

8. *COMMUNITY SERVICES AND INFRASTRUCTURE*

INTRODUCTION

8.1 This chapter sets out a range of policies for those services and facilities which are an essential part of modern life for residents of South Cambridgeshire. The District Council is increasingly taking an enabling and co-ordinating role, rather than one of direct provision. This chapter sets out the protocol for the provision of community facilities and infrastructure as a requirement of developers, because a development will generate a demand which may not be able to be met within an existing facility or that provided by the local authority. In addition, guidance is given to service organisations when considering the installation of new services or facilities.

8.2 As the population of the District continues to rise, and the long term trend per capita consumption of water increases, the management of limited water resources is recognised as being critical to sustaining the environment for future generations. Water resources, river management and land drainage are the responsibility of the Environment Agency. Water supply, sewerage and sewage disposal are the responsibility of Anglian Water. In South Cambridgeshire, water is supplied by the Cambridge Water Company. There is also a large number of Internal Drainage Boards. The Environment Agency relies on the planning system to prevent problems related to water supply, land drainage and flood defence. The chapter addresses the maintenance of future water supplies and their quality.

OBJECTIVES

- To ensure that community facilities and essential infrastructure are retained and are available, or are to be provided, in step with new development.
- To maintain and conserve water resources, protect water environment and to avoid unacceptable flood risks.

PLANNING OBLIGATIONS

8.3 The Secretary of State's policy and guidance on planning obligations is set out in Circular 1/97.

POLICY CS1: The Council will seek to negotiate planning obligations (or in appropriate cases to impose Grampian-style planning conditions) to ensure the provision of any matters that are either (a) necessary from a practical point of view to make a development proposal acceptable in land use terms, or (b) necessary for planning purposes and so directly related to the proposed development and to the use of land after its completion, that permission ought not otherwise to be granted. In both types of case the subject matter of the obligation will be reasonably related to the proposed development in scale and kind.

8.4 Local planning authorities are empowered to negotiate with developers to secure the provision (either directly or by means of an appropriate financial contribution) of (a) items of infrastructure or other forms of development that are a necessary pre-requisite to a proposed

development from a practical point of view or (b) have a necessary planning purpose and such a direct relationship with the proposed development that their provision must be secured.

8.5 Where agreements are required to secure these matters it will be necessary for such agreements to be completed before planning permission is granted.

8.6 Planning obligations will not be sought to make up existing shortfalls, only to provide what is necessary to permit a development to proceed by meeting its own needs and satisfying demands which it generates, or by offsetting losses or remedying impacts which it causes, or in other circumstances covered by policy CS1.

8.7 It is impossible to indicate the whole range of circumstances in which a planning obligation may be required to secure the provision of a necessary matter. However, the following are examples of the type of situations where planning obligations will be sought, usually in the form of agreements under Section 106 of the 1990 Act:-

- (1) Any proposal for a family annexe to a dwelling where the size or location of the proposed annexe is considered sufficiently capable of independent occupation as a separate dwelling unrelated to the principal dwelling. The agreement will tie occupation of the annexe to membership of the same family as the principal dwelling or their domestic employees.
- (2) Where there is a previous unimplemented planning permission still extant for a site which should not be implemented after the granting of another proposal under consideration. The agreement would provide for one or other to be implemented, but not both.
- (3) Where the occupation of a dwelling is required to be restricted to employees or persons having a direct connection with or control of any adjoining property, for a business not within Class B1 use class, due to the impact of the use upon the occupiers of the dwelling.
- (4) In any case where financial contributions or the provision of services, facilities of infrastructure are required and where bonds, guarantees or other security for the payment of money are appropriate.
- (5) Where it is requisite for land to be transferred prior to the commencement of development or by reference to any other trigger point.
- (6) Where the provision of affordable housing is included in any proposal, the agreement will secure its permanent accommodation in accordance with criteria (3) and (5) of policy HG7.
- (7) Where it is appropriate for development not to commence until any other agreement with a third party, e.g. the local highway authority, has been concluded. Such third party agreements would usually provide for financial contributions to be made or works to be done and the restriction would be expressed to continue until the requisite completed agreement is produced to the District Council.

8.8 A planning obligation may restrict development or use of the land; require operations or activities to be carried out in, on, under or over land; require the land to be used in any specified way; or require payments to be made to the authority either in a single sum or periodically. Financial payments must contribute to the cost of providing facilities in the near future.

8.9 Policy CS1 and paragraphs 8.4-8.7 outline instances where the District Council anticipates that planning obligations will be required in connection with a particular type of development. However, the District Council recognises that the existence of plan policies does not preclude negotiation of proper and appropriate planning obligations on their merits in relation to individual planning proposals. Circular 1/97 details where the Secretary of State for the Environment considers a planning obligation may be reasonable. The District Council will consider it reasonable where the obligation is so directly related to the proposed development and the use of the land after its completion, that the development ought not to be permitted without it. But it considers it will also be reasonable if the substance of the planning obligation brings about an improved scheme or enhances the development or its relationship with the local environment. It must be for a planning purpose. The District Council will not seek any planning obligation that

is not fairly and reasonably related in scale and kind to the proposed development and reasonable in all other aspects.

8.10 However, it will generally be prepared to accept more than 'scale and kind' relationship (e.g. a larger recreation area within residential development than is normally required) if this is offered, provided there is a direct relationship to the proposed development, the planning obligation is for a proper planning purpose and it is otherwise reasonable. The Council will be careful to ensure, however, that it is not influenced in its decision on the planning merits of any proposal by any offers which exceed these criteria.

8.11 An obligation can be designed to secure an acceptable balance of uses, or to secure the implementation of Local Plan policies, to offset the loss of, or impact on any amenity or resource present on the site or to protect or reduce harm to protected sites or species.

8.12 Where a condition requiring works to be carried out before a development commences is appropriate (a Grampian style condition), it will be used rather than a planning obligation. But where it is inappropriate, planning permission will be refused if the District Council is satisfied that the development should not go ahead without the provision of a service or facility and where:

- the organisation responsible for providing the service or facility has no project programmed for its provision; or
- the project is programmed for a period more than five years ahead, and in either case;
- the owner (for the purposes of S.106) is not willing to enter a planning obligation to meet the cost or his proportion of the cost of bringing forward the provision of a necessary service or facility.

8.13 For the avoidance of doubt, spare capacity which may exist in services or facilities, or may arise from programmes to be implemented within 5 years, will be taken into account and planning obligations will only be required for the unmet need.

8.14 It will be for the service provider to submit a statement to satisfy the District Council as to capacity, spare capacity, likely spare capacity and unmet need for provision. It will also be necessary for the service provider to indicate how any likely unmet need was intended to be satisfied, how in the circumstances of each case the need can be addressed and, if it will involve the payment of any financial contribution, the computation of such contribution expressly stating:

- the unmet need estimated to be generated by the proposed development;
- the estimated total cost of provision which is expected to satisfy that need;
- the fair proportion or amount which the proposed development will be required to make taking into account: i) all relevant development allocated, ii) all relevant development with planning permission, iii) relevant development under construction and iv) relevant development completed but not yet occupied;
- the base date of the cost attributable to the proposed development and the requisite date(s) of payment and the index of any adjustment, if any, by which the cost shall be adjusted from the base date until payment to take account of inflation during delayed implementation, development and payment.

8.15 It will be appropriate for the proposed development to meet in full or to make a contribution in proportion to the total cost (where other development is proposed) of any services or facilities that will be required. However, where a proposed development brings about a need for a number of services or facilities, there may not be sufficient value in the proposal to meet the requirements in full. In such circumstances it will be necessary for the District Council to determine which services or facilities should take precedence or what smaller contribution should be made. However the following principles will apply:

- The requirements of Local Plan policies will be met in full;
- Where a proposal includes affordable housing, that part of the development will be exempt from any other direct financial obligation but will be subject to other restrictions, for example governing the qualification of occupiers, tenure and rent levels.

- Proposals resulting in major environmental benefits to the community such as those resulting from the relocation of unsuitable uses may be subject to a reduced obligation. The proposed development may not be required to meet the full cost of services and facilities that would otherwise be needed, the public already having benefited from the removal of the unsuitable use.
- Where the District Council has to decide between competing services or facilities, it will take into consideration the community's need for each service or facility and will have careful regard to the representations of the Parish Council in this respect.

8.16 It will be the case that matters of capacity, proportion and contribution will have to be considered for all relevant development proposals. However, unless it can be shown that planning permission for minor developments should be refused in the absence of making some provision for likely unmet need for services and facilities, minor residential developments of 8 dwellings or less and commercial development of land not exceeding 0.5 hectares will not attract a requirement for a contribution unless, taking a broad view, the Council considers that it would be reasonable to conclude that the relevant sites are part of larger areas with realistic potential for similar development or where housing group development is resulting in a strategically significant level of development (normally in the Rural Growth and Limited Rural Growth Settlements).

8.17 The planning obligation will usually be limited to the capital cost of provision and establishment and exclude the cost of subsequent maintenance and recurrent expenditure. However, the District Council considers the proper permanent maintenance of open spaces provided to serve a residential development to be as important as its provision in the first place. Experience has shown that such maintenance is too important to be left to private sector interests. Consequently, the District Council will seek to secure monies from the developer via a Section 106 Agreement to enable the ongoing maintenance of the associated open space by the Parish Council or an organisation to be agreed by the District Council.

8.18 Any agreement for community infrastructure will set out clearly, if the service or facility itself is not being provided but a sum of money, the proportionate contribution, how computed, secured and indexed and how and when to be paid. It will include the relevant service authority as a party to the agreement and provide for all contributions to be paid through the Council to the relevant service authority or to the County Council if for educational facilities or for transportation. A Section 106 Agreement will include a requirement by the relevant service authority to utilise the contributions paid under the Agreement for the purposes stated within a period of 5 years or to return the contribution with interest and to account to the owners as to the utilisation of the fund if required. The cost of preparing the agreement will be paid by the applicant/landowner.

8.19 Besides the 'scale and kind' relationship described above, there are three areas of District Council policy in relation to planning obligations which differ in emphasis - if not in law - from that of the Secretary of State.

- (a) Transfers of land. Circular 1/97 generally countenances against obligations to transfer land. There are two important areas where land transfer is a vital step to the realisation of proper planning land use policy.
- (i) the provision of public open space
 - (ii) the provision of affordable housing on allocated sites in the Local Plan.

In relation to **public open space** the Council encourages transfer to the Parish Council. The Parish Councils are able to agree terms with owners and developers and the practice has worked very well where the parties agree a trigger point towards the end of the development for the developers to establish the facility and transfer it with any negotiated children's play equipment and establishment sum.

Developers are not expressly required by the District Council to deal with it in this way but both developers and the Council have generally found alternative methods to be not as satisfactory in terms of securing at reasonable cost the permanent maintenance of these spaces.

In relation to **affordable housing on mixed sites**, the District Council requires no development to commence on the private housing part of the site until the affordable housing land part is transferred to a registered social landlord upon appropriate terms. Such transfer, inclusive of mains services to the boundary of that part, is either free of consideration or at substantial discount.

In respect of both instances the embargo upon development or further development until transfer is consistent with Government policy even though the effect of such provision is to require land transfer.

(b) Affordable Housing, tenure and rent levels.

Where the provision of affordable housing follows the Housing Needs Survey or a further Local Needs Survey, the types of tenure are relevant for inclusion in a Section 106 agreement to accord with the needs found in such survey. Similarly the rent levels have to be affordable to accord with the rationale of the relevant policy. Such rents will normally be referenced to local indicator rents for comparable properties. The District Council, however, treats each proposal on its merits within the context of a local survey and does not, as policy, pre-judge rent levels or tenures.

(c) The use of obligations in family annexe and similar cases instead of conditions.

Pressure for residential development in the Cambridge area has been too great for too long to allow the restriction against separate occupation to be imposed by planning condition only in cases where there is a clear possibility of such separation. The Council is mindful that if separation occurs in breach of planning control there is only a 4 year period to enforce before the situation is beyond the Council's statutory powers of enforcement. Given the Council's finite enforcement resources, and a natural antipathy to monitoring by regular site inspection in what would be seen by most to be unnecessarily intrusive, the District Council prefers to establish such restriction by S.106 agreement. This has the added advantage of the restriction being specifically drawn to the attention of a purchaser in the course of normal local land charge searches and the copy of the deed of agreement is handed over to him on completion. Such reminders serve to prevent breaches, are shown to be more effective than planning Conditions and in the last 10 years have never had to be enforced.

PUBLIC UTILITIES

Water resources

POLICY CS2: Planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems (including water sources, water and sewage treatment works) available to meet the anticipated demands of the development unless there is an agreed phasing arrangement between the developer and the relevant service provider for the provision of the necessary infrastructure.

8.20 Most developments will require a water supply and adequate arrangements for the disposal of foul and surface water. Where there is inadequate water supply, sewerage, or drainage systems to serve a development there is a potential risk to public health that would justify the imposition of planning conditions on a planning permission. Anglian Water is responsible for water supply, sewerage and sewage disposal. Water resource management, land drainage, river management, pollution control and regulating the handling and disposal of waste are the Environment Agency's responsibility. Internal Drainage Boards manage all drainage within their districts excluding main rivers. It is a function of the water and sewerage undertakers to provide adequate infrastructure for domestic purposes. To this effect, infrastructure charges for new residential development will be payable to Anglian

Water and Cambridge Water Company. In addition Cambridge Water Company will also levy a water supply infrastructure charge and they should be similarly consulted. Internal Drainage Boards may also seek the cost of completing and maintaining additional capital projects made necessary by any proposed development. These organisations may be able to influence factors responsible for the functioning of the water environment but have little control over the mechanisms to determine land use change. They rely on the planning system to help prevent problems associated with water supply, land drainage or flood defence arising from new development and therefore require close co-operation with the District Council. However, the planning system should not duplicate controls that are the statutory responsibility of other organisations. Major developments, such as the new settlement, which have strategic implications for service provision will need to be co-ordinated and phased by the District Council to avoid danger to public health or safety through overloading of water, foul or surface water drainage systems and watercourses. Planning obligations or conditions phasing the development in these circumstances may be imposed.

8.21 The use of Section 106 Agreements to secure the provision of infrastructure for water supply, sewerage or sewage disposal should not be necessary as it is the developers' responsibility to requisition the provision of water supply by the water company under the Water Industry Act 1991.

Foul and Surface Water Drainage

POLICY CS3: The development of sites where drainage to a public sewer is not feasible, will not be permitted if proposed alternative facilities are considered inadequate and would pose an unacceptable risk to the quality or quantity of ground or surface water, pollution of local ditches, watercourses or sites of ecological importance. In proposals for development, the presumption is for drainage to a public sewer to be provided wherever possible. If this is not feasible, a package sewage treatment plant should be pursued. Only where it can be clearly demonstrated that neither of these options is feasible will a system incorporating septic tank(s) be considered.

8.22 Where possible all development should be connected to a public sewer. Development in the countryside, normally being development for agricultural purposes, which conforms to other policies in the Local Plan, may still be unacceptable if untreated effluent could enter local watercourses, etc. This includes slurry from large agricultural installations. The District Council, recognising the importance of protecting the environment, will not give planning permission for such development where it may prejudice the quality of ground or surface water, watercourses or sites of ecological importance unless measures are undertaken to mitigate the harm.

8.23 Farm reservoirs can provide an important water resource. Often, such proposals fall within the remit of the County Council as Minerals and Waste Authority. However, when consulted on such proposals, they will be viewed positively subject to other relevant policies in the Plan.

8.24 Where petrol, chemical or oil tanks or other facilities form part of a proposed development, the District Council will require them to be contained by bund walls of sufficient size to prevent spillage or seepage. The drainage of roads, including adaptable highways and private roads and hard surface areas used by motor vehicles will be required to be connected to trapped gullies and petrol/oil interceptors or suitable other methods of pollution control.

Ground Water Protection

POLICY CS4: Development will not be permitted which poses an unacceptable risk to the quality of the underlying groundwater.

8.25 Groundwater resources are critical to the maintenance of the public water supply in South Cambridgeshire. The chalk aquifer to the south and east of Cambridge is an important strategic resource and the principal source for Cambridge Water Company. It is highly vulnerable to different types of land use activity that could pollute it or prevent it from re-charging. The Groundwater Protection Maps, prepared by the Environment Agency, represent areas where groundwater is at varying degrees of risk from potentially polluting activities and developments. The District Council will be guided by the Environment Agency on all proposals that may pose a threat to groundwater resources. The abstraction of water from groundwater sources or watercourses is also controlled by the Environment Agency through abstraction licences.

Flood Protection

POLICY CS5: Planning permission will not be granted for development where the site is liable to flooding, or where development is likely to:

- (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; or**
- (2) increase flood risk in areas downstream due to additional surface water runoff; or**
- (3) increase the number of people or properties at risk,**

unless it is demonstrated that the above effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.

8.26 The Proposals Maps and Inset Maps show the indicative floodplains notified by the Environment Agency (EA) in March 2002. Most of the floodplain within the District is within a Passive Defended Floodplain. The EA maps indicate the extent of the highest recorded flood or the estimated extent of a flood with a 1% annual probability of occurrence, whichever is the higher. Although the maps show areas of possible flooding from rivers, streams, watercourses or the sea, they do not take account of flood defences and always take a conservative approach where detailed information is available. However, there is an initial presumption against development in affected areas. The indicative floodplain maps are regularly updated by the EA and the most up to date indicative floodplain maps will be relevant in development control decisions.

8.27 Any proposal for development in such areas will be required to demonstrate that the development (and its means of access) are not at risk of flood and do not increase the risk of flooding elsewhere. PPG25 suggests that planning matters should be considered on a catchment-wide basis and it is therefore appropriate for a flood risk impact assessment to be required for development outside the floodplain if:

- (a) the development detrimentally affects the local land drainage systems;
- (b) the development is in an area that is poorly drained or subject to high groundwater;
- (c) the downstream system is prone to flooding or drains onto a floodplain.

Assessments should generally be in accordance with the minimum requirements laid down in PPG25.

8.28 Not all development within an indicative floodplain will be prevented. Some forms of development would not consume a significant amount of storage capacity or interrupt the flow of floodwater, although account will have to be taken of the potential for cumulative impact on flood storage capacity arising from a series of small developments. Other development may be permitted where appropriate mitigation is provided.

8.29 The EA and other operating authorities will be consulted on all proposals in and adjacent to the floodplain and will advise on the acceptability of the proposal in the light of all known information. If further information is required or any flood risk issues remain, the developer will be required to carry out a flood risk impact assessment. This would typically entail a full topographical survey, a comparison with historic records and possibly modelling.

8.30 New development or redevelopment can exacerbate the problems of flooding in downstream areas by causing increased run-off from impermeable surfaces. Development will not be permitted if it would generate additional surface water run-off that would have an adverse effect on the environment. The Council therefore supports the EA in promoting sustainable drainage systems which meet the approval of the appropriate drainage body in maintaining or reducing pre-development rates of run-off. The Council will seek advice from the agency to determine allowable rates of run-off. Developers will be required to demonstrate that run-off will be controlled to those levels in perpetuity after development.

8.31 The Council will also consider the impact on existing wildlife habitats of any works necessary to address flood risk issues and may require alleviation works in appropriate cases.

8.32 In any case where flood alleviation works form a necessary pre-condition of development such works must normally be fully funded by the developer, probably through a Section 106 agreement covering the required works and providing for future maintenance in accordance with paragraph 61 of PPG25.

8.33 Work is being carried out on embankment improvements to improve flood defences as part of a capital project being undertaken by the Environment Agency. However, some areas remain at risk.

HAZARDOUS INSTALLATIONS

POLICY CS6: In considering proposals for hazardous substances consent or development in the vicinity of hazardous installations, account will be taken of the amount, type and location of hazardous substances present, and the need for special precautions or restrictions to protect future users of the site and any other affected land.

8.34 Hazardous installations, notifiable pipelines and licensed explosive sites are installations handling or storing hazardous materials. The siting of installations handling hazardous substances are subject to planning controls aimed at keeping them separated from housing and other land uses with which such installations might be incompatible from the safety viewpoint. The operators of such installations are required to notify the Health and Safety Executive on certain types of development. In addition, the District Council must consult the Executive on proposals for certain types of development within specified distances of notifiable installations. To this end, the District Council will seek the advice of the Health and Safety Executive and other regulatory authorities about off site risks to the public arising from any proposed development which would introduce one or more hazardous substances.

8.35 Within the area covered by this Local Plan, there are currently 9 installations handling hazardous substances and 11 high-pressure natural gas transmission pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development permitted in the vicinity of these installations. None of the proposed housing or employment sites are near any of the existing hazardous installations in the area covered by the plan. In determining whether or not to grant consent for a proposed development on land that is in the vicinity of one of these installations, the District Council will take account of advice from the Health and Safety Executive and other regulatory authorities about the proposed development.

8.36 Under the present system of controls over hazardous development and over development within the vicinity of hazardous installations, the activities and substances (and quantities) to which the above statements apply are those defined by the Planning (Hazardous Substances) Regulation 1992 and referred in the Department of the Environment Circular 11/92 "Planning Controls for Hazardous Substances".

ELECTRICITY AND TELECOMMUNICATIONS

Underground pipes, fibres, wires and cables

POLICY CS7: Utility companies will be strongly urged to place pipes, fibres, wires and cables underground where this would not damage identified areas of ecological or archaeological importance or have other unacceptable environmental impacts e.g. on the landscape or agricultural land quality. In such circumstances, careful line routing would usually be the most appropriate way to minimise the visual impacts of overhead wires and cables. In view of the substantial practical, technical and cost disadvantages involved, the undergrounding of high voltage power lines (275kV and above) will only be sought in exceptional circumstances.

8.37 The District Council will encourage utility companies to site new electricity lines and sub stations in such a way as to minimise the effect on the countryside. There are substantial differences between under-grounding high and low voltage electricity lines, technically, practically and in terms of cost.

8.38 National grid owns and operates the high voltage electricity transmission system comprising overhead lines, underground cables and sub stations in England and Wales. Electricity, generated by privately owned power stations, is transmitted through this national network of high voltage electricity lines operating at 400 kV and 275kV. The Regional Electricity Companies such as Eastern Electricity then distribute electricity at progressively lower voltages to homes and businesses.

8.39 At the distribution voltage level (132kV and below) where the power carried is much less, the technical complexity and cost of undergrounding is reduced significantly as the voltages decrease. High voltage electricity lines, on the other hand, are much more expensive and complex to install underground and maintain, and can cause environmental damage such as soil contamination and/or the sterilisation of land. In view of the substantial practical, technical and cost disadvantages involved, the undergrounding of high voltage power lines (275 kV and above) can only be sought in exceptional circumstances.

8.40 New overhead lines require consent under Section 37 of the Electricity Act 1989 from the Secretary of State for Trade and Industry. Local planning authorities must be consulted on proposals within their district. The District Council will continue to encourage Eastern Electricity and code operators to replace existing overhead cables with underground installations especially in sensitive locations, such as conservation areas, in order to improve visual amenity. Underground services can be damaging to the water environment and advice should be sought from the Environment Agency on any mitigation measures.

Telecommunications

POLICY CS8: In determining whether approval of siting and appearance is required, or considering applications for planning permission for telecommunication installations, the District Council will need to be satisfied that:

- (1) the siting and external appearance of apparatus have been designed to minimise the impact of such apparatus on amenity, while respecting operational efficiency;**
- (2) in the case of radio masts, the applicant has shown evidence that it has explored the possibility of erecting antennas on an existing building mast or other structure;**
- (3) Antenna have, so far as is practicable, been sited so as to minimise their effect on the external appearance of the building on which they are installed;**
- (4) Applicants have considered any need to include additional structural capacity to take account of the growing demands for network development, including that of other operators, to facilitate future mast sharing.**

Proposals for the location of telecommunication installations will not be permitted where they have an unacceptable visual impact on the urban or rural landscape, unless the applicant can demonstrate that no alternative more appropriate site is available.

8.41 It is recognised that modern telecommunications are an essential and beneficial element of the economy and that the industry is continuing to develop rapidly. Information technology and home working can also play an important role in helping reduce the need for travel. Government policy is to facilitate the growth of telecommunications, including cellular radio and cable television. In this respect, many telecommunications installations are covered by the General Permitted Development Order. Where new equipment and structures

require planning permission it is recognised that constraints will be imposed on siting due to technological limitations imposed by the type of network involved and the technology available at the time. Consideration will be given to technical and operational requirements of the telecommunications network as part of the national network.

8.42 However, the District Council is particularly concerned that the sensitive character of the landscape means that telecommunications development could have an adverse visual impact upon the rural landscape because of the need for prominent sites for effective operation. Therefore, within the constraints of the telecommunication technology, the impact of new structures will be considered against other environmental and site planning policies.

Lord's Bridge Radio Telescope

8.43 The Lord's Bridge Radio Telescope is of international importance. The radio signals received are very weak and easily susceptible to interference from domestic, industrial and other sources. Policy SP18/15 of the Cambridgeshire Structure Plan 1995 states:

"In the consideration of applications for planning permission within an area in the vicinity of the radio astronomy observatory at Lord's Bridge, account will be taken of the risk of interference to the equipment being used at the university. The area concerned (the 'Consultation Area') will be described in Local Plans. Within a smaller area (the 'Restricted Area' which will also be described in Local Plans) inside the consultation area, planning permission for industrial development will be refused."

8.44 Both the Consultation Area and the Restricted Area are shown on the Proposals Map. In the Consultation Area, planning applications for industry, together with other specified forms of development, will be referred to the University before a decision is taken. In the Restricted Area, as shown on the proposals map, new development will not be permitted, unless agreed with the University, to keep interference to a tolerable level.

8.45 When planning permission is granted, a developer may be requested to enter into legal agreement under Section 106 of the Town and Country Planning Act 1990 to regulate the installation and use of electrical appliances likely to cause interference to the equipment used at the observatory.

COMMUNITY SERVICES

Protection of services

POLICY CS9: Planning permission will be refused for proposals which would result in the loss of a village service or recreational facility, including village pubs, where such loss would cause a significant reduction in the level of community or service provision in the locality.

The following matters will be considered in determining the significance of the loss:

- (1) the established use of the premises and its existing and potential contribution to the social amenity of the local population;**
- (2) the presence of other village service and facilities which provide an alternative within convenient access by public transport, or by cycling or walking; and**
- (3) an assessment of the future economic viability of the use including, in appropriate cases, the results of any efforts to market the premises.**

8.46 The quality of life in villages is greatly dependent upon meeting the social, cultural and recreational needs of the residents, and the loss of facilities can have a significant impact particularly for those less mobile members of the community. The District Council shares the view of Government stated in Planning Policy Guidance and in the White Paper "Rural England - A nation committed to a Living Countryside" that village services and facilities perform an important function in rural communities. Therefore, the District Council will resist proposals which would result in the loss of village services and facilities. If, however, it can be shown that the business is no longer commercially viable and that all means of retaining the use has been explored, a change of use may be permitted. In considering proposals which involve the loss of such facilities, the District Council will consider the marketing of the property, a valuation of the business and its potential profit to detail the reasonableness of the continuing viability of the service. It is also important to consider the social implications to the loss of the local community. Regard will be had to the population, size of the village, the remaining facilities within the village and the diminishing choice to that village and the need to travel to other areas for that facility.

Education

POLICY CS10: Where planning permission is granted for residential development of 4 or more dwellings (or for development which will form part of a scheme totalling 4 or more dwellings), financial contributions will be sought towards the provision of additional permanent or temporary accommodation in those cases where the new development would cause the planning capacity of permanent buildings at the local primary and secondary schools to be exceeded during the 5 years following the date of the application.

8.47 The County Council, as Local Education Authority (LEA), has the statutory responsibility of securing the provision of primary and secondary education. The LEA's present School Organisation Plan 2000/2005 indicates that 3 of the 9 secondary/middle schools in the District will be operating at above their expected 'total planning capacity' in 2005. 5 of the 55 primary schools are expected to be in the same position. In addition, a considerable number of other schools operate (or are expected to operate) below their total planning capacity only by employing temporary buildings.

8.48 It is important that sufficient school places are available within the notional catchment areas of schools in order to avoid excessive travelling and to support the life of local communities. The LEA work on the basis that new housing developments generate 1 primary school child per 4 dwellings and 1 secondary school pupil per 5.5 dwellings. Therefore, wherever planning permission is granted for new housing of 4 or more dwellings within the notional catchment areas of schools which are above their total planning capacity (or remain below it only by employing temporary buildings) the District Council will seek contributions from the housing developer towards the provision of additional permanent or temporary accommodation.

8.49 Supplementary planning guidance (SPG) will be prepared to clarify the details of the way in which policy CS10 will be applied.

8.50 Any financial contributions made in response to this policy will be added to other funds available to the LEA and applied at the relevant local school within a period to be specified in the SPG.

Pre School Facilities

POLICY CS11: Within village frameworks, planning permission will be granted for a day nursery, crèche and playgroup provided that :

- (1) the noise and general disturbance arising from the use would not be detrimental to residential amenity;**
- (2) the vehicular traffic and pedestrian activity likely to be generated would not be detrimental to the amenities of nearby residents or be likely to cause congestion or be a hazard to road safety; and**
- (3) a satisfactory level of parking can be provided in accordance with Council parking standards without loss of visual amenity.**

SOCIAL FACILITIES

Nursing and Convalescent homes

POLICY CS12: The change of use of existing buildings to nursing homes or convalescent homes will be permitted, subject to design, scale, layout, access and parking arrangements. New buildings for such uses will only be permitted within the built-up framework of villages.

8.51 There are a number of privately run hospitals, clinics and smaller private medical establishments in some villages e.g. Bourn Hall, Kneesworth Hospital, and Cambridge Lea at Impington.

8.52 Some of the larger villages provide nursing homes, residential homes and sheltered accommodation for the elderly. In assessing suitable locations for future such proposals, the District Council will take into account the availability of village facilities such as shops, post offices and health services. South Cambridgeshire supports policy SP8/3 of the Cambridgeshire Structure Plan 1995 which states:

"In assessing proposed locations for homes for the elderly, handicapped or mentally ill, or for sheltered housing schemes, account will be taken of the ease of access to appropriate services."

COMMUNITY SAFETY

POLICY CS13: In considering planning applications for housing estates and other developments which might provide opportunities for crime, the Council will seek to ensure that appropriate consideration has been given to relevant aspects of design and layout, including footpaths, public open spaces, landscaping, lighting and natural surveillance, to minimise the opportunities for crime and the circumstances where the fear of crime would be increased.

8.53 The Council believes that good planning and environmental design can contribute to reducing the opportunity for crime and people's fear of crime. Following the advice of DoE Circular 5/94, the Council will consult the Police Architectural Liaison Officer before granting planning permission for developments which include areas to which there would be public access or which might otherwise provide opportunities for crime – for example new housing estates, employment areas, shopping centres, leisure facilities and car parks.