
MAIN CASE

Reference No: 17/01756/FUM

Proposal: Development of site to provide 54No. new homes (19 of which - 35% will be affordable) with associated green space and external works

Site Address: Land Parcel West Of Hardwicke Fields West End Haddenham Cambridgeshire

Applicant: Haddenham CLT, DF Palmer And TW Stevenson

Case Officer: Julie Barrow, Senior Planning Officer

Parish: Haddenham

Ward: Haddenham
Ward Councillor/s: Councillor Steve Cheetham
Councillor Mark Hugo
Councillor Stuart Smith

Date Received: 28 September 2017 **Expiry Date:** 14 February 2018
[S232]

1.0 **RECOMMENDATION**

1.1 Members are recommended to delegate APPROVAL of the application to the Planning Manager subject to the recommended conditions below (with any minor changes delegated to the Planning Manager) and the completion of a S106 Agreement. The conditions can be read in full at Appendix 1.

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Archaeological Investigation
- 4 Surface water drainage
- 5 Foul water strategy
- 6 Fire hydrants
- 7 Construction Environmental Management Plan
- 8 Construction times
- 9 Standard estate road construction
- 10 Access drainage
- 11 Standard Estate Road
- 12 Materials
- 13 Soft landscaping scheme
- 14 Hard landscaping scheme
- 15 Boundary Treatments

- 16 No pruning/cutting or felling/removal
- 17 Tree Protection
- 18 Scheme for replacement trees
- 19 Reporting of unexpected contamination
- 20 Lighting
- 21 Biodiversity mitigation and enhancements
- 22 Pumping station
- 23 Construction works Plots 1-5

2.0 SUMMARY OF APPLICATION

2.1 The application seeks full planning permission for the construction of 54 dwellings, including 19 affordable dwellings to be managed by Haddenham CLT, together with associated green space and external works, including landscaping, drainage and vehicular access, on land west of Hardwicke Fields, Haddenham.

2.2 The application has been accompanied by the following documents:

- Planning Statement
- Design and Access Statement
- Transport Assessment and Travel Plan
- Flood Risk Assessment / Drainage Assessment
- Sustainable Drainage Strategy
- Phase I & II Geo-Environmental Assessment
- Preliminary Ecological Appraisal
- Arboricultural Report
- Affordable Housing Statement
- Landscape Appraisal
- Energy Efficiency Report
- Statement of Community Consultation
- Utilities Statement

2.3 Amended plans have been received during the course of the application to address a number of changes to the external appearance of some house types and changes to the layout of the site.

2.4 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

2.5 The application is to be determined by the Planning Committee in accordance with the Council's constitution as the proposal is for over 50 dwellings.

3.0 PLANNING HISTORY

3.1 No relevant planning history.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located on the north-west periphery of Haddenham village and lies outside of the settlement boundary. It measures 3.2ha (8.0 acres) and is currently used for agricultural and farming purposes. It is access via West End and Hardwicke Fields through a gated field entrance off an unmetalled track. The eastern boundary of the site is adjacent to a 45 unit Mobile Home Retirement Park built in the 1980s. The site is bounded predominantly by large hedgerows and mature trees along the northern and southern boundaries.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Haddenham Parish Council (25th October 2017) – Haddenham Parish Council fully supports the application. The following points reflect the concerns of the parishioners present at the meeting and may well have been addressed sufficiently within the application.

- There are concerns regarding the surface water drainage and measures should be put in place to ensure the existing ditch is capable of coping with additional water.
- There are concerns regarding traffic speed and priority at the entrance to the site and these should be addressed by appropriate markings and signage.
- There are concerns regarding the impact of vibration on the adjacent properties in Hardwicke Field, especially those on the boundary, during construction and once the dwellings are inhabited. This is a particular issue due to the nature of their foundations. Measures should be put in place to prevent damage from the vibration plus on-going monitoring of the foundations for those properties after completion.
- There are concerns regarding noise levels and the impact on Hardwicke Fields residents due to it being a retirement park and the relocation of the play area should be considered to alleviate any noise nuisance as much as possible.
- There are concerns about how the doctor's surgery will cope, although it is recognised that there is a national problem with a shortage of doctors.
- There are concerns regarding the capacity of the local primary school to take the additional children this development could create, although it is understood that additional funding would come from the County Council to enable the school to make extra provision.

Haddenham Parish Council (18th January 2018) - Although there were no concerns with the application the Parish Council requests input into the selection and location of trees to be planted within the site. The Council is fully content for the final determination of the application to rest with the Planning Service.

Ward Councillors – No comments received.

Local Highway Authority – The highways development management team for the highways authority has no objection in principle to this application subject to the imposition of suitable conditions.

Lead Local Flood Authority – The LLFA has reviewed the submitted document and can confirm that it has no objection in principle to the proposed development. The applicant has demonstrated that surface water can be dealt with on site by using a combination of permeable paving, swales and an attenuation basin, restricting surface water discharge to Greenfield rates. Conditions in relation to the submission of a detailed surface water drainage scheme and maintenance arrangements are recommended.

Anglian Water –

Wastewater treatment – The foul drainage from this development is in the catchment of Haddenham Water Recycling Centre that will have available capacity for these flows.

Foul sewerage network – Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. A condition is requested requiring the drainage strategy to be agreed.

Surface water disposal – From the details submitted the proposed method of surface water management does not relate to Anglian Water operated assets.

Middle Level Commissioners – The Board have been consulted on the proposal and advised that the proposed site is not within the Haddenham Level Drainage Commissioners District. Water from the site will eventually drain to the Catchwater Drain (EA Main River) through existing ditches.

Historic Environment Team – Records indicate that the site lies in an area of high archaeological potential. There is no objection to development proceeding in this location but it is considered that the site should be subject to a programme of archaeological investigation secured by condition.

CPRE Cambridgeshire & Peterborough – CPRE objects to this application on the following grounds:

- The site is in the countryside and outside the Development Envelope. Other areas for housing in Haddenham have been identified in the 2015 Local Plan.
- Haddenham lies on a ridge. Housing at this site will be prominent in the landscape – a rural landscape with historic associations to the Isle of Ely. This effect will be particularly visible from Sutton.
- The site is adjacent to the Haddenham Conservation Area and thus will affect the setting of the Conservation Area.
- It is doubtful that there are sufficient employment opportunities in the village to warrant an estate of over 60% market housing. This will lead to out-commuting with the inevitable increase in car traffic as the bus service is infrequent.
- There will be a loss of Grade 2 agricultural land.

CPRE urge the Council to reject the plan.

CCC Growth & Development – Requested financial contributions towards Early Years, Primary and Secondary Education.

Cambridgeshire Fire & Rescue – Should the Planning Authority be minded to grant approval the Fire Authority would ask that adequate provision be made for fire hydrants.

Housing Strategy & Enabling Manager (20th October 2017) – This development is being brought forward on behalf of the Haddenham Community Land Trust and will provide above policy levels of affordable housing as 35% affordable housing has been proposed.

The proposed mix of affordable house-types is set out in the Affordable Housing Statement. This mix reflects current demand on the East Cambs Housing Register and as all affordable homes will be for affordable rented tenure they will meet the needs of those applicants on the register.

Housing Strategy & Enabling Manager (10th January 2018) – The revised mix includes one additional 2 bedroom house and one fewer 2 bedroom bungalow. Although the provision of a 2 bedroom bungalow may have been preferable there is no objection to the latest mix.

Conservation Officer (11th January 2018) - The entrance to the application site is located adjacent to the Haddenham conservation area and as such this relationship should be considered as part of the application.

The submitted design and access statement makes reference to the conservation area and the appraisal document; however it does not make any attempt to show how the relationship between the development and the conservation area has been considered.

The proposed development is located to the north of the existing conservation area boundary and there will be limited views from the conservation area to the application site. The potential impact on the character, appearance and setting of the conservation area will be limited due to the existing built form along the main road.

That being said, this part of Haddenham is characterised by linear development and the proposal doesn't appear to respect the existing built form or character of the area or relate to the existing settlement pattern.

Conservation Officer (16th January 2018) – The additional information submitted is useful to show how the conservation area has been considered and appraised.

I would reiterate that the proposal is likely to cause less than substantial harm to the significance of the conservation area, however, I still maintain my concerns about the relationship with the existing built form of the village.

East Cambridgeshire Access Group – Entrances to all houses should be step free. If a ramp is required the gradient should comply with BS 8300 2009. Consider designing bungalows to accommodate wheelchair users (A1 C1 F1). The RCPs would need to be big enough to prevent obstruction of footpath on collection days. Provision of parking seems insufficient for number of people living on the estate.

Environmental Health (Domestic Officer) – It is noted that there is a pumping station on the site. Complaints are not usually received about noise from this

activity, however due to the proximity to residential properties it would be beneficial for details of any boundary treatment to be confirmed.

Due to the proximity of current residents it is advised that construction times and deliveries during the construction and demolition phase are restricted. It is also advised that prior to any work commencing that a Construction Environmental Management Plan be submitted and agreed in writing with the Local Planning Authority.

Environmental Health (Scientific Officer) – The findings of the Phase I and II Geo-Environmental Assessment report prepared by EPS dated 28th September 2017 are accepted. It is recommended that a condition requiring further investigation is not required. Due to the proposed sensitive end use (residential) it is recommended that an unexpected land contamination condition is attached to any grant of permission.

Trees Officer (16th November 2017) – This proposal is for a large development within existing agricultural land. The site currently has vegetation upon the boundaries of the site. This is primarily native hedgerow. A landscape impact assessment has been submitted to support the application.

In relation to the potential impact upon existing trees no detailed information has been submitted and it is advised that an assessment upon the existing trees is provided. The current layout appears to impact trees and hedgerow at the main site access point. No significant or protected trees are likely to be affected.

There is clear potential to mitigate any impact to trees in relation to access so I offer no formal objection to the current proposal.

In terms of landscape the primary consideration will be the impact upon the landscape character of the area. It is recommended that consideration is given to consulting a landscape architect for a full assessment of these and future plans.

The current layout focuses the landscaping and open spaces to the exterior of the site inviting the public into the boundary spaces. This is supported but is dependent upon no further development around the site to be effective in the long-term.

Trees Officer (11th January 2018) - This proposal is for a large development upon existing agricultural land. The site has hedgerow upon the Southern and Eastern boundaries. The primary impact to trees is in relation to the site access, there is a small green within the Haddenham Conservation Area that includes three trees of note potentially affected. A Lime tree is recommended for removal while a Horse Chestnut is also impacted. An Arboricultural report has been submitted to support the application.

I do not object to the proposal however I have reservations.

The removal of the Lime tree and the impact upon the Horse Chestnut is regrettable. The trees are within a Conservation Area and in the ownership of the Parish Council therefore, the permission of the Parish will be required to implement the scheme. In my view the loss of these trees is acceptable upon the requirement

that sufficient replacement planting is provided. I am of the view that replacement trees should be secured upon the green, as this is within the Conservation Area while the development site is not.

If the application is to be approved, the Tree Protection Plan within the Arboricultural report dated December 2017, will be required to be implemented under condition of planning approval, to ensure the successful retention of trees at the site.

Regarding the development site I have concerns this proposal will have a negative impact upon the landscape character of the area which would be in conflict with guidance within the draft submission local plan (ENV1: Landscape and settlement character). This should be considered by a Landscape Consultant.

The indicative Landscaping scheme supports large tree species planting primarily to the boundaries of the site. I support this as an increase in tree cover. However in relation to the general landscape, the sub-urbanisation of the site is unavoidable if development is permitted.

If the application is to be approved, I recommend a full Landscaping Scheme with associated Landscaping Maintenance Schedule to be submitted under condition of planning approval.

ECDC Waste Strategy – ECDC will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day.

The Waste Management Plan shows three 240lt bins, however at present ECDC collects refuse weekly in black sacks. The plan also shows collection points at the end of the shared surface for units 41-44 & 49 to 53 and the waste team would like confirmation that this roadway will be built to adoptable standards and that ECDC will be indemnified against any damage claims should they enter to collect bins or bags.

Parks and Open Space - No comments received.

5.2 Neighbours – Site notice posted, advertisement placed in the Cambridge News and 70 nearby properties were notified. The 25 responses received are summarised below. A full copy of the responses are available on the Council's website.

- Lived at Hardwicke Fields for 27 years and moved here for the peace and quiet of a retirement community.
- Proposal is deplorable. Screaming kids, traffic noise and pollution.
- Large plot opposite the water tower would be more suitable.
- Loss in property value cannot be dismissed.
- Loss of views towards Sutton.
- Access would be shared with Hardwicke Fields creating extra traffic that will go past bedroom window.
- Strongly object. Development will have a massive impact on surrounding neighbours.

- Road cannot cope with existing traffic.
- Will result in people leaving Haddenham.
- Loss of privacy from houses looking directly into Hardwicke Fields.
- Abundance of wildlife that will be disturbed.
- Sites lies in open countryside and the development will affect the existing landscape of the village.
- Cannot comprehend why a new family housing estate would be considered directly next to a retirement estates.
- Safety issues for those entering or leaving, especially those on mobility scooters.
- Impact on trees on grassed area.
- Appreciate the council will receive a financial payment that could be used for all Haddenham residents but amount of new people would put tremendous strain on existing services and facilities.
- Population has already increased stretching facilities to breaking point.
- Pylon in middle of field, the water drains down and sewage has to be pumped up.
- Access from A1123 will not be wide enough.
- Site is outside village envelope, which should be adhered to or will create a precedent as a 'backfill' project.
- Entrance is directly next to No. 1 Hardwicke Fields – impact on privacy, disturbance and noise will be considerable, especially during construction.
- Impact of heavy vehicles close to unreinforced light residential buildings (Park Homes) could result in damage being caused. Remote vibration monitoring should be considered.
- Ditch not shown on plan. Has this been considered?
- Parish Councillors, approximately 75% of whom are also Trustees of the Local Community Trust, have conflicting interests.
- Efforts to reduce HGVs on A1123 rather futile if scheme goes ahead.
- Hardwicke Fields roadsign would need to be relocated.
- Property on West End suffers from vibration from the A1123. Traffic will pass closer and vibration is likely to be worse.
- Dirt access road approximately 40cm above garden level and if this stays the case it could suffer flooding due to water run-off.
- Trees along access would need to be cut back, damaging roots and leaving property without a border. Causing issues with privacy and safety.
- Local primary school is at capacity.
- Inclusion of non-affordable houses would seem to be a cynical ploy by ECDC to raise funds for ECDC.
- How can there be a fair and independent consideration of the planning application with the HCLT being chaired by a Parish and District Councillor and the developer owned by ECDC?
- High proportion of those attending meetings are opposed to the development as are a number of HCLT members. Project is not community led.
- At no time were residents of Hardwicke Fields approached.
- Prevailing winds mean that residents of Hardwicke Fields will feel full effect of any pollution.
- Elderly residents less able to cope with the effects of change, pollution and stress.
- Field has regularly flooded.

- Balancing pond will create a body of stagnant water and a hazard for children.
- Transport Assessment and Travel Plan contain errors including a number of fatal accidents that are not mentioned.
- Main road through centre of rural village with inadequate footways or crossings is a major cause of disturbance, accident risk and health risk. A1123 regularly becomes a 'rat run'
- No mention of traffic in and out of Hardwicke Fields.
- Haddenham is a relatively isolated village. Will not create enough demand for additional bus services.
- Because of its ridge location any development within Haddenham must have particular regard for visual impact on the surrounding countryside.
- Seems that development could be extended onto neighbouring fields.
- Access is in a conservation area and is unsuitable for this size of development.
- Journey times out of Haddenham have increased in recent years.
- Where is the strong local support and overwhelming backing in Haddenham for the HCLT?
- HCLT's research is not meaningful and should not be used to justify development.
- Traffic speed is a serious problem along the A1123 at West End.
- Just because the development is a CLT should not permit it to trample over planning policies that have been used to defend the community from inappropriate development.
- This development will damage the integrity of the Haddenham Conservation Area and it is outside the village planning envelope.
- It will further damage the historic landscape of the Haddenham/Hillrow 'ridge', particularly when viewed from Sutton church and its environs.
- It will negatively affect the existing character of the Ouse washes landscape viewed from the area of the Ouse Washes Landscape Partnership.
- It will severely and negatively impact the existing residents of Hardwicke Fields removing their views and exposing them to increased noise and disturbance.
- It will cause unnecessary disruption to wildlife.
- It is a significant loss of Grade 2 agricultural land.
- It is unsustainable in the short term because there is insufficient employment in the village to discourage commuting.
- It is unsustainable in the long term due to the anticipated effects of climate change.
- It is concerning that an organisation which is owned and managed by the District Council should be using the device of creating a CLT as a mechanism for facilitating the building of 54 dwellings outside the village envelope.
- This proposal raises worrying questions of governance, integrity and legal compliance for the Council.
- This is not a community-led development as claimed.
- This site with 65% private housing is clearly not compliant with LP31.
- If allowed to proceed the Planning Authority will have no defensible argument when other developers demand a similar dispensation to break LP31.
- The sewerage farm in Haddenham is already over capacity.
- The additional traffic that would be created is neither in accordance with the much vaunted green policies nor does it add to the general wellbeing of the population.

- Joined CLT and agreed to idea of affordable housing but no definition given and affordable housing put forward very different from own views of affordable housing.
- No mention of Hardwicke Fields development when HCLT joined.
- Crossroads are already dangerous and more residents will make traffic lights even more of an imperative.
- Since previous objection was made another fatal accident has occurred on the A1123 Hillrow Causeway.
- Noise monitoring at a property on the north side of West End has been carried out and indicates that existing residents are already subject to levels of constant traffic noise, which are damaging to their health.
- Believe that there is to be further development once this Phase 1 is complete.
- Object to revisions as plots directly in front of our house have been changed from bungalows to houses. Already degraded outlook will be further eroded.
- Developers had taken onboard public concerns and have now made last minute changes. Detail of these changes is lacking. Preferred outcome is that the scheme fails to go ahead.
- Much was made about providing a green buffer zone for neighbouring homes. By moving the development north the retirement village has significantly less protection than the houses in West End.

A petition has been received by the Local Planning Authority on behalf of residents of Hardwick Fields, opposing the development and containing 29 signatures.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 6	Community-led development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
Flood and Water

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

6.4 Proposed Submission Local Plan 2017

- LP2 Level and Distribution of Growth
- LP3 The Settlement Hierarchy and the Countryside
- LP5 Community-led development
- LP6 Meeting Local Housing Needs
- LP16 Infrastructure to Support Growth
- LP17 Creating a Sustainable, Efficient and Resilient Transport Network
- LP18 Improving Cycle Provision
- LP20 Delivering Green Infrastructure, Trees and Woodland
- LP21 Open Space, Sport and Recreational Facilities
- LP22 Achieving Design Excellence
- LP24 Renewable and Low Carbon Energy Development
- LP25 Managing Water Resources and Flood Risk
- LP26 Pollution and Land Contamination
- LP27 Conserving and Enhancing Heritage Assets
- LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views
- LP30 Conserving and Enhancing Biodiversity and Geodiversity

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are the principle of development, visual amenity and cultural heritage, residential amenity, highway safety, drainage and flood risk and biodiversity and ecology.

7.2 Principle of development

7.2.1 The National Planning Policy Framework promotes sustainable development and states at Paragraph 49 that new housing applications should be considered in the context of the presumption in favour of sustainable development. The Framework supports the delivery of a wide range of high quality homes. It specifically states at paragraph 14 that local planning authorities should normally approve planning applications for new development in sustainable locations that accord with the development plan or, where the development plan is absent, silent or relevant policies are out of date, with the policies contained in the Framework; unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or where specific policies in the Framework indicate development should be restricted.

- 7.2.2 The adopted Local Plan aspires to deliver managed and sustainable growth over the plan period to 2031. For the rural areas the Local Plan seeks to deliver new housing in appropriate locations to meet local needs. In doing so, the Plan identifies those rural settlements where some new development within defined settlements will in principle be appropriate; both in the form of allocations and windfalls. These settlements are the subject of Vision Statements which set out the growth aspirations for each one. The Local Plan seeks to prevent new development taking place outside the defined settlements unless certain specific exemptions are met. Haddenham is one such settlement and the application site lies outside but close to the defined development boundary for the village.
- 7.2.3 The Council is currently preparing a replacement Local Plan covering the period from 2016 to 2036. At a meeting of Full Council held on 5th October 2017, Members considered an updated report on the latest draft of the emerging replacement Local Plan (the 'Proposed Submission Local Plan') accompanied by a Five Year Housing Land Supply Report. This report was agreed by Council, which has established that East Cambridgeshire District now has a five year housing land supply; currently calculated to be 6.94 years. Consequently, Paragraphs 14 and 49 of the Framework are not engaged and the housing supply policies contained in the Local Plan are no longer considered to be out of date. Paragraph 11 of the Framework makes it clear that the Framework does not change the statutory status of the development plan as the starting point for decision making. This states that "proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise". The Framework is one such material consideration and should be taken into account.
- 7.2.4 Adopted policy GROWTH 2 and emerging policies LP1 and LP3 all seek to manage new development so that it takes place in sustainable locations. In respect of open market housing, these are considered to be within defined settlements where there is ready access to shops, services and facilities that meet the day to day needs of those communities. Policy GROWTH 2 states that the majority of development will be focused on the market towns of Ely, Soham and Littleport with more limited development taking place in villages which have a defined development envelope, thereby helping to support local services, shops and community needs. It then states that outside of these settlements new development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development outside these settlements will not be permitted except where it complies with a limited range of specified categories detailed in that policy.
- 7.2.5 One such exception is community-based development, which may include uses such as affordable housing, small business units and renewable energy schemes. Reference is made in Policy GROWTH 2 to policy GROWTH 6, which specifically relates to community-led development. The same cross referencing applies to emerging policies LP3 and LP5.
- 7.2.6 The site has been allocated in the Proposed Submission Local Plan for the development of a residential scheme, providing approximately 50 dwelling and on the basis that it is delivered through a Community Led Development scheme in accordance with Policy LP5. The proposed Submission Local Plan does not seek

to extend the development envelope around the site and irrespective of whether development proceeds the site will remain outside the development envelope, identifying it as an exception to the principles established by policies GROWTH 2 and LP3 in respect of development in the countryside.

7.2.7 Policy GROWTH 6 states that the provision of affordable housing on sites outside development envelopes may be acceptable where:

- *The site is well related to a settlement which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities.*
- *No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.*
- *The scale of the scheme is appropriate to the location and the level of identified local affordable housing need.*
- *The scheme incorporates a range of dwelling sizes, types and tenures appropriate to identified local need.*
- *The District Council is satisfied that (i) the scheme was initiated by, and is being led by, a legitimate local community group such as a Parish Council or Community Land Trust and (ii) the scheme has general community support, with evidence of meaningful public engagement.*
- *It can be demonstrated that the scheme will be well managed and financially viable over the long-term and that any benefits provided by the scheme can be retained by the local community in perpetuity; and*
- *The scheme accords will all other policies in the Local Plan*

An element of open market housing on the site will only be acceptable where:

- *It is demonstrated through a financial appraisal that this is essential to enable the delivery of affordable housing or other community benefits on-site; and*
- *The community benefits of the scheme (such as the level of affordable housing or open space) are significantly greater than would be delivered on an equivalent open market site.*

7.2.8 The existing development envelope adjoins the eastern boundary of the site and part of its southern boundary. Subject to improvements to the access off West End, which are included as part of this application, the site is relatively well connected to the existing village. Haddenham is described in the 2015 Local Plan as being a large village with a reasonable level of services including a post office, several shops, library, primary school, two public houses, three churches, a village hall, a sports and social club, a doctor’s surgery, a pharmacy, an elderly day care centre and a number of public open spaces. Reference is also made to two regular bus services.

7.2.9 The impact of the proposal on the character or setting of the settlement and the surrounding countryside is addressed at 7.3 below.

7.2.10 The Council’s Housing and Enabling Officer has provided the following information in relation to the level of housing need in Haddenham:

	1 bed	2 bed	3 bed	4 bed	5 bed	total
Haddenham	32	21	5	0	1	59

This following is the need identified on the Housing Register from people who have a local connection to Haddenham.

	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Total	12	4	0	0	1	17

As this is a scheme for a total of 54 dwellings its scale is considered proportionate to its location and Haddenham's population of 2740 and 1170 dwellings (as taken from the East Cambridgeshire Local Plan 2015). The need identified for people with a local connection suggests that a high proportion of the affordable units should be one and two bed dwellings. This is reflected in the suggested mix of affordable units, which is made up of 5 x one-bed units, 11 x two-bed units and 3 x three-bed units.

- 7.2.11 The applicant proposes to construct a mix of single, one-and-a-half storey and two storey dwellings ranging from one bedroom up to four bedroom. The mix of dwellings is such that it is considered to cater for families, younger and older persons. The affordable dwellings will remain in the ownership of the CLT and the CLT will retain control over the allocation policy, which will prioritise people with strong local connections to the village who are in housing need. All of the affordable dwellings are provided as affordable rented dwellings.
- 7.2.12 The Housing Strategy and Enabling Manager has advised that the latest SHMA indicates that the split of tenure should be around 77% rented and 23% intermediate housing. This is a starting point for negotiations and it is accepted that on a site by site basis this tenure mix may alter. On this occasion the Housing Strategy and Enabling Manager does not object to all affordable dwellings being rented as there is a greater number of applicants on the ECDC Register seeking rented housing than the number of applicants on the Help to Buy register seeking shared ownership dwellings in the District.
- 7.2.13 Advice received from the Housing Strategy and Enabling Manager is also that housing at 80% of market rates is the most prevalent rented product delivered in the District and nationally. There is therefore no concern about affordability levels. The S106 Agreement is likely to expect rents to be capped at Local Housing Allowance Rates meaning that it will be affordable even to those occupants who may be welfare dependent.
- 7.2.14 The development is being brought forward by Haddenham CLT in conjunction with the landowners and Palace Green Homes acting as the developer. Palace Green Homes was established by ECDC in 2016 to help address the shortage of new housing across the District. A comprehensive Statement of Community Consultation has been submitted with the application, setting out the four-stage approach taken to community engagement. The process took in excess of 12 months and the submitted design and layout of the site was informed by comments made by members of the public.
- 7.2.15 A number of letters of objection have been received stating that the scheme does not have genuine community support and that only a small percentage of the local population participated in the engagement / consultation process and that not all members of the CLT are supportive of the proposal. There has also been criticism

that the CLT is made up of members of the District and Parish Councils and that the involvement of the Council's trading company means that an impartial planning decision cannot be made.

- 7.2.16 The Local Planning Authority has an obligation to act independently in the decision making process. Decisions taken should not be based on political allegiances, rather they should be based upon the relevant material considerations. An assessment of these material planning considerations is contained in this report together with a recommendation from planning officers.
- 7.2.17 Haddenham CLT was set up in 2016 in accordance with relevant legislation and currently has approximately 100 members according to its website. The CLT is coordinated by local people and as demonstrated by the Statement of Community Consultation significant efforts were made to include the community in the decision making process. This included displaying posters around the Parish and also an advert in the Village Voice parish magazine, as well as publishing information on the HCLT website and reference made within the Parish Council minutes. It is inevitable that not all suggestions put forward by local residents will have been incorporated into the submitted scheme and it is acknowledged that not all members of the community will support the scheme. It is considered by officers that the scheme has been initiated by and is being led by a legitimate community group and that the scheme has general community support in accordance with the Council's CLT Supplementary Planning Document.
- 7.2.18 The applicants have demonstrated that a viable scheme is being put forward and as stated above local people will have priority on the affordable dwellings. The scheme will also generate a CIL payment, a percentage of which can be invested in the village by the Parish Council. The application documents also refer to revenue generated for ECDC to be reinvested back into council services, facilities and infrastructure. This does not however form a material planning consideration and does not carry any weight in the decision making process.
- 7.2.19 As an element of open market housing is proposed on the site the applicant has submitted a Viability Assessment and Community Benefit Statement with the application. The Assessment demonstrates that the level of open market housing is essential to deliver the 19 affordable homes. The Viability Assessment has been reviewed by an independent consultant on behalf of the Local Planning Authority, who has confirmed that the information submitted is accurate and can be relied upon.
- 7.2.20 The Community Benefit Statement provides a distinction between the tangible and softer community benefits of the scheme. The tangible benefits include the provision of 19 affordable homes, which equates to 35% of the total number of dwellings being delivered. This exceeds the policy requirement under the current Local Plan to provide 30% affordable dwellings and further exceeds the policy requirement under the Proposed Submission Local Plan of 30%. The scheme also exceeds the level of open space required by the Developer Contributions SPD and reference is again made to CIL. The Statement also goes on to say that successful community-led development can help to build a more resilient community.

- 7.2.21 It is considered that the applicants have adequately addressed these elements of Policy GROWTH 6 and that the level of open market housing is acceptable to ensure the viability and long-term success of the scheme.
- 7.2.22 The equivalent policy in the Proposed Submission Local Plan, Policy LP5, contains similar criteria to GROWTH 6 and places additional emphasis on the need for a formal agreement between landowners and CLTs to ensure that the scheme put forward is delivered and that the community benefits are retained in perpetuity. The applicants have advised that there are contractual arrangements in place between the landowner and Palace Green Homes to ensure that the development is carried out in accordance with the scheme submitted. There is also an agreement in place between the CLT and Palace Green Homes that sets out the basis on which all CLT developments are delivered, including the provision of the affordable dwellings.
- 7.2.23 The remainder of this report assesses the application against all other relevant local plan policies.
- 7.3 Visual amenity and cultural heritage
- 7.3.1 The application site is currently undeveloped agricultural land, devoid of any built form with its main distinguishing features comprising the boundary vegetation. The site lies to the north of West End, beyond the established pattern of development that consists of historic linear development with a number of more recent developments to the rear of this built form. Hardwicke Fields caravan parks extends some distance to the north of West End, contrary to the pattern of development in the area. The application site adjoins the western boundary of Hardwicke Fields and the proposal would extend the pattern of development northwards.
- 7.3.2 The first section of the access to the site is located just inside the Haddenham Conservation Area with the remainder of the site outside. The proposal includes improvements to the access, which is shared with Hardwicke Fields and will therefore result in some visual changes to the Conservation Area. Any changes will be limited to the immediate locality with no significant effects on the wider Conservation Area.
- 7.3.3 Following receipt of initial comments from the Conservation Officer the applicant's agent submitted further detail in respect of the relationship between the application proposal and the historic pattern of development in Haddenham. The internal layout of the site has been designed with reference to areas such as High Street, Meadow Lane and Ashleaf Close and the topography of the site has been used to minimise the visual impact to neighbouring residents and the Conservation Area. Throughout the design development the applicants have referenced the rich historical context of Haddenham, using materials that reflect the rural character albeit interpreted in a contemporary vernacular.
- 7.3.4 The Conservation Officer has considered the additional information and is satisfied that the proposal would result in less than substantial harm to the significance of the Conservation Area. In accordance with the NPPF, the public benefits of a scheme should be weighed against any harm caused to a heritage asset. In this case the proposal includes the provision of 19 affordable units plus 35 open market units to add to the District's housing stock. In addition areas of public open space will be

created with associated ecological benefits. It is therefore considered that the public benefits of the scheme outweigh any minor harm to the Conservation Area and that any conflict with Policies ENV11 and LP27 carries very limited weight in the planning balance.

- 7.3.5 Policies ENV1 and LP28 also require development proposals to be informed by, be sympathetic to, and respect the capacity of the distinctive character area in which it sits. Development proposals are expected to create a positive relationship with existing development and where possible enhance the pattern of distinctive historic and traditional landscape features, visually sensitive skylines, the settlement edge and key views into and out of settlements. The tranquil nature and nocturnal character of areas should also be considered.
- 7.3.6 As stated above the application site lies adjacent to the existing settlement boundary in a key edge of settlement location. Views of the site from the village itself will be limited although the outlook for adjoining residents will change significantly. Long distance views of the site from the settlement of Sutton will be affected by the proposal and the applicant has prepared a Landscape Appraisal to consider the landscape and visual impacts of the proposal.
- 7.3.7 The Landscape Appraisal describes the public views of the development from Sutton as being improved by the development as a proposal of mixed housing in soft landscaping has potential to form a more cohesive edge to the village than the existing contrast between park homes and open field. As stated above the topography of the site has been used to minimise the visual impacts of the proposal and it is considered that although the view expressed in the Landscape Appraisal that views from Sutton will be improved is a little simplistic, it does have some merit.
- 7.3.8 Hardwicke Fields is made up of modest park homes that individually have a limited impact on the landscape. However, the fact that Hardwicke Fields extends northwards from the main settlement does mean that it appears detached from the village and collectively the development pays little respect to the settlement edge. The proposal to site an additional 54 dwellings on the application site will to some extent form a more cohesive edge to the village, however, it will feature in views from Sutton, changing the semi-rural character of the area to a more hard urban edge. This will be tempered by the inclusion of a landscape buffer along the northern, southern and western edges of the site and a comprehensive landscaping strategy will be required in order to assimilate the development into its surroundings as far it is possible to do so. The applicant intends to retain the existing boundary vegetation, to ensure that the pattern of distinctive landscape features are protected. A density of 16.8 dwellings per hectare (6.8 dwellings per acre), is considered to be appropriate for an edge of settlement location and is reflective of the level of open space and landscaping included in the proposal.
- 7.3.9 On balance it is considered that the proposal has the capacity to form a complementary relationship with the existing settlement edge and that whilst the tranquil nature of the immediate locality will be lost the proposal does not come into conflict with Policies ENV1 and LP28 to such an extent as to warrant refusal of the application.

7.4 Residential amenity

- 7.4.1 The design and layout of the scheme has in part been informed by the need to protect the amenity of nearby residents. The access road has been moved northwards to ensure a satisfactory relationship with dwellings to the south and the internal layout has been designed to ensure appropriate plot sizes, that sufficient private amenity space is provided and that a satisfactory relationship between dwellings in terms of overlooking and overshadowing can be achieved.
- 7.4.2 The relationship of the dwellings closest to the eastern boundary of the site with the park homes on Hardwicke Fields has been the subject of a number of letters of objections from existing residents and the submission of a petition against the development.
- 7.4.3 The outlook for residents in Hardwicke Fields will be significantly changed by the proposed, with the loss of the view across the arable field and towards Sutton. It should be noted however that the loss of a view is not a material planning consideration. Plots 1-5 lie immediately adjacent to the boundary with Hardwicke Fields, however, there is a substantial hedgerow in places on the boundary that the applicant has committed to enhancing where necessary. Plots 1 and 2 are single storey dwellings, designed to minimise the impact on the closest residents in Hardwicke Fields and the rear facing dormer windows on Plots 3-5 have been relocated to the front facing roof slopes to remove any overlooking. The rear elevation of Plot 1 is located approximately 12 metres from the closest dwellings on Hardwicke Fields and is not therefore considered to be overbearing or cause a significant loss of light. The access road passes close to a number of park homes and it is likely that there will be some noise and disturbance caused by this, however, this can be addressed to a certain extent through the use of an appropriate boundary treatment.
- 7.4.4 To the north of Plot 5 there is a landscape buffer between the proposed dwellings and the adjacent park homes. The layout of the development has been altered during the course of the application to improve the quality of the central play space. This has resulted in the movement of two-storey dwellings slightly further south. Plot 15 is a two storey end of terrace dwelling that is located 20 metres from the closest park home and 16 metres from the site boundary. At this distance it is considered that the two-storey dwelling will not appear overbearing on existing residents, not will result in an unacceptable level of overlooking.
- 7.4.5 Residents of Hardwicke Fields have expressed concerns that the tranquil nature of the area will be lost and that activity, both during and after construction, will result in noise and disturbance such that it will adversely affect the amenity of the residents of Hardwicke Fields. It is inevitable that there will be some noise and disruption during the construction process and the developer will be required to seek approval of a Construction Environmental Management Plan prior to work commencing on site in order to minimise this. It is also the case that the tranquil nature of the area described by local residents will be lost, however, the fact that noise may be created by children using the central play space and those using the periphery landscaped areas would not on its own justify refusal of the application. The public benefits of the scheme have been stated above and these need to be balanced against any loss of amenity of existing residents.

- 7.4.6 Policy ENV2 makes reference to the fact that development proposals should ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers and Policy LP22 states that new development should not result in an unacceptable impact on the amenity of existing occupiers of any nearby occupiers. It is acknowledged that the proposal will have an impact on the residents of Hardwicke Fields, however, subject to appropriate conditions in relation to boundary treatments, landscaping and the management of the construction process it is considered that the amenity of residents in the long-term will remain at an adequate level.
- 7.4.7 The Local Planning Authority's attention was drawn to noise testing carried out on a property in West End, specifically in respect of road noise. It is not known where this property was situated or whether the data presented to the LPA can be relied upon. The case officer has however taken advice from Environmental Health who state that they do not consider that the proposed development is likely to suffer from unacceptable levels of road noise, given the distance between the proposed dwellings and West End. It is acknowledged that dwellings on West End may suffer from road noise however this is not a matter that can be addressed through this application.
- 7.5 Highway safety
- 7.5.1 The development will be accessed by way of an ungraded access road that presently serves Hardwicke Fields and residential units to the West to a conventional footway/carrageway access road to provide vehicle and pedestrian access to the development and to Hardwicke Fields. The initial length of the access road, which will be shared with Hardwicke Fields, will comprise a 5.5 metre carrageway with 2.0 metre footways on both sides. After the junction with Hardwicke Fields, the access road will comprise an upgrade to the existing farm access track, with a 2.0 metre footway along the northern side and a verge to the south. The works will create a direct dedicated pedestrian link from the development to the village centre and bus stops. Appropriate street lighting and drainage will be incorporated.
- 7.5.2 The Local Highway Authority has been consulted on the proposal and raises no objection to the proposals. The Highway Engineer has made a number of comments on the design and layout of the access and the main site but has clarified that these do not form the basis of an objection. Small areas of private drive will remain so in the future and will not be adopted by the Local Highway Authority. The Local Highway will also not adopt any areas of Grasscrete and visitor parking spaces on the highway will only be accepted if they serve a highways function.
- 7.5.3 The works to the access will need to be the subject of a separate agreement between the developer and the Local Highway Authority and the developer will need to ensure that the priority of the junction with Hardwicke Fields will need to be the new development in order to make it safe and subsequently adoptable.
- 7.5.4 The Local Highway Engineer has clarified that the speed limit on the access road will be 20mph, unless a 20mph is applied under a Traffic Regulation Order that will need to be enforced by the police. The application of a Traffic Regulation Order cannot be guaranteed and is not therefore in the control of the applicants. The

Local Highway Engineer does not believe that such an Order is necessary as the junction/s themselves act as a speed reducing feature. The inclusion of speed reduction measures such as speed humps must also be carefully considered as these create noise and in a small residential area this will be exacerbated.

- 7.5.5 A Transport Assessment and Travel Plan has been submitted with the application, detailing existing and predicted traffic flows. The trip generation calculations indicate that the proposed development will generate 17 vehicular trips between 07:00 – 08:00, 30 trips between 08:00 – 09:00 and 28 movements in the PM peak hour. Assessed against current traffic flows the development is found to have a very limited impact on the local highway network. The NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The additional traffic created from this development is not considered to have a severe impact on the local highway network and on this basis the proposal is considered to comply with Policies COM7 and LP37 in this regard.
- 7.5.6 The Transport Assessment also details the availability of public transport. Although reference is made to bus and rail transport it is accepted that these services are limited and may not be available or convenient for all to use. However, in accordance with the NPPF consideration should be given to the promotion of sustainable forms of transport and all effects, however small, should be made to encourage future residents to use more sustainable forms of transport than the private motor vehicle. The applicant proposes to promote the accessibility of local facilities and destinations by non-car travel through the preparation of a Travel Plan that will be provided to future residents.
- 7.5.7 The development includes the provision of two car parking spaces per dwelling, even for the one-bedroom units. There is an element of tandem parking, although this has been minimised as far as possible with the use of side-by-side across much of the development. The scheme has been in the pre-planning and planning application stages for some time and it is not fully compliant with the Council proposed parking standards contained in the Proposed Submission Local Plan. However, this generally applies to a small number of units where single garages are included as parking spaces. On balance it is considered that a variety of parking solutions have been employed and that the scheme broadly complies with the current and proposed parking standards.
- 7.6 Drainage and flood risk
- 7.6.1 The site is located in Flood Zone 1 where, in accordance with the NPPF, the majority of new development should be directed. The Flood Risk Assessment submitted with the application states that the site is not considered to be at significant risk of flooding. The topography of the site is such that it will need to be taken into account in the design of the surface water strategy.
- 7.6.2 The Flood Risk Assessment also details the surface water drainage strategy for the site and MTC Engineering has also prepared a Sustainable Drainage Strategy, both of which have been examined by the Lead Local Flood Authority. The LLFA is satisfied that a combination of permeable paving, swales and an attenuation basin can be used to restrict surface water discharge to greenfield rates. The detailed

design of the scheme, including these features, can be secured by condition and this is common practice on developments of this nature. Local residents have pointed out that the application site is known to be wet at times and they witnessed the applicant's consultants having difficulties in this regard on the site. In the absence of an objection from the LLFA the Local Planning Authority is satisfied that surface water drainage can be addressed and that the proposal complies with Policies ENV8 and LP25 as well as the Cambridgeshire Flood and Water SPD.

7.6.3 Anglian Water has been consulted on the application and have confirmed it is aware that the applicants are proposing a pumping solution to address foul drainage. A pumping station is proposed in the north-east corner of the site, the final design of which can be secured by condition in accordance with advice received from Anglian Water.

7.7 Biodiversity and ecology

7.7.1 Policy ENV7 requires development proposals to protect the biodiversity and geological value of land, provide appropriate mitigation measures and maximise opportunities to create, restore and enhance natural habitats. In addition Policy LP30 states that development proposals should deliver a net gain in biodiversity, proportionate to the scale of the development proposed.

7.7.2 A Preliminary Ecological Appraisal submitted with the application suggests that the habitats on the site are of low to moderate ecological value and that there are no significant ecological constraints that would prevent the proposed development. The site mainly consists of arable land with a grassland margin to the south and a small grass and bare ground area with scattered scrub. A single young tree within the site and of negligible value will be removed.

7.7.3 The Appraisal suggests that mitigation measures for the loss of habitat are in the form of the retention of boundary hedgerows and enhancement can be secured through the planting of a new hedgerow along the western boundary and swing native plants for pollinators within the new grassland areas.

7.7.4 An assessment of the impact of the proposal on protected species indicates that various enhancement measures such as the installation of bird and bat boxes and the creation of a pond in the northern half of the site can be incorporated into the scheme. The grass margins and boundary hedgerows may be suitable for commuting and foraging Great Crested Newts but the main arable farmland will be of low value. A series of mitigation measures are also recommended in the Appraisal and the implementation of these can be secured by condition.

7.7.5 Advice has been sought from Natural England and The Wildlife Trust as to any potential impact upon the statutorily designated Ouse Washes. At the request of Natural England the Preliminary Ecological Appraisal has been updated to make reference to the SSSI. The arable farmland surrounding the Ouse Washes is the functionally linked habitat for Ouse Washes bird species, particularly foraging swans. The data search carried out by the applicant's consultant suggests that Ouse Washes species are not regularly using the site or surrounding areas. On this basis Natural England has confirmed that it does not need to be formally consulted on the application. The Wildlife Trust has also advised that it would not expect the site to

be used by feeding birds and therefore no direct impact on the Ouse Washes. Indirect impacts can arise from increased recreational pressure on designated sites. There is limited public access to the Ouse Washes and it is the Wildlife Trust's view that the recreational impacts are more likely to be on local greenspaces and County Wildlife Sites such as Guppy's Pond & Fairchild's Fields in and around the village. There will be a few extra visits to Wicken Fen, but these district wide recreational pressure need to be addressed through the Local Plan and a revised district wide approach to CIL for example.

- 7.7.6 At the request of the case officer an Arboricultural Report has been submitted with the application. The Report recommends that a Lime tree close to the access to the site be removed and that a Horse Chestnut will also be impacted. The Council's Trees Officer has stated that this is regrettable but offers no objection to the proposal on the basis that sufficient replacement planting is provided. The replacement planting should be secured on the green, outside the development area, but within the Conservation Area. As the trees are located on land within the control of the Parish Council the matter has been debated by the Parish Council and it has agreed to replace any tree that is lost. The applicants have also indicated that appropriate tree protection can be put in place in respect of the two Horse Chestnut trees located close to the access.
- 7.7.7 Subject to conditions relating to tree protection and replacement planting it is considered that the benefits of the scheme outweigh the harm caused through the loss of the Lime Tree. In addition, a comprehensive landscaping scheme will be employed across the development site and this will include the planting of a number of woodland trees. It is therefore considered that there will be a net gain in biodiversity, proportionate to the scale of the development and that the proposals comply with Policies ENV7 and LP30.
- 7.7.8 The Trees Officer has also offered his opinion that the proposal may have a negative impact upon the landscape character of the area. This has been addressed at 7.3 above.
- 7.8 Other matters
- 7.8.1 Education contributions
- 7.8.2 Cambridgeshire County Council has requested a financial contribution towards Early Years, Primary and Secondary education provision. The applicants have stated that at the time the application was prepared they believed that there was sufficient capacity in the local primary and secondary schools to meet any increase in demand as a result of the development. Their view had been informed by data published by the County Council.
- 7.8.3 The County Council has since stated that it is seeking contributions for this development and others in the area on the basis that the primary school is full or close to capacity and there are other developments coming forward. These developments are allocated in the Current and Proposed Submission Local Plan so it is assumed they will be approved.

- 7.8.4 As stated above this application has been subject to a viability appraisal and the applicant has had to justify the number of open market units that have been included. It is therefore accepted that should an education contribution be sought it is very likely that the scheme will become unviable, and may affect the level of affordable housing that can be delivered. It is further considered that the County Council has, in this case, no statutory basis on which to seek a financial contribution and the LPA therefore takes the view that no contribution is required.
- 7.8.5 Additional construction management matters
- 7.8.6 Concerns have been raised by a number of residents in Hardwicke Fields that the construction process could have an adverse effect on the structural integrity of the park homes. This is particularly the case for the park homes closest to Plots 1-5. The case officer has discussed this with the applicant's agent and it is suggested that additional investigation is undertaken prior to work commencing on these Plots, focussing on any potential impact on the park homes. This will inform a separate Construction Environmental Management Plan that will apply to these Plots. It is recommended that this is secured by condition.
- 7.8.7 Designing Out Crime Officer
- 7.8.8 The Designing Out Crime Officer was consulted on the application and referred to comments made at an earlier stage. The applicants have submitted a set of comments produced in August 2017, in which the Designing Out Crime Officer states that the layout appears to be acceptable in terms of community safety, crime prevention and the rear of crime.
- 7.8.9 Loss of agricultural land
- 7.8.10 The proposal will result in the loss of 3.2 hectares of Grade 2 agricultural land. The NPPF expects local planning authorities to take account the economic and other benefits of the best and most versatile agricultural land. There is however an abundance of best and most versatile agricultural land in the area and the loss of a relatively small area is not considered to weigh against the proposal.
- 7.9 Planning balance
- 7.9.1 This development has been brought forward by the landowner, Palace Green Homes and Haddenham CLT as a community-led development. The site is allocated in the Proposed Submission Local Plan for such a development and the applicant has demonstrated that it meets the requirements of Policies GROWTH 6 and LP5, including justification for the level of open market housing being provided. The benefits of the scheme include the addition of 54 dwellings to add to the District's housing stock and the provision of 19 affordable units, to be managed by and retained for people with local connections. These benefits attract very significant weight in favour of the proposal. In addition the development will provide a significant amount of public open space, which will also bring ecological enhancements to the area and attract further weight in favour. The development will also result in short and long-term economic benefits that also attract limited weight in favour.

- 7.9.2 The proposed development will significantly alter the character and appearance of the area, expanding the village into an undeveloped area of arable land. The proposal will have an urbanising effect and the outlook for nearby residents will change. The density of the scheme is however considered to be acceptable for an edge of settlement location and the landscape buffers will soften the development's appearance in the wider landscape. It is considered that the scheme has had regard for Policies ENV1 and LP28 and that any adverse effects on the visual amenity of the area attract moderate weight against the proposal. The proposal is not considered to result in substantial harm to Haddenham Conservation Area.
- 7.9.3 The scheme will have an impact on nearby residents in Hardwicke Fields, both during and after construction. The extent of this impact is not however considered to have a significantly detrimental effect on the residential amenity of these residents and on this basis the proposal does not come into conflict with policies ENV2 and LP22. The applicant can be required to implement a number of measures in order to minimise the impact on existing residents and these can be secured by condition. The applicant has demonstrated that future residents will enjoy a satisfactory level of amenity.
- 7.9.4 The applicant has satisfied the requirements of the Local highway Authority and has demonstrated that safe and convenient access to the development can be achieved as well as satisfactory parking arrangements. On this basis the proposal complies with Policies COM7, COM8, LP17 and LP22.
- 7.9.5 The site is located in Flood Zone 1 where the majority of new development should be located. The applicant has demonstrated that appropriate surface water drainage arrangements can be accommodated within the site. The proposal therefore complies with Policies ENV8 and LP25 in this regard.
- 7.9.6 The proposal will result in the loss of a protected Lime tree and potentially affects a protected Horse Chestnut. This attracts weight against the proposal but given that the trees are within the control of the Parish Council and it has agreed to replacement planting on nearby land, also within its control, it is considered that the weight is limited.
- 7.9.7 On balance it is considered that the significant benefits of the scheme outweigh any adverse impact on the visual amenity of the area, on existing residents' residential amenity and the loss of the protected Lime tree. All other material considerations can be addressed through the completion of a S106 Agreement and the imposition of appropriate conditions. The application is therefore recommended for approval.

8.0 COSTS

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a

local planning authority has been able to provide evidence to justify a refusal reason or a condition.

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

8.4 In this case Members' attention is particularly drawn to the following points:

- There are no objections from statutory consultees
- The application site is allocated for development in the Proposed Submission Local Plan

9.0 APPENDICES

9.1 Draft planning conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01756/FUM	Julie Barrow Room No. 011 The Grange Ely	Julie Barrow Senior Planning Officer 01353 665555 julie.barrow@eastca mbs.gov.uk

National Planning Policy Framework –

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 –

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

Appendix 1 – Draft Planning Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
1525-P-502	I	15th December 2017
1525-SK-504	E	15th December 2017
1525-P-505	E	15th December 2017
1525-P-025	A	7th December 2017
1525-P-028	A	7th December 2017
1525-P-026	A	7th December 2017
1525-P-101	A	7th December 2017
1525-P-022	A	7th December 2017
1525-P-023	A	7th December 2017
1525-P-024	B	7th December 2017
1525-P-027	A	7th December 2017
1525-P-021	A	7th December 2017
1525-P-102	A	7th December 2017
1525-P-029		28th September 2017
1525-P-030		28th September 2017
1525-P-501	A	28th September 2017
1525-P-010		28th September 2017
1525-P-011		28th September 2017
1525-P-012		28th September 2017
1525-P-013		28th September 2017
1525-P-014		28th September 2017
1525-P-016		28th September 2017
1525-P-017		28th September 2017
1525-P-018		28th September 2017
1525-P-019		28th September 2017
1525-P-020		28th September 2017
1525-P-031		28th September 2017
002	REV 3	28th September 2017
1525-P-032		28th September 2017
1525-P-021A		7th December 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

- 3 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 and policy LP27 of the Proposed Submission Local Plan. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 Prior to commencement of development a detailed surface water drainage scheme for the site, based on the agreed Sustainable Drainage Strategy prepared by MTC Engineering (ref: 1856-DS-Rev B) dated September 2017 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.
- 4 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and policy LP25 of the Proposed Submission Local Plan. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 5 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and policy LP25 of the Proposed Submission Local Plan. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 6 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to permission being granted, however, the information is needed prior to commencement in order to ensure that the necessary infrastructure is able to be provided.
- 7 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.

- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00 - 18:00 each day Monday-Friday, 08:00 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan.
- 9 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and policy LP17 of the Proposed Submission Local Plan.
- 10 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 10 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015 and policies LP17 and LP25 of the Proposed Submission Local Plan.
- 11 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into onto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 11 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015 and policy LP25 of the Proposed Submission Local Plan. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 12 No above ground construction shall take place on site until details of the external materials, including windows and doors (including garage doors) to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan.
- 13 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 13 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and policies LP22 and LP28 of the Proposed Submission Local Plan.
- 14 No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include any boundary treatment proposed for the attenuation basin. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 15 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation of the development.
- 15 Reason: To safeguard the character and appearance of the area and the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan.
- 16 Except as detailed on the approved plans, no trees shall be pruned or removed/felled and no hedges shall be removed without the prior written approval of the Local Planning Authority
- 16 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of

the East Cambridgeshire Local Plan 2015 and policies LP22 and LP28 of the Proposed Submission Local Plan.

- 17 The tree protection measures detailed within the Arboricultural Report prepared by Argenta Tree Surveys dated December 2017 shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered
- 17 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and policies LP22 and LP28 of the Proposed Submission Local Plan.
- 18 Prior to the first occupation or commencement of use of the development, details of replacement tree planting, indicating positions or density, species, and planting size shall be submitted to and approved by the Local Planning Authority. Planting shall take place in accordance with the approved details within the first planting season following completion of the development or in accordance with the program of planting approved by the LPA. Any such trees that are removed, die or become, in the opinion of the LPA, seriously damaged or defective within a period of ten of planting shall be replaced with specimens of a similar size and species as originally required.
- 18 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and policies LP22 and LP28 of the Proposed Submission Local Plan.
- 19 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 19 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and policy LP26 of the Proposed Submission Local Plan.

- 20 Prior to first occupation details of all external lighting proposed in public areas shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details.
- 20 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and policies LP28, LP22 and LP30 of the Proposed Submission Local Plan.
- 21 The development hereby approved shall be carried out strictly in accordance with the Recommended Mitigation and Enhancements set out in the Preliminary Ecological Appraisal prepared by Greenlight and dated 15 January 2018.
- 21 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and policies LP28, LP22 and LP30 of the Proposed Submission Local Plan.
- 22 No above ground construction shall take place until details of the pumping station, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 22 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan.
- 23 Prior to the commencement of development, a structural engineer shall be engaged to investigate the potential impact of construction works on Plots 1-5 on the adjacent dwellings in Hardwicke Fields Residential Park (in particular the potential for damage to the foundations and gable walls). This report, along with any proposed protection measures shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.
- 23 Reason: To ensure the preservation and adequate protection of the adjacent dwellings in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan. The condition is pre-commencement to ensure that no damage is caused to the residential park homes and that necessary precautionary measures are put in place.