

SOUTH CAMBRIDGESHIRE LOCAL PLAN

RESPONSE TO INSPECTOR'S QUESTIONS FOR

MATTER 2- OVERALL SPATIAL VISION AND

GENERAL ISSUES

ON BEHALF OF BLOOR HOMES (EASTERN REGION) 16420

REPRESENTATION NUMBER 61918

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1. INTRODUCTION

- 1.1 This Statement has been prepared on behalf of Bloor Homes Eastern Region (my client) in response to the Main Matters and Issues for the joint examination of the draft Local Plan for South Cambridgeshire District Council and Cambridge City.
- 1.2 This response reiterates and references the representations made in October 2011 in relation to the Issues & Options draft and expands upon concerns submitted in September 2012 to the Proposed Submission of the South Cambridgeshire Local Plan.
- 1.3 For the avoidance of doubt, the interest of Bloor Homes Eastern is focused on two particular omission sites located within the rural area of South Cambridgeshire District in the villages of Swavesey and Over. Unless otherwise stated, references to the “local plan” and its policies relate to the South Cambridgeshire Local Plan.

2. Response to Matter 2: Overall Spatial Vision and General Issues

(a.) Is the overarching development strategy, expressed as the preferred sequential approach for new development, soundly based and will it deliver sustainable development in accordance with the policies of the National Planning Policy Framework?

- 2.1 No- The overarching development strategy, as expressed through the preferred sequential approach is not soundly based as it is not positively prepared, justified, and effective, nor is it consistent with National policy.
- 2.2 The distribution of the planned 19,000 homes as set out in Policy S/6, which falls short of the full objectively assessed needs, represents a continuation of the past planning strategy. The strategy directs the majority of development to the edge of Cambridge, followed by New Settlements and then finally in the rural areas at Minor Rural Service Centres in the belief that this represents the most sustainable pattern of development.
- 2.3 In effect, the strategy proposes that 86% of all new planned development is focused on large, strategic sites that are reliant on strategic new infrastructure. It is acknowledged that infrastructure, and particularly transport infrastructure within the region, is likely to be a constraint to growth if it cannot be adequately funded.
- 2.4 The development strategy does not take into account the most recent population projections or the additional 1000 affordable homes required on rural exceptions sites to meet the condition of the recently signed Cambridge City Growth Deal (RD/Strat/300). A failure to properly plan for this requirement has significant implications for the delivery of infrastructure required to support the new settlements, which form the majority of the housing delivery for the plan period as it is paid in tranches dependent on the delivery of new housing (see Matter 5).
- 2.5 A failure to plan for the full objectively assessed needs, taken together with the overall sequential approach for development, will have an acute impact on meeting the future sustainable development needs of the rural area. The plan will lead to a phased decline in the prosperity and sustainability of the rural villages.

Positively Prepared:

- 2.6 Despite being a predominantly rural authority, the vision of the plan does not mention the prosperity, sustainability or role that the villages and rural area will play in the continued success of the area. Rather, the vision seeks to focus quality of life within a 'beautiful, rural and green' environment. It is submitted that this vision is an extension of the sentiment expressed in paragraph 2.6 of the Local Plan in respect of nervousness amongst those able to live in the village that growth would place living standards at risk. This is not a robust justification. My client submits the plan fails to properly take into account the advice at paragraph 10 of the Framework and the need for local plans to respond to the different opportunities for delivering sustainable development.
- 2.7 Policy S/2 expresses the development strategy setting the objective to "*provide land for housing in sustainable locations that meets local needs and aspiration*" and "*ensure that all new development has access to a range of services and facilities that support healthy lifestyles and well-being for everyone...*". However, criteria C and E of this policy will prevent delivery of this overarching objective as it fails to acknowledge the importance of planned development in the villages and rural areas to ensure that communities remain sustainable, both in terms of important infrastructure such as schools, doctors, employment opportunities and retail units in addition to ensuring that rural communities do not become fragmented and the sense of community, built up through successive generations, is not lost due to an undersupply of homes in these locations.
- 2.8 The strategy for meeting development needs is therefore not positively prepared.

Justified:

- 2.9 The Sustainability Appraisal and evidence base appears to suggest that the principal justification for a continuation of the existing strategy is to reduce the need to travel by private car and counteract earlier planning regimes that had displaced households to the edge of the Green Belt (and beyond), resulting in high distance commuting and a reliance on private car journeys to access jobs in and around the City's limits.
- 2.10 Such assumptions fail to take into account that not all residents within South Cambridgeshire work within the city itself, as acknowledged within paragraph

1.47 of the Employment Topic Paper (RD/Top/020) which states, "*there are many businesses in South Cambridgeshire located in the countryside. Many of these are on recognised business parks.*" Furthermore, there is no clear analysis of the impact of the guided bus, which opened in 2011, and its influence in reducing the number of car trips made from villages such as Swavesey and Over.

2.11 The Transport Strategy highlights that, whilst the proportion of those using a private car to travel to work has fallen, congestion has worsened. This suggests that those working in and around South Cambridgeshire have moved further afield, a matter also supported by the 2011 census data that commutes within Cambridgeshire are 20% longer than the national average (See: RD/T/110). Taken together with high house prices in the district, it is reasonable to assume that rather than delivering a sustainable development, the distribution of development has forced households to move beyond the district boundaries and commute back in to the area.

2.12 This assertion is supported by the AMR which highlights that since 2001 the district has failed to deliver the planned number of homes (See RD/AD/270; 271 and 272) whilst the cost of housing has increased by 13.2%, the greatest increase within the Housing Market Area, compared to just 8% in the wider region (RD/Strat/090). This means that the average house prices for Cambridge (£327,902) and South Cambridgeshire (£291,022) were the most expensive, whilst districts such as Fenland and Forest Heath, which are within the travel to work area are more affordable with average house prices of £148,640 and £175,897. Figure 2 (section 5.2) of the SHMA clearly shows the spatial patterns relating to housing costs in the area. This map also highlights that some of South Cambridgeshire's villages are also relatively more affordable. For example, the average cost of a home in Over is £234,000¹ and £211,000 in Swavesey². This makes these sustainable villages an attractive prospect for those seeking a home within the district that has good access to the wider employment opportunities.

2.13 In summary, there is no evidence to suggest that a continuation of the current strategy, to focus the majority of development on the city and new settlements, will ensure that housing will not perpetuate the current 'ripple'

¹ Over Housing Needs Survey (2012)

² Swavesey Housing Needs Survey (2009)

effect of people being forced to move further away and commute back in to Cambridge and South Cambridgeshire.

- 2.14 It stands to reason that, if increasing public transport trips to access employment and reduce the reliance on private car journeys is a central objective of the plan, it would be logical to have identified a degree of development in those villages with good access to the guided bus way and a wide range of services. Rather, the plan merely seeks a continuation of the existing strategy without full analysis of spatial and other changes that have taken place since the opening of the guided bus.
- 2.15 There is no sound justification, given the predominantly rural nature of the district, for such a low proportion of homes to be allocated in more sustainable villages. The current strategy has failed to deliver the required number of homes to meet needs, whilst the length of the average commute has increased and congestion worsened. It therefore stands to reason that a continuation of the strategy in the submitted plan will simply perpetuate this past trend.

Effective:

- 2.16 Despite a persistent under-delivery of homes, the AMR (RD/AD/270) justify a continuation of the strategy by suggesting historic slow delivery is due to the focus of significant amounts of development at a few large developments "*with a significant lead-in time*" compounded by the economic recession. It states that both these issues can now be overcome, with permissions and infrastructure in place and the market recovering. Due to these large sites, the plan argues that significant development is not required in the rural areas.
- 2.17 However, the economic recession does not account for the poor performance of housing delivery in the district between 2001-2007, nor why the Northstowe extension has taken approximately 15 years to receive planning permission. Moreover, numerous appeal decisions, including that most recently at Waterbeach (RD/Strat 330; 340) have not considered the downturn a legitimate reason to under-deliver.
- 2.18 The Memorandum of Understanding for the Greater Cambridge Joint Housing Trajectory (2014) (RD/Strat/350) proposes a novel approach for addressing housing shortfall in the local area. This involves merging the supply for South Cambridgeshire and Cambridge in order to demonstrate a five year supply of homes. The justification, which was dismissed by the Inspector during the

Waterbeach Appeals (RD/Strat/330;340), is that a large proportion of South Cambridgeshire's supply is reliant on the build out of strategic sites around the edge of the city and new settlements.

2.19 However, this approach is likely to exacerbate issues of undersupply particularly within the villages and rural areas. When taken together with the distribution hierarchy of Policy S/2 and S/8 means that market development within the rural areas is likely to be challenging to deliver through the development management process. This includes the 1000 homes in the rural areas required as a condition of the growth deal.

2.20 It is unclear how a continuation of a strategy, which remains reliant on large, strategic sites, is commensurate with the Framework's goal set out in Paragraph 47. Furthermore, we highlight that it is unclear how reliance on a strategy, which has not historically delivered the required levels of housing, is likely to bring forward 1000 units in the rural area which are a condition of the future release of infrastructure funding. Without sufficient rural development, the strategy is not flexible and will not be effective in delivering sustainable development.

Consistent with National Policy:

2.21 Policy S/8 sets out the hierarchy for the rural areas. Four groupings are used, which, the plan asserts, are based on the relative sustainability. The classifications are based on a review (RD/Strat/240) of the services, facilities, education, public transport and employment available at each settlement. However, it is contended that the methodology and criteria fails to take into account the potential co-dependent role of settlements as advised in paragraph NPPF 55; the online Practice Guidance reaffirms that all settlements can plan a role in delivering sustainable development. In a recent appeal³ in Toft, Cambridgeshire, the Inspector supported this position in allowing three homes in an 'Infill' village, based on the services available in Comberton (See Appendix 1)

2.22 The Framework makes clear that the needs of the rural community must be acknowledged. A failure to plan positively will eventually see the phased retreat of rural settlements and the vitality of these communities will ultimately decline. The plan is therefore in conflict with The Framework by not

³ APP/W0530/A/13/2192228

allocating development in sustainable villages. My client's experience at Swavesey and Over suggests that these are at least two such settlements that could accommodate and benefit from housing growth.

- 2.23 The Village Classification Report (RD/Strat/240) acknowledges the wide range of local facilities available within Swavesey and Over, which when taken together includes primary and secondary education, a library, convenience retail, GP practices, community halls and a range of recreating and sports facilities. The villages are served by both the Guided Bus and the Citi 5, which although presently hourly could see the frequency increased in future. Both villages were identified at the Issues and Options stage as potential candidates for an elevated role in the hierarchy.
- 2.24 However, this proposal was not taken forward and there remains no clear, sound evidence as to why development within these villages has not been taken forward through the plan, when considered against the wider sustainability criteria and the objectives of the plan.

(b.) Is it clear what other strategic options were considered and why they were dismissed?

- 2.25 As part of the assessment of options three scenarios for meeting housing need were assessed through the sustainability appraisal process, which accompanies the plan these were:
- A focus on providing more development on the edge of Cambridge, in part to replace development previously planned on Cambridge airport which is no longer available in the plan period, through a further review of the Green Belt.
 - A focus on providing more development through one or more new settlements, of sufficient size to provide sustainable development, including provision of a secondary school, and with good public transport links to Cambridge.
 - Focus on providing development at the more sustainable villages that have the best levels of services and facilities and accessibility by public transport and cycle to Cambridge or, to a lesser extent, a market town.

- 2.26 The SA review notes *"a village based strategy requiring development at lower levels of the village hierarchy would increase the proportion of growth at*

greater distances from major employment areas than other strategic approaches” this approach fails to acknowledge the matter that the rural area, itself, presents numerous employment opportunities.

- 2.27 Despite these options, there is no clear evidence that we are able to identify that assessed the proportion of development at each of the locations and the relative sustainability. It is unclear how a figure of 86% for new settlements and the edge of Cambridge was arrived at, and a full assessment of the impact that continued under-supply within the rural areas will have.
- 2.28 The generalisation of the SA in seeking to identify the preferred strategy does not take into account specific sustainable transport measures, such as the guided bus way, which is accessible from smaller villages such as Swavesey and Over and would, in respect of the SA, score more positively in terms of encouraging sustainable travel. Nor does it take into account the need for a sustainable rural population to ensure the viability and vitality of rural services and infrastructure, in addition to thriving rural communities.
- 2.29 The SA concludes that the most sustainable option is the focus on the edge of Cambridge, principally due to a reduced need to travel. Selecting this option fails to properly consider the impact of a continuation of the existing planning strategy which has failed to meet the needs of South Cambridgeshire and deliver the required levels of housing growth over the last plan period.
- 2.30 In assessing the reasonable strategic options, my client wishes to reiterate the point made within the previous representation, which highlights policy S/2 (criterion c and e) fails to acknowledge the co-dependent role of rural settlements which make clusters of villages, which may not be ‘sustainable’ in their own right, locations which are able to support appropriate levels of growth. This alternative approach was not considered through the SA process, nor the Issues and Options.
- 2.31 It is considered that in the absence of robust evidence the strategy is not justified.

(c.) Are the Plans founded on a robust and credible evidence base?

- 2.32 In our answer to questions (a) and (b) we have highlighted a number of issues with the evidence base, which has led to the option to continue the existing strategy. Principally, this includes:

- the failure to properly assess the functional and co-dependent role of villages in the classification report;
- the justification for not elevating the status of Swavesey and Over; and
- the absence of a strategy to deliver 1000 affordable homes on rural exception sites.

2.33 In the absence of evidence, and the conclusion of the Inspector in Toft⁴, we maintain that the sentiments expressed at paragraph 2.6 of the plan that there is "a degree of nervousness amongst residents of the district believing that continuing high levels of growth would put the environment and living standards at risk" has over-ridden the need to justify, through robust evidence, the continuation of the previous strategy. This has resulted in:

- a persistent under-delivery;
- a relative increase in the cost of housing;
- longer commuting patterns.

Summary:

2.34 The strategy is considered unsound for the following reasons:

- Policy S/2 is not positively prepared or consistent with National Policy. Criterion C & E should be revised to allow for growth in sustainable settlements.
- Policy S/8 is unsound as it is not justified, effective or positively prepared. Additional development should be directed to more sustainable villages to ensure that rural communities are able to thrive.

⁴ See Appendix 1

Appendix 1: Appeal Decision APP/W0530/A/13/2192228

Land adjacent to Meridan Court, Comberton Road, Toft



Appeal Decision

Hearing held on 9 July 2013 and 10 September 2013

Site visit made on 9 July 2013

by I Radcliffe BSc(Hons) MCIEH DMS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 October 2013

Appeal Ref: APP/W0530/A/13/2192228

**Land adjacent to Meridian Court, Comberton Road, Toft, Cambridgeshire
CB23 2RY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs V Saunders & Miss J Wisson against the decision of South Cambridgeshire District Council.
 - The application Ref S/0824/12/FL, dated 14 April 2012, was refused by notice dated 2 August 2012.
 - The development proposed is the erection of buildings and conversion of barn to provide 3 dwellings with access and gardens including demolition of existing workshop, store and pro shop.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 3 dwellings and conversion of barn to bin store, following demolition of existing buildings on land adjacent to Meridian Court, Comberton Road, Toft, Cambridgeshire CB23 2RY in accordance with the terms of the application, Ref S/0824/12/FL, dated 14 April 2012 subject to the conditions in the schedule at the end of this decision.

Procedural matters

2. The description of the development that appears on the decision notice and on the appeal form is the 'erection of 3 dwellings and conversion of barn to bin store, following demolition of existing buildings.' I am content that this amended description adequately describes the proposal and I shall use it in the determination of this appeal.
3. I have had regard to the National Planning Practice Guidance which supports the National Planning Policy Framework. However, as this guidance is in draft form and subject to change I have accorded it little weight. As a consequence, it has not altered my reasoning or conclusions in relation to the appeal.

Main Issues

4. The main issues in this appeal are;
 - whether the proposal is inappropriate development for the purposes of the National Planning Policy Framework ('the Framework') and the effect of the proposal on the openness of the Green Belt

- whether the housing proposal would otherwise comply with the development plan in terms of its location;
- whether the proposed development would preserve or enhance the character or appearance of Toft's Conservation Area and countryside;
- other material considerations, including sustainability considerations, the need for affordable housing, the effect of the proposal on local infrastructure and housing land supply issues.

Reasons

Inappropriate development

5. The Green Belt boundary cuts through the appeal site. Approximately 25% of the site closest to the eastern site boundary is within the Green Belt and the remaining 75% of the site lies outside it. The proposed development has been designed so as to limit the amount of development in the Green Belt. The scheme would result in the demolition of a large agricultural building that extends into the Green Belt. It would also involve the removal of a large area of hard standing and an earth mound from the same portion of the site. In their place 4 car parking spaces and an associated turning area would be laid. A post and rail fence along the site boundary within the Green Belt would also be erected.
6. The Council and the appellant have historically approached development on the site by assessing what is proposed just on that part of the site that lies within the Green Belt in relation to inappropriateness. The alternative is to treat the whole of the proposed development as being in the Green Belt. Given that the new houses would be outside the Green Belt, and only ancillary development would take place within it, in my assessment, it would be wrong to adopt the latter approach. In relation to inappropriateness, I have therefore assessed just that part of the site that lies within the Green Belt.
7. Paragraph 90 of the Framework advises that certain forms of development, other than buildings, within the Green Belt are not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This is consistent with policy GB/1 of the Council's Development Control Policies Development Policy Document (DCPDPD). I consider that the most relevant purpose in this case relates to the safeguarding the countryside from encroachment. Paragraph 79 also advises that the essential characteristics of Green Belts are their openness and permanence. I regard this to be the absence of development rather than being primarily about visual effects.
8. Based upon the definitions contained within the Act the construction of parking spaces, a turning area and the removal of an earth mound are engineering operations, whilst a fence is a building. Paragraph 89 of the Framework does not identify fences as a type of building that is not inappropriate development within the Green Belt.

Fence

9. The fence therefore represents inappropriate development and such development would, by definition, be harmful to the Green Belt as described in paragraph 87 of the Framework. This harm would be added to by the post and

rail style of fence which would be constructed from timber and whose dimensions have a greater physical presence than other forms of fencing. The approximate 60m length of this type of fencing would serve to reduce openness. However, an alternative boundary treatment could be identified that would either not reduce openness (e.g. planting), or would have less of an adverse impact upon it. As this could be required by condition, inappropriate development would therefore not take place.

Parking and turning areas and mound removal

10. The removal of the earth mound, hard standing and the agricultural building would improve openness. In contrast the proposed hard standing for parking and its occupation by cars would reduce openness and harm the Green Belt. Whilst there would be an overall improvement in openness as a result of the development, it was agreed that there was sufficient space within the appeal site for the parking to be located outside of the Green Belt. I agree with that position. This matter could also be required by condition.
11. The use of the majority of the land as a private garden to the proposed dwelling in building B through the erection of structures could significantly reduce openness. However, this could also be controlled by condition.
12. My overall assessment in relation to parking and turning areas and mound removal is that openness would be improved. As such these proposed engineering operations do not constitute inappropriate development.

Overall conclusion on the first main issue

13. I therefore conclude that subject to the use of conditions that I have described the proposal would not constitute inappropriate development.

Location

14. The site is located outside the Toft village framework and is therefore, in planning policy terms, located in the countryside. In accordance with the Framework policy DP/7 of the DCPDPD strictly controls new housing in such a location. Only development which is essential to agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside is normally supported. An exception to this policy is housing schemes consisting entirely of affordable housing that adjoin villages. However, as the proposed development would be market housing this exception does not apply. For these reasons, the location of the proposed development would be contrary to the development plan and harm the spatial vision for settlements in rural areas.
15. Work has begun on a replacement Local Plan. However, the thrust of the existing policies that relate to the development of land adjacent to the villages remain unchanged. As a result, this does not alter the planning assessment of the proposal.

Character and appearance

16. The Toft Conservation Area boundary follows the same line through the site as the Green Belt boundary. Therefore the 3 dwelling houses proposed would fall within the Conservation Area. Paragraph 126 of the Framework advises, amongst other matters, that the conservation of the historic environment can bring wide social, cultural, economic and environmental benefits. It also identifies that heritage assets, such as Conservation Areas, are irreplaceable

resources. Paragraph 132 advises 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.

17. Policy CH/5 of the DCPDPD seeks to conserve heritage assets and designated built environments in accordance with the Framework. In the exercise of planning functions, the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. A character appraisal has not been prepared for the Toft Conservation Area. Nevertheless, it is clear that it is characterised by the linear development of buildings along the B1046 and a considerable amount of open undeveloped land, particularly along Church Road. As a result, the village has a distinctly rural character.
18. The appeal site is located adjacent to the eastern boundary of the settlement. It is dominated by 3 former agricultural buildings which occupy the site. The 2 largest buildings are grey utilitarian buildings. Other than in signalling the rural nature of the village these 2 buildings contribute little to the Conservation Area. This view is supported by the Council's decision to grant Conservation Area Consent for their demolition without requiring that they are then replaced by new buildings (refs S/1163/09/CAC & S10827/12/CA). The remaining building is a narrow single storey former cart shed. Its agrarian character and appearance contributes to Conservation Area. It is proposed that it would be refurbished and retained so that it can be used as a bin store.
19. The proposed development is based upon an extant permission for office development on the site. In the absence of any substantive evidence that this permission would not be implemented if the appeal was to fail, it is a fallback position to which I attach significant weight. It was established that the foot print and dimensions of the office buildings would be essentially the same as the proposed residential development. As such, the existence of an extant planning permission for these buildings, although for a different use, is a reference point for assessment of the appeal proposal.
20. The proposed development, in keeping with the extant scheme, would be for 3 buildings arranged in a courtyard arrangement. A similar layout is found neighbouring the appeal site and slightly further on within the village to the west. As such the proposed layout is in keeping with the pattern of development in the area. The predominantly single storey height of the development, with 2 storey elements confined to the south eastern corner, would result in a more human scale development than the far bulkier agricultural buildings that they would replace. In terms of height, the maximum height of the proposed buildings would be 1m shorter.
21. On the approach to the village from the east, the trees in front of the development, and the tall hedge along the road, would have the effect of partly screening the development until close by. On the approach from the west the adjacent courtyard would have a similar effect. As a consequence, in comparison to the existing buildings on the site, it would not be a particularly prominent development.
22. The proposed development essentially differs from the extant permission in that there would be some additional gables on building C and a small number of additional windows and doors. However, building C is a single storey in

height and the additional gables would be on to its rear elevation. As a consequence this greater detail would not be visible in views from the road or courtyard. Furthermore, the additional openings in the buildings would be small, few in number and would not significantly alter their appearance. I recognise that the domestic paraphernalia would result in the site having a more urban appearance than would otherwise be the case. However, this is offset to a significant degree by the large amount of car parking that would not be provided as part of the appeal proposal, but would be provided as part of the office scheme. Whilst this parking would not be visible from within the public realm it would be visible to workers and visitors to the offices.

23. Taking all these matters into account, I therefore conclude that the proposed development would not materially harm the character and appearance of the Toft Conservation Area or countryside. As a consequence, the objective of preservation of the Conservation Area would be achieved. The proposal would therefore comply with the statutory test, the Framework and policy CH/5 of the DCPDPD.

Other material considerations

Sustainable development

24. Sustainable development and the presumption in its favour are at the heart of the Framework. The appeal site is located within walking distance of the centre of the village and the facilities and services that it has to offer. This includes a post office, village shop, takeaway, restaurant, hairdressers, church and village hall. A cycleway connects Toft with Comberton, which is approximately 1km away. Toft's neighbour is therefore within walking distance and comfortably within cycling distance. Comberton has further facilities including a secondary school and a leisure centre. As a consequence, Toft, in combination with Comberton, is capable of meeting a number of the day to day needs of its residents. In terms of public transport an hourly bus service operates on every day of the week apart from Sundays. It connects the village with Cambridge and other settlements in the locality such as Cambourne.
25. Turning to the economic aspects of sustainability, the construction of the proposed development would generate employment. Post completion the spending of an additional 3 households would benefit the economy of the village and the area. In terms of the social aspect of sustainability, the proposed development would help address the shortage of housing generally in the District and the shortage of affordable housing. The increase in the spending power of the local economy would also help support the services and facilities within the village and in Comberton. In relation to the environment, I earlier found that the loss of the site would not cause harm to the Green Belt, or the character and appearance of the area.
26. Taking all these factors into account, I conclude that the proposal would be a sustainable development. As such the presumption in favour of sustainable development, as set out in the Framework, applies in this case.

Housing land supply

27. Paragraph 47 of the Framework advises that Local Planning Authorities should have sufficient deliverable sites to provide 5 years of housing against their housing requirements. The housing target for the District contained within the Local Development Framework (LDF) is 20,000 houses between 1999 and

2016. This target was calculated some years ago and originated from the Regional Spatial Strategy which has now been revoked. Nevertheless, it was agreed at the hearing it remains the most up to date for the District that has been publicly tested. On the basis of the development plan it was agreed that the Council had a 2.4 year housing land supply. This is explained by the loading of housing delivery towards the end of the plan period and the recession significantly reducing house building.
28. The LDF plan period is coming to an end. A proposed submission Local Plan (PSLP) to cover the period 2011 to 2031 has recently been out to public consultation. Of the three growth options consulted upon in 2012 it proposes a housing target between the low and medium options of 19,289. This is based upon a recently completed Cambridge Sub Region Strategic Housing Market Assessment (SHMA) which identifies a need for 19,000 houses. The SHMA was prepared jointly by 7 District Councils. It is based upon a comprehensive assessment of the most recent relevant data. Its housing figures were also tested against the 'How Many Homes' toolkit. As a consequence, on the basis of the available evidence, I find that it contains a more up to date and thus more reliable assessment of housing need in the District than the housing target contained within the LDF.
29. Based upon the PSLP the District would have a 4.9 year housing land supply for 2013 to 2018 and in excess of a 5 year supply for the remainder of the plan period. However, this is predicated on the basis that there has not been a persistent under delivery of housing in recent years and that a 5%, rather than a 20% buffer, should apply. In the absence of data presented to the hearing on annual house completions, it is not possible to determine whether the higher buffer should apply, and if it did what effect it would have on housing land supply.
30. Furthermore, the public consultation on the PSLP and the housing target it contains closes on 14 October 2013. The analysis of responses, including objections, has not yet begun. It will not be until early 2014 that the Council will have formally agreed a response to the key issues identified by the consultation. Only at that point will a decision be made as to whether the plan is ready to be submitted for examination. As a consequence, in accordance with paragraph 216 of the Framework, I find that only limited weight should be attached to the PSLP.
31. For the purposes of this appeal, I therefore consider that whilst the housing need identified by the SHMA is the basis upon which the housing land supply for the District should be calculated, a 5 year supply of housing land has not been shown to exist. Even if I found differently, and assessed the appeal on the basis of the PSLP, there would still be less than a 5 year housing land supply for 2013-2018. Whilst it would be a small shortfall the Framework seeks to significantly boost supply and its position is that a housing land supply of less than 5 years would not do so.
32. Taking all these matters into account, I therefore find that a shortfall in housing land supply exists. There is a development plan which seeks to deliver a 5 year supply but is not doing so. At present, subject to no delays, it is expected that a final version of the Local Plan will be adopted in 2015, over a year away. Against this background this is a deliverable site which would contribute towards the housing shortfall.

Affordable housing and local facilities

33. A signed and dated unilateral undertaking in relation to affordable housing, outdoor play space, indoor community facilities and household waste bins was submitted after the close of the hearing. The provisions sought have been assessed having regard to the tests in paragraph 204 of the Framework and the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).
34. In accordance with Policy HG/3 of the DCPDPD provision for affordable housing needs to be made and no onsite provision is proposed. Where this is not practical, as in this case, a financial contribution towards off site provision is required. In this instance a sum calculated in accordance with the supplementary planning document '*Affordable Housing*' of £87,500 is sought. Having regard to tests of the Framework and the requirements of the Regulation I find that the provisions in the agreement relating to affordable housing are necessary, relate directly to the development and fairly relate in scale and kind to the proposed development. This provision therefore satisfies the tests in the Framework and accords with the Regulation.
35. Policies SF/10 and SF/11 of the DCPDPD advises that in relation to small housing developments, such as the appeal proposal, where it is not practical to secure on site provision of outdoor play space, a financial contribution towards off site provision will be sought. In this instance the sum is £10,467.65. A qualitative assessment of outdoor play space in 2011 showed that Toft has a deficit. As a result, a contribution is necessary to mitigate the impact of the new development on already substandard local provision. On the basis of the 'Open Space in New Developments' supplementary planning document the sum sought would be fairly related in scale and kind to the development. It would also be spent locally to address the shortfall.
36. Policy DP/4 of the DCPDPD identifies that new development will generate a need for the provision or improvement of indoor community facilities. The monies sought would be spent on refurbishing the kitchen in the village hall and improving the sound system serving this community facility. The provision of waste receptacles to each property is necessary to facilitate the collection and disposal of household waste.
37. In relation to indoor community facilities and waste receptacles there is evidence that contributions are necessary, either because existing provision and facilities are not able to meet current demand, or to mitigate the effects of development. The contributions sought are calculated based upon the additional demand that the development is likely to generate and the cost of providing or upgrading the infrastructure necessary. The sums sought are therefore reasonably related in scale and kind to the proposed development.
38. As a consequence, all the sums sought, satisfy the tests in the Framework and accord with the Regulation. All the provisions of the section 106 agreement should therefore be taken into account in order to mitigate the harm that the development would otherwise cause.

Conclusions: The Planning Balance

39. For the reasons that I have set out earlier the proposal would be contrary to the development plan. This is because it would not comply with policy DP/7 of the DCPDPD which seeks to strictly limit new housing within the countryside.

Such contraventions are considerations that normally weigh heavily against the proposal. However, the Council does not have a 5 year housing land supply. As a consequence, paragraph 49 of the Framework directs that development plan policies governing housing land supply, such as policy DP/7 of the DCPDPD, should not be considered up to date. Furthermore, on the evidence before me, I find that there is more than a limited degree of conflict between the Framework and the approach of the development plan on the issue of residential development and housing land supply. In these circumstances, full weight may not continue to be given to relevant policies of the development plan, as paragraph 215 of the Framework makes clear. This is an important material consideration in this appeal.

40. The Framework further states that housing proposals should be considered in the context of the presumption in favour of sustainable development. I have found that the development would constitute a sustainable development. Where relevant policies, as in this instance, are out of date paragraph 14 of the Framework is clear. It states that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
41. I have found that the character and appearance of the area would not be demonstrably harmed by the proposed development. The openness of the Green Belt would also be improved. The principle of housing on the appeal site, which would remain outside the development limits for the town and lie within the countryside, would be contrary to the emerging and existing local plan policies for the area. However, given the conflict between the Framework and the approach of the development plan on the issue of residential development and housing land supply, and the early stage on the road to adoption of the emerging Local Plan, these considerations are therefore of limited weight in favour of dismissing the appeal.
42. The proposed development would be a sustainable development in a relatively sustainable location. It would also make a contribution towards addressing the undersupply of housing in the District and contribute towards the provision of affordable housing. Collectively these factors weigh heavily in favour of allowing the appeal.
43. My overall conclusion in this case, having considered all the matters raised, is that the adverse impacts of the proposal are small and they do not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole. The appeal should therefore be allowed.

Conditions

44. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of proper planning. In order to ensure that the development complements its surroundings further details on materials and landscaping are required. To ensure development does not encroach into the Green Belt and harm openness car parking to the east of building B needs to be relocated and an alternative boundary treatment decided upon. To ensure that any planting becomes well established it needs to be well maintained. To preserve the contribution that building D makes to the character and appearance of the Conservation Area further details on its conversion are necessary.

45. As the site has been used for a variety of purposes the possibility of contamination on the site needs to be fully assessed in order to safeguard future residents and the environment. In order to protect highway safety, the proposed access needs to be widened to allow two vehicles to be able to pass each other clear of the highway. Adequate visibility splays also need to be provided and, along with the parking spaces that are to be provided, they need to be retained.
46. The appeal site is within a Conservation Area and the open countryside on the edge of the village. The site is also partly within the Green Belt. The development has been carefully designed to reflect its sensitive location. As a consequence, in order to protect the character and appearance of the area and the integrity of its design permitted development rights in relation to enlarging the dwellings, the creation of the addition of a porch, additional openings and oil containers should be removed. Given the limited space around the dwellings and that the rear garden of building B is within the Green Belt rights for the erection of outbuildings should also be removed. To protect privacy the glazing to certain bedroom windows in buildings B and C need to be obscurely glazed. I have required all these matters by condition, revising the Council's suggested conditions where necessary to better reflect the requirements of Circular 11/95 '*The Use of Conditions in Planning Permissions*'.

Ian Radcliffe

Inspector

Schedule

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: WD/2302/1 and WD/2302/200 rev A date stamped 16 April 2012; SCDC1 (elevations as proposed, external), SCDC2 (ground and first floor plans as proposed) and WD/2302/203 rev B (elevations as proposed, internal) date stamped 26 July 2012.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include car parking, at a rate of 2 parking spaces per dwelling, and turning area layouts none of which shall be located to the east of the rear elevation of building B; pedestrian access and circulation areas; hard surfacing materials; indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The hard landscaping works shall be completed before the dwellings are first occupied in accordance with the approved details.

- 5) The area identified and laid out for the parking of vehicles in accordance with condition 4 shall not thereafter be used for any purpose other than the parking of vehicles.
- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 7) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are first occupied and shall be carried out in accordance with the approved details.
- 8) No development shall commence until full details of the conversion of Building D is submitted to and approved in writing by the Local Planning Authority. This shall include a schedule and timetable of works including the retention of as much local fabric as practically can remain, details of materials for the internal and external changes, and the details of doors and fenestration. Work shall take place in accordance with the approved details.
- 9) No development shall take place until a site investigation has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, then additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

- 10) Notwithstanding condition 2 no development shall take place until revised details of the site access, incorporating a 5m wide access into the site and 2.4m x 70m visibility splays, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the commencement of the development and the visibility splays shall thereafter be kept free of any obstruction over a height of 600mm.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows, doors or openings of any

kind other than those expressly authorised by this permission shall be constructed.

- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development within Classes A,B,C,D, E and G of Schedule 2, Part 1 of the Order shall take place.
- 13) Before the first occupation of the building/extension hereby permitted apart from any top hung vent, the ground floor window in the east elevation of the master bedroom to building C and the ground floor window of bedroom 4 in the west facing elevation of building B shall be fitted with obscured glass and shall be permanently retained in that condition.
- 14) The first floor window in the south elevation of the master bedroom of building B shall have a cill height no lower than 1.7m above the finished floor level of the room.

APPEARANCES

FOR THE APPELLANT:

Mr Mead
MRTPI

Partners in Planning

FOR THE LOCAL PLANNING AUTHORITY:

Mr Koch
DipTP MRTPI

South Cambridgeshire District Council

Mrs Hunt
BA (Hons) MRTPI

South Cambridgeshire District Council

Mr Fisher
Section 106 officer

South Cambridgeshire District Council

INTERESTED PERSONS:

Mr Yeadon
Mrs Dolman

Toft Parish Council
Toft Parish Council

DOCUMENTS SUBMITTED AT THE HEARING

- 1 5 year Housing Land Supply – Proposed Submission Local Plan.
- 2 Policies GB/1, GB/2 , GB/3 and CH/5 of the DCPDPD.
- 3 Policy ST/7 of the Core Strategy DPD.
- 4 Draft National Planning Practice Guidance, Assessment of land availability, Stage 5: Final Evidence Base.
- 5 Toft Parish Plan.