph) and Ida Darwin (19dph). The proposals therefore make the efficient use of land at a density which is considered appropriate in this more peripheral location on the edge of a rural village in accordance with the adopted development plan and the objectives of the NPPF.
- 6.12 The scale of the development is again a reserved matter but in order to ensure that the development is of an appropriate scale, the height of the dwellings would be a maximum of 2.5 storeys high, integrating high quality design and having regard to the site's wider context and specific characteristics. The proposals therefore accord with DPD Policy DP/2 and emerging Local Plan Policy HQ/1.
- 6.13 It is envisaged that the proposed housing development will comprise a mix of dwelling types and sizes across all tenures thereby satisfying Policy H1 which requires housing development to reflect the housing needs in the locality.
- 6.14 The submitted Illustrative Masterplan and Design & Access Statement demonstrate how the scheme has responded to the landscape and built character of the area. The sites opportunities and constraints have been fully analysed and translated into the creation of an attractive Meadow Park as a setting for a high quality sustainable neighbourhood. Additionally, a network of linked green spaces provides extensive recreational opportunities for both new and existing residents of Fulbourn.
- 6.15 The quality of the design is therefore in accordance with the adopted DPD policies and emerging Local Plan policies. It is also important to note the Inspector, in assessing the



appeal for application S/2273/14/OL, did not not any concerns regarding the proposed design or layout.

### **Affordable Housing**

- 6.16 In order to a deliver a sustainable development, the development will provide a proportion of affordable housing as required by Core Strategy Policies HG/3, DP/3 and emerging Local Plan Policy H/9 to address local housing needs. The affordable housing provision could include a range of intermediate tenures, shared equity as well as social rented. The precise detail will be confirmed prior to drafting of the Section 106 Agreement.
- 6.17 The application is supported by a Viability Assessment conducted by Quod, who confirm the affordable housing will remain at 30%, as per the original application S/2273/14/OL. During the determination of that application, the Council relied upon advice from Carter Jonas, who agreed that 30% was appropriate, and this was Common Ground throughout the planning inquiry process.
- 6.18 The Cambridgeshire ACRE Housing Need Survey Results Report for Fulbourn undertaken in December 2015 concludes there are 79 households identified as being in need of affordable housing who either live in, or have a local connection to, Fulbourn. This figure is well in excess of what could be provided within a typical rural exception scheme.
- 6.19 A provision of 30% affordable housing would remain a valuable contribution towards identified need.

### **Accessibility**

- 6.20 The application utilises the same plans for the main access from Teversham Road and emergency access from Cox's Drove that were submitted as additional plans during the consideration of S/2273/14/OL, and consequently considered by the Inspector at the appeal.
- 6.21 The proposal utilises a ghost right turn from Teversham Road, as considered acceptable by the local highways authority. The access provides a 5.5m width carriageway with two 2m footways to either side with 6m radii for the kerbs. An informal pedestrian crossing point will be provided south of the junction in the form of a dropped kerb and tactile paving. The emergency access utilises a planter to prevent standard vehicles accessing, whilst allowing the emergency services access as necessary.

- 6.22 The accompanying Transport Assessment by Cannon Consulting Engineers has been updated, and reviews the development in terms of accessibility, likely impact, and highways access arrangements. It concludes there has been no material change in the intervening period.
- 6.23 The application site continues to benefit from proximity of local facilities and amenities which are connected by footways that run adjacent to the roads within the area. The local footway network provides routes to local amenities such as the shops within the centre of the village, local bus stops, the school and other destinations within the village. There are local cycle routes that run pass the site providing links to and from the village centre and to outlying areas such as Capitol Park, Fulbourn Hospital and Cambridge city centre.
- 6.24 There are two existing bus routes that run adjacent to the site with bus stops that service these routes located on Teversham Road and Hinton Road adjacent to the Bakers Arms Public House. The route numbers Citi 1 and Citi 3 provide half hourly services to and from Cambridge City centre via Capital Park, the Ida Darwin, Tescos, Addenbrookes and the Rail Station among other destinations.
- 6.25 Cambridgeshire County Council have identified some potential works to the surrounding infrastructure they would wish to take place as a result of the proposed development. Of these, the applicant is willing to add a footpath across the frontage of The Bakers Arm, linking the existing bus stop to the footpath network. Further works, such as improved junctions will be considered. However, evidence is required from Cambridgeshire County Council to justify these works and the associated cost.
- 6.26 In accordance with adopted DPD Policies TR/1 and TR/2 and emerging Local Plan Policy TI/3, the proposed Site will provide parking in accordance with the guidance with provision for visitors. Where garages are included that have applicable dimensions to accommodate vehicles they will be considered as one parking space.
- 6.27 In accordance with DPD Policy TR/1 and the comparable Local Plan Policy TI/2, the proposed Site will be designed to provide the most direct cycle and pedestrian linkages to the local existing road and footway network. Accessibility to the site for pedestrians and cyclists is excellent with good connections to the local public footpath and footways that run adjacent to the site. The three access points will provide excellent connectivity to the local pedestrian and cycle network.

### **Open Space and Natural Environment**

- 6.28 The submitted Masterplan illustrates how open spaces and landscaping can be generally incorporated into the scheme. A prominent feature of the Masterplan is the large provision of open space, approximately 3.55ha which equates to over half of the site. In line with Open Space SPD, the site will include a Locally Equipped Area of Play, as well as formal and more informal areas of open space.
- 6.29 The open space will be secured through a Section 106 Legal Agreement. The recent appeal (S/2273/14/OL) was dismissed by the Inspector on grounds of lack of indemnification and the long term future of the open space, the duties of successors in title of the open space, and the relevant trigger points for provision. The applicant is committed to ensuring the Section 106 will be acceptable by all parties, and will work with the Council to ensure agreement with these factors. The Section 106 Agreement will therefore be available in draft form prior to the application being heard at any Planning Committee.
- 6.30 Precise details of the extent, form and layout of open spaces and landscape is a reserved matter and would be subject to a subsequent planning application. However, in terms of the principle of development, the proposal is considered to be compliant with DPD Policies DP/4, SF/10 and SF/11 and emerging Local Plan Policies SC/7 and SC/8 as the proposed on-site provision exceeds the required contribution, in addition, there is sufficient space to accommodate informal and formal child's play space and landscaped areas on site.

### **New Policy Designation**

- 6.31 The emerging Local Plan policy NH/12 seeks to designate the site as a Local Green Space (ref: NH/12-074), which would also include Poorwell Water. Any such designations should meet the criteria within the NPPF. The applicant considers the site does not meet these criteria, and has made representations to the Local Plan Inspector objecting to the proposed designation. The Examination in Public session on this matter is to be heard on 17/18 January 2017, and the applicant will raise substantive objections against this designation.
- 6.32 The Planning Practice Guidance (37-007-20140306) notes that "designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making". The site does not have any planning constraints, and its relationship with Cambridge ensure it is a sustainable location for development.

- 6.33 The appeal Inspector confirmed the opinion that Local Green Spaces designations “should not be applied to sites in sustainable locations, which are otherwise unconstrained and well suited for the development of new homes” (para 89). Designating the site as a Local Green Space therefore would not be consistent with the PPG and paragraph 76 of the NPPF, a view confirmed by the Inspector given its obvious development potential.
- 6.34 Notwithstanding this, paragraph 77 of the NPPF states that most green areas or open space will be appropriate for designation as a Local Green Space. NH/12-074 is in private ownership and there are no public rights of way across the site. Whilst it is used by some local dog walkers, they are in effect trespassing on the site.
- 6.35 Paragraph 77 provides a list of three criteria which must all be met for a site to be considered appropriate for a Local Green Space. The second states that a Local Green Space can only be designated where the area is demonstrably special to a local community and holds a particular local significance. The applicant made representations to the local plan confirming this was not the case, and the site is not “demonstrably special”.
- 6.36 In paragraph 86 of the S/2273/14/OL appeal decision, the Inspector notes “I consider it questionable whether the appeal site can reasonably be seen as fulfilling the requirements of the Framework or indeed the Council’s own draft policy for LGS designation”. He adds “I am not persuaded that the site possesses any particular beauty, historic significance, or richness of wildlife”. When commenting upon recreational value, the Inspector added “the fact remains that there are no formal rights of way across the appeal site, and as the appellant says, the submitted figures indicate that only a small proportion of the local catchment population appears to use the site on a regular basis”.
- 6.37 There has been no change of circumstance that would alter this view since the appeal decision was received.
- 6.38 Policy NH/12 can only carry limited weight at this time, as it has not been formally assessed at this stage and is subject to substantive, unresolved objections. As a result, the benefits of the proposal as described in this statement outweigh this designation.

### **Trees**

- 6.39 A Tree Survey has been undertaken by Forbes-Laird Arboricultural Consultancy and is submitted with the application. Excluding U grade trees, there remains 423 trees on site. As depicted on the Illustrative Masterplan it is proposed that the total trees on site will be set to reduce to 254 after the development. All Grade A trees will be retained and 92% of

the Grade B trees. The majority of the tree loss will be from the low quality cohort (Grade C). It is proposed that these trees will be replaced as part of a comprehensive landscape strategy for the Proposed Development. The tree boundary along the railway will remain in place.

- 6.40 The site is subject to a statutory tree protection by the Tree Preservation Order (TPO) referable as The County of Cambridge Tree Preservation Order Number 8 of 1963, Fulbourn. This TPO protects trees on site within two Areas, and certain off-site trees covered by the tree survey. The blanket Area designation protects only those trees present on site when the Order was made, such that trees arising after 1962 are not protected by it. The trees within the Ornamental Garden which lies within the Fulbourn Conservation Area confer similar statutory protection to the TPO. It is proposed that the tree removal within the Ornamental will be limited and intended as amenity enhancement which will include group thinning and glade creation.
- 6.41 In view of the above, there are no arboricultural constraints that can be reasonably cited to preclude the development. The proposed illustrative design has taken into careful consideration the constraints of the existing trees and has sought to integrate them as an integral feature of the scheme. The submitted Tree Survey recognises that the development of the site offers the opportunity for improvements to come forward which will enhance the development and mitigate for the limited tree loss.

### **Landscape**

- 6.42 The application is accompanied by an updated Landscape and Visual Impact Assessment (LVIA), which has evaluated the landscape and townscape character and the extent of the views from the surrounding area into the site. It has also assessed the potential effects of the Proposed Development upon the landscape resources and visual receptors and identified appropriate mitigation where required. The updated LVIA provides the information considered by the planning Inspector when determining the appeal for application S/2273/14/OL.
- 6.43 Within the Inspector's report he noted the railway line to the northern boundary "forms a natural northern boundary to the appeal site". With regards the impact on views from Poorwell Water, the Inspector states "I am not persuaded that glimpsed views of new dwellings on the appeal site would unacceptably harm the existing character of the area". On impact upon the adjacent Green Belt, the Inspector states "I do not agree with the Council that the proposal would adversely impact upon the openness of the Green Belt".

- 6.44 When assessing the above, as well as the views in and out of the site, along with an assessment of the areas character, the Inspector concludes there is no “conflict with LDF Policies DP/1, DP/2, DP/3 or NE/4”, and concludes “the appeal proposal would not have an adverse impact on the character or appearance of the surrounding area”.
- 6.45 A strong landscape-led approach to the Proposed Development has been adopted to ensure that it is integrated successfully into the landscape. In broad terms, the landscape strategy aims are to create an attractive setting for the Proposed Development, assimilating the built elements into the surrounding landscape / townscape to minimise effects on visual amenity and landscape character.
- 6.46 The LVIA concludes that the site represents a logical extension to Fulbourn, and would result in limited landscape and visual effects. The site would successfully accommodate residential development, assimilated into the existing settlement edge of Fulbourn within a robust landscape framework, sympathetic to the existing townscape and landscape character.

### **Archaeology**

- 6.47 Archaeology work was carried out on the Site between 27 April and 7 May 2015, commissioned by CgMs Consulting. The evaluation was carried out in accordance with a Written Scheme of Investigation, and monitored by Kasia Gdaniec of Cambridgeshire County Council Historic Environment Team.
- 6.48 The works included a total of 30x 30-50m long evaluation trenches totalling 1381.2m in length. The works revealed clear evidence for post-medieval and modern agricultural activity, primarily in the form of drainage ditches. No further archaeology work is required as part of this planning application.

### **Flooding and Drainage**

- 6.49 The site lies within Flood Zone 1 and is therefore not considered to be at risk of tidal or fluvial flooding. In accordance with DPD Policy NE/11 which seeks to ensure that flood risk is taken into account in all stages of the planning process, the application is accompanied by an updated Flood Risk Assessment (FRA) prepared by Cannon Consulting Engineers. The FRA identifies that the site is prone to surface water flooding and also likely to be exposed to elevated groundwater levels.

- 6.50 The FRA concludes that the proposed development is not considered to be at a significant or unmanageable risk of flooding from other sources of flooding. Surface water flood risk will be addressed by maintaining space for potential floodwater within the layout and setting the finished floor levels 300mm above ground levels.
- 6.51 In assessing the appeal of application S/2274/14/OL, the Inspector noted "the appeal proposals were considered acceptable by the EA and the Council's Drainage Officer", and "significant weight" was given to the independently reviewed flood risk information, with no evidence put forward to contest the conclusions. The Inspector also noted that the drainage strategy and habitat management and enhancements proposals can work satisfactorily together.

### **Water Conservation Strategy**

- 6.52 In accordance with DPD Policy NE/12, the application is accompanied by a Water Conservation Strategy (WCS) prepared by Cannon Consulting Engineers. The statement provides an overview of how water consumption will be controlled within the proposed development to meet the requirements of the policy. The WCS concludes that the development is presented as sustainable in water efficiency terms based upon the proposals outlined in the Strategy.

### **Biodiversity**

- 6.53 In accordance with DPD Policy NE/6 'Biodiversity' which requires new development to maintain, enhance, restore or add to biodiversity, and the emerging Local Plan Policy NH/4 which requires development proposals to conserve or enhance biodiversity, the ecological interest of the Site has been thoroughly assessed by Niras and the scheme has been designed to ensure that the potential of the Site to support protected or priority species is maintained and enhanced.
- 6.54 The biodiversity assessment again draws on information considered at the recent planning inquiry for application S/2274/14/OL. The site remains an undesignated area of agricultural land, and the Inspector notes "the site should be seen as simply of local ecological significance, rather than of borderline CWS (County Wildlife Site) quality". The Inspector also correctly notes the site could be cleared at any time so the ecological value is not secure, but the applicant is seeking to mitigate impacts allowing significant opportunities for biodiversity enhancement on the site.

- 6.55 The application will provide significant ecological benefits, including retention of trees, translocation of wild flowers, and creation of grassland habitats in perpetuity, as well as the clearing of the chalk stream and land around the ornamental garden.
- 6.56 The Inspector concluded "on balance I conclude that subject to the satisfactory implementation of an agreed Landscape and Biodiversity Management Plan, which could be secured by condition, the proposed development would not have an unacceptably harmful impact on areas of ecological or nature conservation interest. Nor do I consider the appeal proposal to be at odds with paragraphs 109 and 118 of the Framework".
- 6.57 There is no material difference between the information submitted as part of this application and that considered by the Inspector. As a result, the Inspector's conclusion remains relevant.

### **Sustainability**

- 6.58 In accordance with DPD Policy DP/1 which concerns sustainable development principles, and emerging Local Plan Policy CC/1 which requires that applications for new development submit a Sustainability Statement to demonstrate how climate change principles have been embedded into the development proposal, an Environmental Sustainability Statement is submitted with the application. A detailed description of the schemes sustainability principles is provided within the Design & Access Statement.
- 6.59 In addition to the above, DPD Policy DP/1 also requires a Health Impact Assessment to be submitted alongside the application which is attached at **Appendix 3**.

### **Environmental Residential Amenity Impacts**

#### ***Amenity Impact***

- 6.60 Despite the application being in outline form, there is adequate space around the site to ensure appropriate relationships between the proposed dwellings and the existing, as well as between the new dwellings themselves. These relationships will be examined in greater detail at the reserved matters stage.

#### ***Noise***

- 6.61 The application is accompanied by a Noise Assessment by Cass Allen Associates, which looks at the relationship of the site to the industrial buildings to the north. During the



determination period, the Council's Environmental Health Officer requested a 50m zone to be shown where development would be restricted if no agreed noise mitigation matters could be achieved.

- 6.62 The 50m zone still shows that development of 110 dwellings could be achieved on the site. However, it would only be implemented should mitigate at source or detailed design of the dwellings not be achievable.
- 6.63 Since the drafting of the Noise Assessment, one unit has a new occupier, that being a bicycle construction business. No new areas of concern have been noted as a result of this new occupier, and they were in place when the Inspector considered the appeal. As a result, the use of an appropriately worded planning condition remains satisfactory to ensure no noise disturbance would affect future occupiers of the dwellings.

### ***Odour***

- 6.64 Acoustic Air has undertaken an odour assessment at the site and the magnitude of existing odour exposure over the proposed development Site was assessed by means of the Environment Agency's 'sniff test'. 'Sniff tests' were undertaken a number of locations across the site and the odours detected recorded.
- 6.65 The results of the 'sniff test' odours were rarely detected other than at positions lying along the site boundary immediately adjacent to the rear of the commercial premises. The only odour detected had a weak paint-like smell, but this was generally only faint, i.e. barely detectable and one had to stand still and inhale facing into the wind, and was only local and transient, i.e. only present at the site boundary for brief periods under certain wind conditions.
- 6.66 In accordance with DPD Policy DP/3 which seeks to prevent adverse impact from odour, the report concludes that, the levels of odour likely to be experienced by new residents on the site is not considered to amount to a statutory nuisance and, given their low level of intensity, extent and frequency, would not adversely affect residential amenity.

### **Land Quality**

- 6.67 The Phase 1 & Phase 2 Contamination Assessment supporting the planning application has investigated the history and environmental setting of the site to establish the risk of contamination and identify any issues relating to ground conditions which would need to be addressed during the construction of the scheme. It concludes that:

- No significant concentrations of contamination were encountered and the site can be considered low risk in terms of contamination;
- A review of the earliest available historical map, dated 1886, indicated that the site had remained undeveloped;
- The site is located within Ground Water Source Protection Zone 1;
- The site was found to have potential for groundwater flooding at the surface. Three groundwater monitoring wells were installed at the site. Groundwater was not encountered in the wells during the monitoring visits;
- Ground gas monitoring is still being undertaken and will be reported under the full report, it is considered that the site will be low risk in terms of ground gas based on results to date;
- No contamination was encountered that will pose a risk to human health as a part of the investigation.

6.68 All risk ratings are explained in full in the Assessment report. No further environmental works are considered necessary and as such the Site is considered suitable for its intended residential end use.

### **Infrastructure Provision**

6.69 A Section 106 agreement is required to ensure financial contributions are required to meet the identified shortfall in education and healthcare provision, as well as the affordable housing provision and open space. The level of contributions were agreed prior to the planning inquiry, and it was agreed the contributions would meet the tests of Regulation 122 of the Community Infrastructure Levy Regulations 2010.

6.70 Contributions will therefore be offered for the following infrastructure requirements, and the precise levels of contributions will be agreed with the Council during the determination period and included within the draft Section 106 Agreement, which will be prepared prior to any Planning Committee:

- Early Years Education
- Primary Education
- Secondary Education
- Libraries and Lifelong Learning
- NHS England
- Strategic Waste
- Household Waste Receptacles

- Section 106 Monitoring Fee

### **Achievability**

- 6.71 A reason for refusal on the original application S/2274/14/OL queried the ability to deliver the 110 dwellings within 5 years. As a result, Carey New Homes were instructed to provide a report showing the likely timeframe for delivery, including submission of reserved matters, discharge of conditions, site preparation, and provision of necessary infrastructure.
- 6.72 Despite the site being described as “wet”, any additional engineering works above that considered normal would not significantly add to the time frame of delivery, which Careys confirm can be achieved within 5 years, whilst also allowing an additional time buffer should development be delayed. The Council subsequently agreed the development could be delivered within 5 years as Common Ground, and did not challenge this at the appeal inquiry.
- 6.73 The Planning Inspector, when commenting on the Careys report, notes “it seems to me that this would allow adequate time for the necessary earthworks and any additional surveys to be undertaken”.

### **Utilities**

- 6.74 A Services Appraisal has been undertaken by Cannon Consulting Engineers to provide an overview of the servicing constraint and supply implications associated with the Proposed Development.
- 6.75 The report concludes that whilst there are no existing services within the boundary of the site for electricity, gas, water and telecommunications, all of the service providers have been contacted and provision can be easily made.

## 7.0 THE PLANNING BALANCE AND CONCLUSIONS

7.1 Paragraph 14 of the NPPF states that at the heart of the Framework is a presumption in favour of sustainable development. Local planning authorities should therefore positively seek opportunities to meet the objectively assessed development needs of their area with sufficient flexibility to adapt to rapid change. Where policies are judged to be out of date, permission should be granted for sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.2 Accordingly, the key questions to consider in the overall planning balance for the submitted proposals at Fulbourn are:

- The suitability and sustainability of the site
- Whether there are significant constraints to delivery
- The level of assessed adverse impact relative to the SHLAA Assessment
- The level of planning policy compliance
- The need to deliver housing and the 5 year land supply
- The overall balance of benefit and harm

### **Suitability and Sustainability**

7.3 The Application Site is relatively flat and has good capacity for the scale of development proposed, notwithstanding the mitigation measures required in terms of surface water management. Whilst the site is located in an edge of settlement location, it is cohesively well related to the village centre and has a good long term defensible northern boundary formed by the alignment of the Cambridge to Ipswich railway. As such, the Application Site is a natural location for sustainable growth relative to the established village pattern of settlement and the enclosed characteristics of the site will prevent any longer term potential for encroachment into the Green Belt. This view is shared by the recent Planning Inspector. It should be noted that development on the edge of the site has already taken over a number of years which exerts an urbanising influence on the site distinguishing it from the wider landscape.

7.4 The characteristics of the land and the proposed low density allows the village extension to be in the form of a more spacious, Arcadian development, arranged around green landscape spines and generous public open space. These open spaces are also proposed

to be linked in conjunction with a restored Victorian pond and an Ornamental Garden located within the south west area of the Site.

- 7.5 Accordingly, whilst the primary use of the site is proposed to residential, this is the catalyst to bring forward a very high ratio of public open space, which is a material consideration given the emerging policy designation N/11 in the Local Plan.

### **The Level of Constraints to Delivery**

- 7.6 Whilst the site is acknowledged to have a higher than normal groundwater level, the site can be suitably developed, subject to an appropriate ratio of built development to open space and the installation of the water management measures proposed. This Statement identifies however, that there are no other significant identified constraints to delivery.
- 7.7 On the contrary, the proposals at Teversham Road are capable of much earlier delivery than many other identified strategic sites in South Cambridgeshire, by reason of their excellent integration and connectivity with the existing settlement and the high level of retail and other service provision that Fulbourn can provide to the new community from day one. The highly integral relationship of the Application Site to the existing settlement will also allow the Proposed Development to be a fully functional and sustainable new part of Fulbourn, which contributes socially and economically to its well future being.

### **Level of Adverse Impact Relative to the Original SHLAA Assessment**

- 7.8 With regard to heritage considerations, the SHLAA identified a potential adverse impact upon the setting of the Fulbourn Conservation Area and the presence of a non-statutory archaeological site. This has been addressed by the application by setting back the built form of the development from the southern boundary of the site, combined with the retention of the most significant trees and a comprehensive landscaping strategy. The Heritage Statement submitted alongside the application concludes that if the above measures are incorporated into the scheme, then the residual impact of the Proposed Development will be negligible. This view was shared by the recent Planning Inspector. Archaeology works have already been successfully completed on the site.
- 7.9 With regard to environmental and wildlife designations, the SHLAA has identified the presence of protected species on the site. The application proposals have responded in that the illustrative layout has been fully informed by appropriate ecological guidance and a number of mitigation measures have also been proposed to retain and enhance the biodiversity of the site.

- 7.10 These include the retention of the majority of the ecological features identified and where necessary the provision of alternative enhanced habitats. The proposals also include an area of open grassland and the inclusion of an area of wetland to further assist biodiversity.

### **The Need to Deliver Housing and the 5 year Land Supply**

- 7.11 The Council remain unable to demonstrate a five year housing land supply, a situation that has worsened since the recent planning inquiry. As noted above, the recent 2016 Annual Monitoring Report confirms a 3.7 year housing land supply using the Sedgfield method.
- 7.12 The implications are that there is very significant headroom in terms of the numbers of additional dwellings that SCDC are likely to require to allocate in order to provide a viable five year housing land supply. In this respect, the Site at Teversham Road can significantly assist by providing up to 110 dwellings during the next five years.

### **The Overall Planning Balance**

- 7.13 Section 38 (6) of the Planning and Compulsory Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF makes clear that where policies are judged to be out of date, permission should be granted for sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.14 The key issue in terms of weighing the primacy of the development plan against the requirements of the NPPF is the determination of whether policies are judged to be out of date. The tangible lack of a five year housing land supply in South Cambridgeshire suggests that there is an indication that the housing policies are out of date and the Council are obliged to grant permission for sustainable development which meets the test that any adverse impacts of doing so would not significantly and demonstrably outweigh the benefits.
- 7.15 In judging the balance between providing for wider housing need and site specific harm, the development strikes a sustainable balance whereby it will facilitate the delivery of much needed housing whilst enhancing the amenity benefits of the Site through the provision of open space and enhanced public rights of way.
- 7.16 Whilst the current green character of the site will be changed and some land will be replaced by built development, the site will also facilitate the use of the undeveloped land

as an important amenity resource through the catalyst of a high quality residential development framed by a network of open spaces, green corridors and ecological areas. Overall, based on the low density and other design approaches taken, the wider benefits of the proposals are judged to outweigh the impacts of the development, which are not significant or demonstrably enough to warrant refusal.

- 7.17 With regard to the emerging designation of the land as a Protected Village Amenity Area (Policy N/11), this Policy is subject to objection and so has very limited weight at this time. From a practical standpoint it is also completely unenforceable given the privately owned status of the land. The Application Site is also not afforded any other landscape designation or other special protection in the Local Plan that could restrict appropriately designed and sustainable development in principle.
- 7.18 The Planning Inspector, commenting upon the recent planning appeal S/2273/14/OL on the site, confirms that the only matter preventing that application being sustainable development was the Section 106 Agreement. All other matters are considered acceptable subject to appropriately worded planning conditions. This application will seek to ensure an agreed Section 106 Agreement is produced, thereby overcoming the Inspector's only objection to the scheme proceeding.
- 7.19 The net outcome of the approval of this application, will be the contribution of up to 110 much needed high quality dwellings to the Council's five year housing land supply, with a strong prospect of early delivery, on a well connected, non Green Belt site. This development will also allow for the creation and dedication of over 3.5 hectares of new high quality managed open space, which is a more deliverable and sustainable long term solution for the Site than that currently sought by the Local Plan.
- 7.20 This Statement also assesses the appeal decision, and the comments from the Planning Inspector. Whilst the appeal was dismissed, the Inspector found no conflict with Policies DP/1, DP/2, DP/3 and NE/4 dealing with design and landscape matters. In addition he found no conflict with policies CH/5 (Conservation Area) and Policy NE/6 (Biodiversity). Significant weight must therefore be given to the comments of the Inspector. On this basis, it is considered that there is a presumption in favour of granting planning permission, without delay.
- 7.21 Accordingly the submitted application proposals with a revised S106 package warrant planning approval.

# **APPENDIX 1**

## **Site Location Plan**



# **APPENDIX 2**

**Appeal Decision**

**APP/W0530/W/3139730**

# **APPENDIX 3**

## **Health Impact Assessment**

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