
MAIN CASE

Reference No: 20/00296/OUM

Proposal: Development of retirement care village in class C2 comprising housing with care, communal health, wellbeing and leisure facilities; and C3 affordable dwellings (compromising up to 30% on-site provision), public open space, play provision, landscaping, car parking, access and associated development

Site Address: Land Rear Of 163 To 187 High Street Bottisham

Applicant: Bottisham Farming Ltd

Case Officer: Anne James Planning Consultant

Parish: Bottisham

Ward: Bottisham

Ward Councillor/s: Charlotte Cane
John Trapp

Date Received: 26 February 2020 **Expiry Date:** 4th March 2021

V139

1.0 RECOMMENDATION

1.1 Members are recommended to REFUSE for the following reasons:

1. The development of the site to provide a 170 bed retirement care village and 30% affordable housing units would encroach upon the open countryside and result in substantial harm to the openness of the Green Belt when compared to the nature and characteristics of the existing agricultural land. The case for demonstrating very special circumstances to outweigh any harm to the Green Belt has not been demonstrated. The proposal fails to comply with any of the exceptions within Para 145 and 146 of the NPPF and comprises inappropriate development within the Green Belt. The proposal is therefore contrary to Policies ENV1, ENV2 and ENV10 of the East Cambridgeshire Local Plan 2015 and section 13 of the NPPF 2019.
2. The application site lies in the open countryside, outside of the development envelope of Bottisham where development is controlled. The construction of a 170 bed retirement care village as well as 30% affordable housing units on an unallocated site in the countryside, which does not meet the aims and objectives of policy HOU6 of the East Cambridgeshire Local Plan 2015, due to the proposal

causing harm to the character and setting of the area, would therefore give rise to an inappropriate development with no justification to override the normal presumption against development in the countryside as set out in Policy GROWTH2 of the Local Plan. As such it is contrary to Policies ENV1, ENV2, HOU6 and GROWTH2 of the East Cambridgeshire Local Plan 2015 that has regard to the need to protect the countryside and the setting of towns and villages.

2.0 SUMMARY OF APPLICATION

2.1 This report supersedes the original Committee report which was withdrawn from the Agenda of the Planning Committee dated 7th October 2020. Following the withdrawal of the application from Planning Committee the applicant has revised the outline application which considers the matter of access, with appearance, landscaping, layout and scale to be considered at the reserved matters stage.

2.2 The applicants have been provided with an opportunity to amend the application to address a number of concerns highlighted by technical consultees. The applicants considered they were not provided with sufficient time to address these concerns and therefore the Chairman, Vice-Chairman and Planning Manager agreed to provide the applicants with a further period in which to submit this information. As such a number of the previous reasons for refusal have been addressed. The applicants have also suggested the Council contacts the Service Director - Commissioning - People and Communities Team at Cambridgeshire County Council, however, at the time of writing no response has been received. A further update will be provided at Committee.

2.3 Outline permission is sought for the development of a retirement care village (Class C2) comprising housing with care, communal health, wellbeing and leisure facilities as well as C3 affordable dwellings (comprising up to 30% on-site provision), public open space, play provision landscaping, car parking, access and associated development. A new vehicular access is being created from the High Street and this will run adjacent to the western boundary. The access road will be 5.5m wide and incorporate a pedestrian footway along one side. Pedestrian access only is proposed from Rowan Close.

2.4 The quantum of development has been set out below:

14,335sqm of C2 residential floorspace (15,430 sqft)
170 C2 units
30% affordable housing (approximately 51 dwellings)
4.9 ha or Public Open Space (12.1 acres)
Central Community Building, health, wellbeing, care and leisure facilities
176 Parking spaces

2.5 The application is accompanied by the following revised documents:

- Acoustic Assessment
- Archaeological Evaluation Report
- Arboricultural Impact Assessment

- Biodiversity Net Gain Assessment
- Built Heritage Assessment
- Ecological Impact Assessment
- Flood Risk Assessment
- Geo-environmental Report
- Geophysical Survey Report
- Green Belt Assessment
- Landscape and Visual Impact Assessment

The following new reports have been prepared to support the proposal:

- Transport Technical Note from Motion dated 29th September 2020
- Transport Technical Note from Motion dated 19th November 2020
- Letter from Carterwood, dated 29th September 2020
- Report from Ben Cave Associates
- Draft Section 106 Heads of Terms

The following reports remain unchanged:

- Statement of Community Involvement
- Design and Access Statement
- Planning Statement
- Planning Needs Assessment
- Noise Impact Assessment
- Travel Plan
- Technical Note on Access
- Transport Assessment
- Utilities Statement

2.6 The application is being considered by the Planning Committee due to the proposed floor space comprising over 1000sqm (10764 sq ft) in accordance with the Council's Constitution.

2.7 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.eastcambbs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

19/00661/SCREEN	SCREENING OPINION - A retirement village of up to 250 residential units C2 use, comprising a mix of independent living retirement homes, extensive new open space, landscaping, access and communal amenity facilities.
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is an irregular shaped area of land measuring approximately 8.4 ha (20.75 acres) and comprises two fields, a smaller field of pasture land used for the grazing

of sheep and a larger one used for cultivation of crops. The site lies outside the development envelope for Bottisham, and parts of the south of the site lie within the Conservation Area. The whole of the site lies within the Green Belt.

- 4.2 The application site abuts residential development in Rowan Close, Maple Close and Cedar Walk to the west and there is a PROW which runs along this boundary. To the south of the site is a group of Grade II Listed Buildings (Bottisham House, The Maltings, a number of barn conversions), and to the east is the Hilton Park Care Centre with open countryside framing the northern boundary.
- 4.3 According to the Topographical Survey submitted with the application, it records a fairly level site with a small change in level in the north-east corner of the southern field and along a small length of the eastern site boundary.
- 4.4 Apart from hedgerow which form the site boundaries there are three groups of trees and five individual trees that lie within the site and these have the benefit of a Tree Preservation Order (TPO E/15/19).

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.

Rt Hon Lucy Frazer MP – 2nd September 2020

I am writing on behalf of my constituents who have contacted me about planning application 20/00296/OUM to build a 170 home Retirement Village in Bottisham. Constituents have raised concerns that this application is to build on Green Belt and The only ancient bit of meadow that is left in the village. They have also highlighted that the village already has two care homes, and more elderly patients would likely put extra strain on the Medical Practice in the village.

As you know this is a matter for East Cambridgeshire District Council, and I have directed constituents to respond to the relevant application, however, I wanted to ensure that concerns expressed to me by residents with regards to this application have been received by the District Council.

Cllr Graham Cone – South Cambridgeshire District Council Fen Ditton and Fulbourn Ward

No Comments Received

Cllr Claire Daunton, South Cambs District Councillor, South Cambridgeshire District Council Fen Ditton, Great Wilbraham, Horningsea, Little Wilbraham, Stow-cum-Quy, Tevesham and Fulbourn Ward - 15 May 2020

The villages of Little Wilbraham, Great Wilbraham and Six Mile Bottom are sited 2-3 miles distant from Bottisham and within the catchment area of the Bottisham Surgery. The range of services provided by the surgery are vital to the health and well-being of these villages and much valued by them. This value, long known, has

been demonstrated particularly over the past 7-8 weeks of the coronavirus epidemic.

I have seen the plans for this proposed development and been copied into correspondence. I have also spoken to parish councillors and residents of the three villages which I represent.

Our concerns are two-fold: the pressure which this development will put on the services provided by Bottisham surgery and the fact that the proposed site is within the green belt.

It has been stated that the Bottisham surgery has a lower patient to GP ratio than the national average. Whilst this may be the case on paper, in reality we know that the surgery serves a wide rural area where properties are dispersed and where there is a significant elderly population. We also know that the provision within the surgery of a pharmacy dispensing service is of particular value to patients needing regular, on-going medication; and these include residents of all ages.

It is crucial that the additional workload and pressure that a retirement village would put on the surgery, in its wider geographical coverage, be taken into account in consideration of this application.

Whilst the application indicates that the retirement village will provide well-being and health facilities, these are not the type of medical facilities that the surgery offers and are much needed. Equally, whilst the retirement village is not a care home, the housing is aimed at those for whom ageing is likely to be a factor in their choice of accommodation. They are more likely to make regular demands on the surgery than those in the younger age groups; and this demand will have a serious knock-on effect on the service available to villages in this Ward.

I note that the proposed development would be using land in the green belt and that this would only be allowed under exception arrangements. Given that Bottisham already has significant facilities for the elderly, including two care homes and sheltered housing, I am not clear how another development aimed at this section of the population would meet exception criteria.

Cllr John Williams – South Cambridgeshire District Council Fen Ditton and Fulbourn Ward

No Comments Received

Wilbrahams Parish Council –

No Comments Received

Stow-Cum-Quy Parish Council –

No Comments Received

Bottisham Parish Council – 4th January 2021 (comments on revised proposal)

Bottisham Parish Council does not support this planning application for the reasons outlined within this report.

Green Belt

This application is for a development on land currently designated as Green Belt, which provides for general exclusion of development apart from exceptional circumstances.

NPPF policy numbers 145 and 146 indicate the exceptions that may be made for development on Green Belt. In the 2009 Master Plan, developed in conjunction with ECDC, the Parish Council supported planned limited development on Green Belt off Bell Rd to provide affordable homes for the village. This is an area with limited landscape value and well away from the more historic part of the village and Conservation Area. Recently planning consent has been given for a further 50 homes (identified as BOTT 1 in the ECDC 2015 Local Plan) with provision for type 3 & 4 affordable housing. The Council sees no requirement for further affordable housing elsewhere in the village.

The proposed development adjoins the conservation area, is outside the building envelope and is on an area long recognised as of significant landscape value (see "Landscape" comment below). Parish Council has long sought to protect this area due to its unique character. During the review of the East Cambs Local Plan, we were explicitly assured by ECDC planning officers that it was not necessary to apply for Local Green Space designation, which would give a high level of protection for special green areas. We were informed that it already had a high level of protection, due to the Green Belt, Conservation Area and the village envelope, plus the Structure Plan 1995 statements. We would ask ECDC to respect this commitment given to the Council.

The Inspector supported the need to protect our Green Belt during the recent refused appeal for planning permission on a very small area of adjacent Green Belt belonging to First Copy. Reference was also made to the need to limit development outside the village envelope.

Any development in this area would be deemed as an encroachment and undermining of the rural character of the landscape and have an adverse effect on the neighbours and residents in other areas within the village and surrounding areas. It would also very significantly increase the number of houses, relative to the current size of the village, and we believe the infrastructure would not be able to cope.

If East Cambridgeshire District Council wishes to support development of a retirement village we would argue that it should be located on areas without Green Belt status. It does not merit an "exemption" on Green Belt.

Local Services

The Bottisham Surgery provides health care for two care homes in the village, plus a high dependency unit, placing significant demand on local GP resources. It was keenly noted at the parish council's consultation that residents were concerned by

the creation of a top heavy resident demographic. This would place a significant extra strain on medical and other resources in the village.

It should be noted that Planning Permission has already been granted for a further 50 homes in Bell Road, already adding to the strain on local services.

At this stage there is no information on how the retirement village will be managed and this could seriously impinge on the care and health of the residents who come to live there. This should be clarified at an early stage, as the residents are not going to be the usual mix of ages. They will be in one particular group which would bring added requirements of support.

The Surgery will require reassurances and information on how the care for emergencies and other care issues are managed.

Travel Implications

These will apply not only for residents but staff, visitors and delivery vehicles. The public transport to other towns is considered inadequate and there is no bus service on Sundays or evenings. This will undoubtedly encourage car use by residents and be inadequate for staff who will be involved in shift work. This will bring extra traffic into the village

Staffing for the retirement village will not come from Bottisham, as the Care Homes within the village already have a high percentage of staff (including cooks, gardeners as well as carers and nursing staff) drawn from outside of the village. This will again cause an increase in traffic due to the poor local public transport. This, at a time when East Cambs District Council is encouraging a reduction in the carbon footprint.

The subsequent addition of 50+ affordable homes will exacerbate the situation further.

Sewage Works

We have always questioned the statement from Anglian Water that there is adequate capacity. Residents in the area repeatedly comment on the early morning traffic of tankers removing effluent several times a week. If the retirement village and more affordable houses are built, as well as the 50 already granted permission off of Bell Road, then it could be estimated an extra two tankers a week will be required - as well as increasing the strain on a sewage farm built for much lower volume.

We also have concerns about the sufficiency of the infrastructure in the High St conveying waste water to the sewage treatment works. Following heavy rainfall over the Christmas period, there was significant sewage contaminated flooding in the High St close to the planned entrance to the development. This resulted in 2 feet of foul water in one property, with Anglian Water instigating emergency repairs to the local pumping station. This is the third such incident in 5 years causing damage to this property. We would ask that full investigation is made into ensuring that the

infrastructure is sufficiently upgraded to cope with the added strain of over 200 more homes.

Landscape and Visual Impact

We have previously commented on the Landscape and Visual Impact of this area during several submissions to reviews. These include Green Belt policies and reviews in public, Local Plan and the review of the Structure Plan 1995. This concluded the area between the bridleway (now a public footpath) and The Grange (Hilton Park) is appropriately described as being of high landscape value and forms a clear cut, permanent and easily recognisable boundary for the Green Belt in the neighbourhood.

There is also a vista from the Nine Mile Hill to the Swaffham Road. This was referred to during the Consultation and opposition to the Nine Mile Hill application in 1991.

Any applicants will go to considerable lengths to reduce the impact of the proposal both in terms of layout, landscaping and usage. But, this will not overcome the detrimental impact on the area. Bottisham is a rural village and it is important that we preserve the Green Belt to prevent urbanisation.

Highways, parking and safety issues

This village already has significant traffic issues and we have installed traffic calming speed indicating displays within the area to them. The traffic survey is misleading, as it was done during school holidays and at times when the village was quieter.

The area of the High Street and Beechwood Avenue close to the planned site entrance already has significant parking problems due to the primary school - especially at school drop-off/pick-up times. Visibility will be impaired for residents and visitors entering and leaving the site and the increased traffic flow from this new development will significantly increase the possibility of accidents.

Approaching the site along the High Street from the village centre, there are concerns that the visibility on entering the site is impaired due to a neighbouring property's high wall.

The entrance to the play area has yet to be defined and there may be issues with ownership at the end of Rowan Close. However, if access is via Rowan Close, there will be issues with parking there – again likely to be worse during school pick up time. We are unable to see any provision in the draft plans for parking adjacent to the additional amenities promised for the village.

Consultations

We received the original application shortly before the Covid-19 restrictions, but managed to have a well-attended meeting in order for the Village to see the plans. We were not able to have a subsequent public meeting to discuss the feedback.

However, the Parish Council held an online meeting to discuss this and has done its best to represent local views given the circumstances.

The subsequent recent late changes to the application have given us inadequate time properly to consult with the village. We have, however, done our best to inform local people in the circumstances and gather residents' views.

Conclusion

We oppose this application for the following reasons:

1. The Parish Council has previously supported planned limited development on an area of Green Belt off Bell Rd, to allow provision of affordable housing for the locality in line with NPPF exemptions (with permission for a further 50 homes recently given). This is in an area that is well away from our Conservation Area/historic parts of the village and has limited landscape value. The Parish Council does not believe there is need within Bottisham for provision of further affordable homes. There is no justification for this proposed development on an area of Green Belt long recognised as having significant landscape value and which will negatively impact the Conservation Area. It is also outside the village envelope.

The local Green Belt is the only area of Green Belt in ECDC and should be protected to prevent urban sprawl from Cambridge. ECDC has adequate supplies of available land for development elsewhere that will supply further affordable homes without requiring development on Green Belt.

2. The need for a retirement village of this scale in Bottisham (or the local area) has not been demonstrated. The expected cost means that only a few residents will be able to afford to live in the retirement village and the majority of residents will be incomers. Bottisham already has significant provision for the elderly, with three residential care facilities and the arrival of a large retirement village will, we believe, negatively impact on the provision of medical care for other residents.

3. While we fully oppose any development in this area of Green Belt, we would point out that the suggested placement of all the affordable homes in a "ghetto" is not in line with guidance that recommends no more than 15 residences in one parcel to ensure a balanced and sustainable community. This guidance will be adhered to in the planned development of BOTT 1, where the affordable housing will be well integrated within the wider development. Policy HOU 3 of the Local Plan 2015 also requires that, in the south of the district, 40% of the total number of dwellings are affordable - not the 30% currently proposed.

4. If this application is referred to Planning Committee, then we will inform the Village and also use our right to attend the meeting to speak.

5. In summary we strongly urge this application be refused. There is no demonstration of a local need for either affordable homes or a large retirement village that justifies development on a Green Belt area long recognised as deserving of protection.

Parish - 12 May 2020

The Parish Council wish to reinforce our position that as indicated in our earlier submission, we do not believe this land is suitable for development under any circumstances and we would ask that this is taken into account when the application is being considered by the officers of the Planning Dept.

Parish - 20 April 2020

Bottisham Parish Council does not support this planning application for the reasons outlined within this report.

- Impact on the Green Belt, Conservation Area and development envelope.
- Any development such as this would very significantly increase the number of houses, relative to the current size of the village, and we believe the infrastructure would not be able to cope.
- No demand for retirement homes of this kind and should be located where there are large areas of brown and greenfield land without Green Belt status.
- The Bottisham Surgery provides health care for two care homes in the village, plus a high dependency unit, placing significant demand on local GP resources. It was keenly noted at the parish council's consultation that residents were concerned by the creation of a top heavy resident demographic. This would place a significant extra strain on medical resources and like facilities in the village.
- It should be noted that Planning Permission has already been granted for 50 homes in Bell Road adding to the strain on local services.
- No information on how the retirement village will be managed and this could seriously impinge on the care and health of the residents who come to live there
- Travel implications for residents, staff, visitors and delivery services
- Sewage capacity questioned.
- Landscape and visual impact
- Highways, parking and safety issues
- The traffic survey is misleading, as it was done during school holidays and at times when the village was quieter.
- The area near to the Scout Hut on the High Street, close to the proposed access to the site, is a potential danger due to parking during school picking up times and when events are being held there. Visibility will be especially impaired for residents and visitors entering and leaving the site.
- High Street and Beechwood Avenue have significant parking problems as it stands. The increased traffic flow coming from this new development will significantly increase the possibility of accidents. This will be particularly the case at pick up and drop off times at the primary school. Parking for visitors to the site could be an issue, leading to an increase of cars parked in the High Street and Beechwood Ave close to the primary school. These are already a dangerous place for children arriving and leaving.
- Approaching the site along the High Street from the village centre, there are concerns that the visibility on entering the site is impaired due to a neighbouring property's high wall.
- The entrance to the play area has yet to be defined and there may be issues with ownership at the end of Rowan Close. However, if access is via Rowan Close, there will be issues with parking there - likely to be worse during school pick up time.

- Contrary to policies of the NPPF and the development plan.

Cllr Charlotte Cane, Bottisham Ward Councillor – 21st January 2021

I will not repeat the concerns which I have raised elsewhere, but would summarise my objections by saying this is a Green Belt site, so the presumption should be that it will not be developed unless an exceptional case can be made. The applicant is arguing that the exception is the need for provision for elderly people. I accept there is a general need for such provision, but I share the County Council's view that such need is not evidenced in Bottisham, not least because Bottisham already has significant provision. Such provision should be spread geographically so that people can stay within areas which they know and so that local infrastructure is not put under too much pressure.

There are two new points to address - the affordable housing and the biodiversity net gain.

There is undoubtedly a need for affordable housing in Bottisham. The Parish Council is well aware of this and has a record of supporting appropriate applications, such as the land off Bell Road. This proposal will put all the affordable housing in one separate area, rather than integrated throughout the development. It is also cut off from views across the public open space and there is no indication of the size of the suggested play space. The proposed access road does not appear to go to the area for affordable housing, so it is unclear how they are to access their homes. I note the commitment is for 'up to 30% of the total number of eligible units within the C2 development'. This is a very unclear commitment - they are merely saying they won't build more than 30%. Our policy for the South of the District is for 40%. If this development were to be given consent it would be as an exception, in which case we should be requiring at least 40% affordable housing properly integrated within the development. I cannot support this proposal as it currently stands.

The biodiversity net gain in this scheme has reduced from the original 10.35% to just 4.82%. This reduction is unacceptable - we should be requiring at least the original 10.35% - again, this is a Green Belt site, we should expect better than the bare minimum. I entirely agree with the CPRE's statement that "this application remains an inappropriate development that will cause severe and lasting damage to the local landscape and to the village character of Bottisham."

I consider that this application should be refused. If you are minded to recommend approval I should like it to go to Planning Committee.

16 March 2020

I have significant concerns about this application and ask that it should go to Planning Committee, if you are minded to approve the application.

It is an application which will impact beyond the village of Bottisham and East Cambridgeshire District Council. I therefore ask that you also formally consult the South Cambridgeshire Councillors for Fen Ditton & Fulbourn ward and the neighbouring Parish Councils. I should also be grateful if you could make

arrangements for them to present their case to the Planning Committee along with Bottisham Parish Council and the Bottisham ward Councillors.

Bottisham already has one of the largest nursing homes in the East of England, in Hilton Park Care Home, as well as Queen's Court, a residential and dementia care home. It is therefore very hard to see a justification for a retirement village.

The Bottisham Surgery provides excellent primary health care to residents of Bottisham and the surrounding villages. They already have a high proportion of elderly patients and have stated that 'the sudden expansion in our practice population associated with the retirement village will create additional demand for services which we are unable to resource'.

The site is within Green Belt and therefore the presumption should be that it is not developed. With Hilton Park Care Home, Queen's Court and the bungalows in Downing Court and around Bottisham, there is ample provision for retired people from initial downsizing through to full care.

I note that the applicant considers that the site 'lends itself to sustainable travel negating the need to commute by private car.' Unfortunately, I cannot agree with this. The staff will work shifts which will include night time and Sunday shifts. At these times there are no bus services and it is a significant distance to cycle from Newmarket or Cambridge railway stations. In any event, a 40 minute bus ride (plus up to 60 mins wait to change from train to bus) will be unattractive to people, who will thus be likely to use their cars instead. Similarly, families visiting their relatives will find public transport both inconvenient and expensive and are thus likely to drive. The residents are likely to want to travel outside of Bottisham and sometimes outside of the hours when buses run - eg they cannot return home by public transport after an evening out in Cambridge. They are therefore likely to want a car and to use it even when there would be public transport options. If approved this development would add to traffic on already busy roads and could add to parking issues within Bottisham.

For these reasons, I would ask that the application be rejected. But if you are minded to approve the application, I should like it to be considered by the Planning Committee.

Lode Parish Council – 7th April 2020

“The plans look better now that they have been reduced from 250-170 units, and they will not be conspicuous from the High Street.

“The area is well set out with a parkland area at the front which means the buildings are at the back of the site away from the High street and its original houses.

“There is another park abutting the land to the west so the residents of Beechwood Avenue will be set away from the new housing. This area includes a much needed playground, and extra leisure facilities.

“The application for TPO's on the trees has been respected, so there will be mature trees in the development.

The new development will free up existing houses that are too big for older residents.

“The development will provide care, communal health facilities, and well-being and leisure facilities.

“However, Bottisham already has two care/nursing homes including Hilton Park and Queens Court, so there is already quite a lot of extra work for the local surgery, and this would very much increase their work load with more elderly people coming into the village.

“The bus systems locally are very patchy so care workers, visitors and the residents themselves would almost certainly have to come and go by car, so traffic would be very much increased along the High Street which would very much spoil the attractiveness and quiet along that part of the village.

“Another issue is there is no provision of affordable units for local people.

“The buildings will be on Green Belt Land, which was not considered and released in either the 2015 local plan or the later withdrawn one.

“Finally, the application is only an outline plan, and we hope that the final application, if it is granted, does not dilute the attractive aspects of this planning application. “

Anglian Water – 26th November 2020 (comments on revised proposal)

No objection the foul drainage from this development is in the catchment of Bottisham Water Recycling Centre that will have available capacity for these flows.

Used Water Network – The sewerage system at present has available capacity for these flows.

Surface Water Disposal – The proposed method of surface water management does not relate to AW operated assets. Therefore, unable to provide comments.

20 March 2020

No objection the foul drainage from this development is in the catchment of Bottisham Water Recycling Centre that will have available capacity for these flows.

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

“Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. Or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

Cambridge Ramblers Association –

No Comments Received

Cambs Wildlife Trust – 16th December 2020 (comments on revised proposal)

I have reviewed the revised ecological information. Including ecological assessment report and Biodiversity Net Gain assessment. These have been prepared in accordance with standard industry practice and are acceptable. The biodiversity aspects of the scheme remain broadly similar to those in earlier version that we previously commented on. The only aspect I would comment on is that the revised biodiversity net gain assessment now includes a smaller habitat net gain than in the original assessment (4.82% reduced from the previous 10.35%). This is to some extent offset by the significant net gain in hedgerow units and the species conservation measures proposed within the scheme. However, in using the Defra Metric, habitat units are not tradeable with hedgerow units or species conservation measures. The Biodiversity Net Gain report claims that the net gain from this scheme is significant. I do not concur with this conclusion as a 4.82% net gain in habitat biodiversity units is not significant. Ideally all 3 (habitat, hedgerow and species measures) would demonstrate a significant net gain for a scheme to be able to claim significant net gain. It is therefore disappointing that this development no longer achieves a minimum 10% biodiversity net gain for habitats, which I would recommend as the minimum.

I do believe that it would be possible to achieve a 10% net gain for habitats with small changes to the scheme, so this need not be a reason for refusal, but would require changes to be made before determination. An alternative would be for the applicant to use a biodiversity offsetting approach to pay for off-site habitat creation elsewhere in the district.

13 July 2020

This professional ecological advice has been provided in accordance with the Service Level Agreement held with East Cambridgeshire District Council.

I have now received the full Biodiversity Impact Assessment from BSG for this application. They have used the Defra Biodiversity Metric 2.0 to make their Biodiversity Net Gain assessment. I have checked their assessment and I can confirm that I am in broad agreement with the submitted assessment. The couple of areas where I could disagree do not make a material difference to this scheme being able to demonstrate a net gain in biodiversity, which would still represent at least a 10% net gain. Therefore from a biodiversity perspective, the proposals accord with national and local biodiversity policies.

28 April 2020

I have now received the full Biodiversity Impact Assessment from BSG for this application. They have used the Defra Biodiversity Metric 2.0 to make their Biodiversity Net Gain assessment. I have checked their assessment and I can confirm that I am in broad agreement with the submitted assessment. The couple of areas where I could disagree do not make a material difference to this scheme being able to demonstrate a net gain in biodiversity, which would still represent at least a 10% net gain. Therefore from a biodiversity perspective, the proposals accord with national and local biodiversity policies.

3 March 2020

This advice is provided in accordance with the Service Level Agreement between ECDC and the Wildlife Trust BCN, for the provision of ecological advice in relation to planning cases.

I have reviewed the ecological report submitted with the application. This report follows established best practice in ecological report writing. There is however one newly emerging area that has not yet been covered, namely a formal biodiversity net gain assessment. While the scheme as proposed may well be able to demonstrate a biodiversity net gain for habitats and hedgerows within the red line boundary, I would like to be reassured that this will be achievable, particularly as the application site covers a significant area of land (over 8 Ha) and contains a range of habitats (albeit mostly lower value, but with some higher value habitat features, namely the parkland trees).

I therefore recommend that a formal biodiversity net gain assessment is undertaken prior to determination of this application. I have attached a template for a Biodiversity Impact Assessment which could be passed onto the applicants and their ecological advisor. They could use the attached BIA template or alternatively use the emerging Defra Biodiversity Metric 2.0 (though this latter one is still in testing phase and does still have a number of errors and anomalies that need to be fixed).

At this stage I don't have any observations on the protected species matters (though I am unable to advice on the badger surveys as this is not available through the ECDC planning portal). I am pleased to see that the scheme design retains and incorporates the existing grassland, woodland and scrub, parkland trees and hedgerows into the proposed development layout and proposes enhancements to these. In doing so it also provides a good quantity of natural greenspace, which could be available to existing residents of Bottisham and so have wider value in providing a local greenspace.

Once a biodiversity net gain assessment has been submitted I would be pleased to review my comments.

Environment Agency – 25th November 2020 (comments on revised proposal)

No comments to make on the amended details.

23 March 2020

We have no objection to the proposed development.

NHS England –

No Comments Received

CCC (Adults Commissioning Team) – 16th February 2021 (response on amended proposal)

The Commissioning Team have considered the additional documents submitted with the planning application and have noted the following:

As previously stated from an extra care perspective, East Cambs is not a priority location for the development of new schemes. The application states that the lack of private extra care provision justifies this new development, however, there are significant numbers of 'self-funders' who live in the existing extra care provision and Millbrook House at Soham also includes a number of shared ownership properties. In East Cambs there is no waiting list for extra care and this is not uncommon.

The already significant provision for residential care in the village has meant that there are staff recruitment issues and further development in the village would exacerbate this.

8th September 2020

In Bottisham there is already very significant provision for residential care in the village comprising of 147 beds at Hilton Park (Oaklands and the Care Centre) for Nursing and Nursing Dementia, a further 55 beds at Queens Court for Residential and Residential Dementia and 10 beds at Eden View for specialist nursing for younger adults. We do not feel that it would be necessary to increase capacity within Bottisham in terms of Residential, Residential DE, Nursing and Nursing DE provision.

From an Extra Care perspective, East Cambs is not a priority area for the development of new schemes. There are currently a total of 149 units of Extra Care in East Cambs. These are located in Soham (Millbrook 87 units), Baird Lodge in Ely (35 units) and Ness Court in Burwell (27 units). Currently, there is no waiting list for people to move into extra care and this is not an unusual situation for these schemes.

CCC - Archaeology – 25th November 2020 (comments on revised proposal)

Confirm that the proposed revisions do not alter the advice previously issued by this department.

14 April 2020

We do not object to development proposal but recommend that a condition, with its informatives, is used to appropriately manage the concomitant change to assets within the historic environment:

CCC - Asset Information Definitive Map Team –

No Comments Received

CCC Fire and Rescue Service –

No Comments Received

Local Highways Authority Transport Assessment Team – 14th December 2020
(comments on revised proposal)

No objection subject to mitigation package: Sufficient detail has been presented for CCC to reach a conclusion of no objection.

26 May 2020 Holding objection

Insufficient detail has been presented to make a sound assessment. A number of issues related to the Transport Assessment will need to be addressed before the transport implications of the development can be fully assessed.

The applicant has undertaken a series of ATC surveys in the vicinity of the site between the 20th May 2019 and 29th May 2019. This date of the surveys is agreed.

The TA includes the last five available years up to the end of December 2018 accident record obtained from Crashmap.

The use of Crashmap is not acceptable as this data is generally older than CCC data. The TS should consider the latest 60 months' accident record sought from Business.intelligence@cambridgeshire.gov.uk. The accident data should cover the area between junctions of High Street with Tunbridge Lane to the north and with the A1303 to the south and be appended to the Transport Assessment and a plot provided showing each accident location. It would also be beneficial to tabulate the accidents to clearly define the number and severity of accident occurring at each location.

The County Council will review the accident analysis once the above information has been provided.

Forecast Trip Generation and Distribution

Vehicle trip rates calculated using the TRICS database are considered to be robust (0.176 two-way vehicle trip rate in the AM peak and 0.184 two-way vehicle trip rate in the PM peak). Use of TRICS to obtain vehicle trip rates is agreed.

Comment 12 The TA highlights that the proposed development will generate up to 30 two-way car trips in the AM peak hour and 31 two-way car trips in the PM peak. This traffic will all access the site via High Street.

The methodology used to determine the development vehicular trip distribution and assignment is agreed. This is with approximately 90% of the vehicle trips coming in and out the site from the south east via A1303 West bound (80%) and 10% from the A1303 East bound.

Committed Development

Reference has been made to the committed development of 50 residential dwellings at Ox Meadow, Bendish Lane, Bottisham (Ref: 16/01166/OUM), which has been taken into consideration when evaluating the cumulative effects of the proposal.

Future Baseline

The TA states that TEMPro growth factors of 1.0901 have been used to calculate the 2024 Future Baseline + Development flows. This is agreed.
Traffic Flow Scenarios

The TA includes the following Traffic Flow scenario. This is agreed.

- 2019 baseline validated against queue length surveys
- Future year scenario no development (base + TEMPRO growth + committed development)
- Future year scenario with development (base + TEMPRO growth + committed development + development)

Capacity Assessment

The following junction has been modelled with Junctions 9:

- High Street / A1303 junction.
- Site access / High Street junction.

The above junctions modelling results have not been yet reviewed until the figures showing the geometric measurements input into the models are provided.

Travel Plan

CCC has not commented on any detail of the Travel Plan at this stage. Targets / Measures of the travel plan will need to be subject to a condition should approval be given.

Mitigation

The applicant has offered the below mitigation measures. However, the proposed mitigation package will need to be addressed after the transport implications of the development can be fully assessed:

- The proposed accessibility improvements of the development will link the site to the existing pedestrian infrastructure in the vicinity of the site. Works to be agreed with the LPA prior to occupation, and to be done under a S278 agreement. Works to include new pedestrian crossings and widening the existing footway as presented in Motion drawing No. 1903044-04, included in the Technical Note dated 27th April 2020:
- Dropped kerbs and tactile paving will be provided across the bell mouth on the proposed site access and north to south on High Street.
- To be widened up to 2.0 metre the existing footway on the southern side of High Street which will extend between the site access and the bus stop adjacent No.136. An additional northern pedestrian route into the development will be provided, which will link directly to Rowan Close.

CCC Local Highways Authority – 9th December 2020 (comments on revised proposal)

Note that there have been no material alterations to the proposed access arrangements from previous submissions, and these remain acceptable and in accordance with national guidance as previously advised. Please note that I have also undertaken a targeted speed survey in conjunction with the pedestrian crossing point on High Street, and that the visibility available from the crossing point within the public highway is commensurate with the recorded 85th%ile vehicle approach speeds.

I assume that CCC Transport Assessment Team have been consulted directly in relation to the revised technical information relating to the impact of the development on the broader transport network.

It is apparent that the red line has been extended to meet the back edge of the footway adjacent Rowan Close, in relation to the proposed pedestrian and cycle access. I trust that ECDC are satisfied that the appropriate Notice has been served in relation to the inclusion of this land in the application site edged red (as may be appropriate). A detail will be required in the fullness of time to demonstrate the implementation of appropriate linkage and access to the public highway.

Without prejudice to the determination of the application, in the event that it is resolved to grant planning permission, highway related conditions will be required to secure:

- the appropriate implementation of the access arrangements;
- securing of off-site footway linkage;
- securing of on-site turning/ parking and loading arrangements; and
- the management of traffic throughout the construction process, both on and off- site, including the deliveries outside of peak period/ school opening/ closing times, and the routing of construction related traffic away from the village.

I am happy to propose specific conditions once the final form of development has been determined.

The applicant should note that a Short Form S278 Agreement will be required to be completed between the developer and this Authority to secure the implementation of any works within the public highway, supported by appropriate technical submission.

18th May 2020

A crossing point has been provided north to south adjacent the site access. A return crossing point will be required in the vicinity of the bus stop (sorry, this probably wasn't clear from my original consultation); this can be secured by condition for submission of detailed engineering drawings.

The footway widening will necessitate the relocation of the existing Vehicle Activated Sign (VAS)/ School warning sign (to the west of the new access on the south side of High Street).

Relocating the VAS to the back edge of the widened footway (circa 500mm) is acceptable in traffic and safety terms, and forward visibility to the sign will not be compromised. Undergrowth on the adjacent highway verge will need to be cut back, and overhanging/ encroaching tree growth cleared to implement the footway link.

For the avoidance of doubt, the proposed vehicular access and pedestrian crossing points can achieve appropriate visibility/ vehicle sight stopping distance in all respects, with due regard to the nature of High Street.

Pedestrian/ Cycle Access to Rowan Close

The applicant's agent has referred to the use of S228 of the Highways Act 1980 to deliver the footpath/ cycle path link to Rowan Close across third party land. To clarify, Section 228 allows for the making up of land with no known owner as highway maintainable at public expense.

The use of the Section 228 Highways Act 1980 by the Local Highway Authority to deliver highway adoption is entirely discretionary.

In this respect, CCC will not use Section 228 of the Highways Act 1980 to deliver access to a development where there is no other adoptable highway infrastructure within the site. The applicant needs to re-think this element.

18 March 2020

It is noted that the application is made in Outline form with only the means of access committed:

The following comments are therefore made without prejudice to the views of TA Team.

Summary

Therefore, in advance of the commentary of the TA Team, the applicant should be invited to:

1. Clarify the access dimensions proposed on a revised plan, together with pedestrian linkage/ connectivity;
2. Clarify how pedestrian and cycle access to Rowan Close can actually be delivered in relation to the application site edged red and the extent of the maintained public highway.

CCC Local Lead Flood Authority – 2nd December 2020 (comments on revised proposal)

The LLFA remain supportive of the proposed development. Surface water from the additional plots will be managed by infiltration through permeable paving. The calculations and plans have been updated accordingly to reflect the additional impermeable area associated with the development. Request conditions regarding a surface water drainage scheme for the site.

21 September 2020

No objection. The documents demonstrate that surface water from the proposed development can be managed through the use of infiltration basins, infiltration trenches and permeable paving, allowing surface water to infiltrate into the ground. This proposal is supported by sufficient BRE DG 365 infiltration testing.

The LLFA is supportive of the use of infiltration basins/ trenches and permeable paving as they provide water quality treatment which is of particular importance when infiltrating into the ground. Groundwater levels were recorded at 3 metres below ground level, providing a sufficient unsaturated zone between the base of proposed infiltration features and the groundwater level.

The site is located entirely within Flood Zone 1 and is at very low risk from surface water flooding.

CCC Growth & Development –

No Comments Received

CCC - Minerals and Waste Development Control Team - 11 March 2020

Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy sets out a number of requirements in relation to waste management in new development. It has been noted that the matter of waste management does not appear to have been addressed within the submitted application documentation, nor does there appear to be any specific consideration given to this policy. To ensure compliance with Policy CS28 it is therefore requested that, should the Planning Authority be minded to grant planning permission, it is subject to an appropriately worded condition.

ECDC Waste Strategy - 23 March 2020

East Cambs waste team would appreciate a completed copy of the RECAP Waste Management Design Guide for this site should it be given planning permission. Please note that as retirement properties will house elderly residents who are more likely to request assisted collections consideration should be given to reduce drag distances for bins and bags as much as possible in order to facilitate easy collections for all residents.

ECDC Environmental Health – 25th November 2020 (comments on revised proposal)

I have read revision 5 of the NIA dated 16th November 2020 and there are no fundamental changes which would alter my previous comments.

ECDC - Environmental Health - 16 April 2020

I have read the Geo-environmental and Geotechnical Desktop Study dated December 2019 prepared by Campbell Reith and accept the findings. The site is at very low risk of land contamination and no further work is required. Due to the

proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission.

10 March 2020

Due to the size of the development and the close proximity of existing properties (and also taking in to account the proximity to Hilton Park Care Centre) I would request conditions in respect of a CEMP, construction and delivery times as well as no piling and no external mechanical plan without the written approval of the LPA.

ECDC Conservation Officer – 18th September 2020

No objection

The application is accompanied by a heritage assessment prepared by Cotswold Archaeology in line with Historic England's 2017 Good Practice Advice in Planning Note 3: The Setting of Heritage Assets. The report's characterisation of the heritage impacts as less than substantial harm to the closest assets (Bottisham House, Bottisham conservation area) affected and no impact to others is a fair conclusion and given the separation distances involved in the indicative layout, there are no fundamental conservation concerns.

ECDC – Housing Officer – 7th December 2020

The Housing Team supports the above application in principle, as it will meet Policy HOU3 of East Cambridgeshire Local Plan 2015 to deliver 30% affordable housing on site. The precise number of dwellings is yet to be determined and full details will be agreed at Reserved Matters Stage.

- 5.2 **Statutory consultation** - 94 neighbouring properties have been notified of the application and the successive amendments. A site notice was erected on 12th March 2020 and was advertised in the Cambridge Evening News. The following comments are summarised below. The full responses are available on the Council's website.

Visual amenity

- Affect on Conservation Area
- Affect on Right of Access
- Affect on Right of Way
- Affect on Public Views
- Affect on Streetscene
- Affect on Greenbelt
- Landscape impact
- Form and character
- Loss of picturesque landscape
- Setting of Listed Buildings
- Loss of well-loved and valued meadow

Policy

- Contrary to national and local policy
- Exceptional circumstances have still not been demonstrated
- Inclusion of C3 housing makes the case for building on the Green Belt even weaker

Biodiversity/ecology

- Impact on trees/hedgerow/flora/fauna
- Foraging of bats, birds etc
- How to implement the 10% net biodiversity gain as required
- Declared climate emergency
- Biodiversity Impact Assessment virtually indecipherable and meaningless to the layman
- Biodiversity net gain calculator legitimate tool but can be mis-used

Flooding and Drainage

- Groundwater issues

Highways and Access

- Highway Safety
- Increased traffic congestion
- No capacity on existing roads
- Poor public transport
- Parts of site over ¾ mile from village facilities
- Increased pressure on parking
- Traffic flows are inaccurate
- Existing footpaths along High Street too narrow
- Issue with targeted speed survey undertaken during COVID period
- Increase in quantum of development increases amount of traffic
- Pedestrian access from Rowan Close over land not within the applicant's ownership and no evidence to suggest the applicants have carried out their obligations for identifying and serving notice on the affected landowner.
- How will this access be implemented

Residential Amenity

- Loss of privacy/Overlooking
- Loss of outlook
- Noise/light sensitive
- Overbearing
- Overshadowing
- Parking and Turning
- New pedestrian crossing increases pedestrians crossing back over the road
- Aircraft noise issue

Other

- Pollution issues
- Three care homes already
- The extra housing would exacerbate existing infrastructure/services/facilities which are already over-stretched
- Original plan was for 250 houses and now revised to 170 dwellings
- Against interests of the community, money making venture
- Ownership and maintenance of new POS
- Does C2 attract CIL payments
- Clarity on demand not speculation of need
- Already have a functioning scout hut
- Brownfield site more suitable
- High concentration of elderly people
- Money better spent on starter homes as there is a shortage in the village
- Type of tenure not addressed
- Management of the site
- Employment opportunities – already a shortage of carers
- Data used by market research unreliable/unsubstantiated claims regarding reduction in hospital stays
- Misleading information on requirements for formal care
- Increase in criminal and anti-social behaviour
- Construction has a negative effect on environment
- Affordable housing allocation has already been met on BOT1 of the Local Plan.
- Sewage treatment works is at capacity

Bottisham Medical Practice *(comment on revisions)*

We are writing to state our further objections to the proposed development of yet another large Nursing/Residential Home in Bottisham Village. We note the issues we previously raised have not been adequately addressed as follows:

1. The issue regarding adequate access around the village shop area has not been adequately addressed and would still not be able to accommodate additional traffic, mobility scooters etc. which would be a consequence of the development.
2. We would like to highlight feedback provided by CPRE regarding sites suitable for a retirement village, meaning there have been opportunities elsewhere to consider such a retirement village instead of choosing a location which already has a disproportionately high level of elderly care facilities:

“CPRE are surprised by the following statement:

“National Green Belt purpose 5 encourages the redevelopment of urban land rather than the development of Green Belt land. The applicant has engaged with landowners and agents in the area to identify other potential sites that are of sufficient size to accommodate a retirement village development, are broadly in accordance with local and national policy when taken as a whole, and are available

for development now. This includes considering derelict and underutilised brownfield land with potential for redevelopment. No alternative sites have been identified that meet these criteria. The site at Bottisham Meadows is therefore the only site that can currently accommodate the proposed development.”

As this applicant’s consultant will be aware, major brownfield site developments are planned and/or commenced in the Cambridge area at Northstowe, Waterbeach and Bourn. Any of these sites could readily have included or could still include a “retirement village” of this size. We can only conclude that the applicant has not looked very far or very hard.”

It is the view of Bottisham Medical Practice that the development of such a retirement village would be better placed in an area which does not already have three nursing homes and a care home with an already heavily weighted demographic of residents over the age of 65. This will ensure that we can continue to deliver vital healthcare services to those already living in the village and surrounding areas.

3. We would like to highlight the following comment made is a general comment and does not address the actual reality of Bottisham Village and the surgery which already looks after Hilton Park Nursing Home, Oakland, Eden View and Queens Court. This general statement is not the experience of Bottisham Medical Practice and we refer to our previous comments relating to the level of support we provide.

“75. Sometimes NHS CCG teams are concerned about the impact of their local doctors surgeries. However, evidence indicates that there is a positive benefit, in line with the commentary above. Periodic surgeries can be made available in house within the scheme so a visiting GP can combine multiple consultations into one visit. The presence of on site care staff also reduces the number of unnecessary trips to GPs, thereby reducing waiting lists rather than increasing them. The concentration of individuals within one place should also assist in reducing the need for community nurses and there are obvious advantages of having residents within one geographic location.

76. Further, the pressure on GPs will not be a direct result of the proposed development – demand is not created, it is catered for and the new scheme will provide much needed facilities to help battle the rising demographic pressures across the area.“

This area already has a disproportionately large amount of nursing and residential home provision compared to other areas of Cambridgeshire and Peterborough. The homes in Bottisham currently have availability for new residents. One of the nursing homes also has 19 interim beds providing interim care for patients being discharged from secondary care. There are approx. 40 interim beds in Cambridgeshire & Peterborough Clinical Commissioning Group. We are one of the smallest practices in this Clinical Commissioning Group caring for the highest proportion of these patients who require a significantly increased level of care compared to permanent nursing home residents.

We must be clear, in no way would the addition of another retirement home be a positive impact on the GP practice or the surrounding community. Residents of

advancing age naturally have multiple health conditions requiring advanced care planning, multiple visits and GP interventions and often palliative care which is very heavy on resource requirements.

The COVID-19 pandemic has also highlighted the dangers of grouping large numbers of clinically vulnerable people together in residential care whereby the virus spread at a rapid rate and resulted in the widely reported large death rates in elderly care facilities. Although it is highlighted patients will be in their own units the staff will be working across a wide number of units so does not decrease the risk of infection.

4. The recruitment and retention of staff has not been adequately addressed. The inability to recruit and maintain staff has a negative impact on resources at Bottisham Medical Practice. If the homes currently have issues with recruitment and retention the situation will only be made worse by an additional facility requiring an additional 150 staff.

Previous comments:

- our practice already provides care to two large residential and nursing homes within the village
- we already have a disproportionately high number of existing elderly patients relative to our small practice list size
- the development will impact detrimentally on our existing patient population
- evidence suggests that residential/nursing home residents have disproportionately high mortality rates from covid-19
- the development will impact adversely on levels of congestion and traffic within the village
- recruitment and retention of nursing care staff is likely to be problematic

CPRE – 15th December 2020 (comments on revised proposal)

The Cambridgeshire and Peterborough Branch of the Campaign to Protect Rural England (CPRE) maintain their strong objection to planning application 20/00296/OUM, for all the reasons expressed in our letter dated 16th April 2020. CPRE continues to fully support the objections to and comments about this application previously and recently submitted by residents, Bottisham Parish Council and local District Councillors.

CPRE believes that the additional area of affordable housing proposed is not consistent with policies HOU 2 and HOU3 of the current Local Plan 2015.

CPRE fully supports the Planning Inspectorate's Dismissal of Appeal ref: APP/V0510/W/18/3210766, relating to 187, High Street Bottisham, the current site, dated 19th February 2019 and development on designated Greenbelt land.

CPRE notes that ECDC currently demonstrates a 5 year land supply and is in the process of completing and submitting a revised Local Plan. Despite the recent changes, this retirement village is not in keeping with the National Planning Policy Framework or the adopted 2015 Local Plan regarding the exceptional development of Green Belt land.

CPRE considers that this application remains an inappropriate development that will cause severe and lasting damage to the local landscape and to the village character of Bottisham. CPRE reiterates its request that this application be refused.

Previous comments

- CPRE fully supports the objections to and comments about this application previously submitted by residents, Bottisham Parish Council and local District Councillors.
- CPRE fully supports the Planning Inspectorate's Dismissal of Appeal ref: APP/V0510/W/18/3210766, relating to 187, High Street Bottisham, the current site, dated 19th February 2019 and development on designated Greenbelt land.
- CPRE notes that ECDC currently demonstrates a 3.7 year land supply and is in the process of completing and submitting a revised Local Plan. This retirement village is not in keeping with the National Planning Policy Framework or the adopted 2015 Local Plan regarding the exceptional development of Greenbelt land.
- CPRE considers that this application is for an inappropriate development that will cause severe and lasting damage to the local landscape and to the village character of Bottisham. CPRE requests that this application be refused.

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing Mix
HOU 2	Housing density
HOU 3	Affordable Housing Provision
HOU 6	Residential Care Homes
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 14	Sites of archaeological interest
ENV 9	Pollution

- ENV 10 Green Belt
- ENV 11 Conservation Areas
- ENV12 Listed Buildings
- ENV14 Sites of Archaeological Interest
- COM 4 New Community Facilities
- COM 7 Transport impact
- COM 8 Parking provision

Village Vision: 8.5 Bottisham

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

Natural Environment

Climate Change

6.3 National Planning Policy Framework 2019

2 Achieving sustainable development

4 Decision-making

5 Delivering a sufficient supply of homes

11 Making effective use of land

12 Achieving well-designed places

13 Protecting Green Belt land

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

Due regard has been had to the guidance.

7.0 **PLANNING COMMENTS**

7.1 The material planning considerations relevant to this application are the principle of development, residential amenity, development within the Green Belt and visual amenity, historic environment, highway safety, ecology, flood risk and drainage and various other matters material to the application.

7.2 **Principle of Development**

7.3 The starting point for decision making is the development Plan ie the East Cambridgeshire Local Plan 2015. S38 (6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework and the Planning Practice Guidance are both important material considerations in planning decisions. Neither change the statutory status

of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF, PPG and other material considerations. Determination of the application needs to consider whether the proposal constitutes sustainable development having regard to development plan policy and the NPPF as a whole.

- 7.4 The C2 specialist housing as well as the affordable housing contribution would go towards meeting part of the overall housing need for the district. Since April 2020 the Council has been able to demonstrate an adequate 5 Year Housing Land Supply, as demonstrated first in its Five Year Land Supply Report - 1 April 2019 to 31 March 2024 (published April 2020) and later in its updated Five Year Land Supply Report - 1 April 2020 to 31 March 2025 (published December 2020). The latter report confirmed that from 1 January 2021 the Council had a 6.14 year supply of deliverable housing land. That calculation included a 20% buffer as required by paragraph 73 of the NPPF based on a 2019 Housing Delivery Test (HDT) result of 66%. The 2020 HDT result (published in January 2021) indicates that housing delivery in the district has improved to 87%. As a result of the HDT exceeding 85%, the appropriate paragraph 73 buffer falls to 5% which has the effect of increasing the Council's housing land supply to 7.01 years.
- 7.5 This adequate housing land supply means that the Council considers its policies relating to housing delivery up-to-date and gives them full weight in the determination of this application. As such the tilted balancing exercise as set out in para 11(d) of the NPPF is not enacted.
- 7.6 The provision of older persons housing with care, falls within the C2 Use Class of the Town and Country Planning (Use Classes) Order 1987 (as amended). The proposal is in outline with only access being considered, however, the proposal would trigger the need for affordable housing due to the market housing element of the proposal, in line with the recent High Court case Rectory Homes Limited v SSHCLG and South Oxfordshire District Council [2020].
- 7.7 Policy HOU3 of the adopted Local Plan 2015 requires all developments for open market housing of more than 10 to deliver 40% affordable housing in the south of the District. Although an independent Viability Assessment published in October 2017 found that 30% would be a more viable position. This matter formed a previous reason for refusal on the report which was subsequently withdrawn from committee and the applicants have been given the opportunity to amend this element of the scheme. As a consequence, the introduction of 30% affordable housing in C3 use (approx. 51 dwellings) has been incorporated into the scheme.
- 7.8 Following the inclusion of the affordable housing element of the scheme, the indicative drawings have been amended to demonstrate how a scheme of this scale and size can be satisfactorily accommodated on the site.
- 7.9 The scheme proposes a Retirement Care Village to cater for individuals with a medium to high level of care requirements living in purpose-built or adapted flats/bungalows. Residents would be able to live independently with 24 hour access to support services and staff, including dining facilities, hair salon, fitness suite, activity workshops and recreational sports facilities such as a bowling green with some of these facilities being open to the general public. The accommodation

would be aimed at people within the 70-90 age bracket and would be available for sale on a leasehold basis or for market rent. The concept has been called 'private extra care' and the applicants note that there is only one other scheme similar to this which is located at Roslyn Court, Lisle Lane, Ely. The accommodation would comprise 170 beds across a range of accommodation types with a central hub which would be approximately 12m (39 ft) in height. There would be employment benefits both in the construction of the development and 82 full time equivalent jobs would accrue as a result of the development.

7.10 The site is located outside of the development envelope of Bottisham and within the Green Belt where development is strictly controlled. National and local planning policy states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The applicants have set out in the supporting information that there is substantial unmet need for private extra care units in the area and consider they have demonstrated 'there is both a compelling and quantitative and qualitative need for the proposed development' and this would outweigh any harm.

7.11 Policy HOU6 of the East Cambridgeshire Local Plan, 2015 relates to Residential Care Accommodation. The supporting text of the policy recognises the need in the District to provide care accommodation for various groups of people for rehabilitation, and out of hospital care, including the elderly, people with disabilities, and vulnerable people. Policy HOU6 states:

"Residential care accommodation should be located within a settlement that offers a range of services and social facilities. The design and scale of schemes should be appropriate to its setting and have no adverse impact on the character of the locality or residential amenity. Applicants will be expected to provide evidence of need for the provision.

As an exception, proposals for care or nursing homes may be acceptable on sites outside development envelopes where:

- The site is located adjoining or in close proximity to a settlement which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities;
- The proposal would not cause harm to the character or setting of a settlement or the surrounding countryside; and
- There is an identified need for such provision that is unlikely to be met within the built-up area.

7.12 In terms of the need for a facility of this type in this location, in view of the current pandemic and how this continues to affect care facilities nationwide, an inaccurate picture would emerge concerning the number of vacancies within the current residential care homes at Hilton Park, Queens Court and Eden View which collectively cater for residential care within the village of Bottisham. It would not be appropriate to venture an opinion on current vacancy levels at this time. However, as pointed out by the Adult Care Commissioner, self-funder placements are available at these care homes. The County Council have stated that in Bottisham there is already very significant provision for residential care in the village

comprising of 147 beds at Hilton Park (Oaklands and the Care Centre) for Nursing and Nursing Dementia, a further 55 beds at Queens Court for Residential and Residential Dementia and 10 beds at Eden View for specialist nursing for younger adults. They do not feel that it would be necessary to increase capacity within Bottisham in terms of Residential, Residential DE, Nursing and Nursing DE provision.

7.13 From an Extra Care perspective, the County Council is still of the opinion that just because the development would be privately run would not change their view regarding the significant provision that already exists in Bottisham. There is currently a total of 149 units of Extra Care in East Cambs. These are located in Soham (Millbrook 87 units), Baird Lodge in Ely (35 units), Roslyn Court in Ely (57 units) and Ness Court in Burwell (27 units). Part of the North Ely development was also given outline approval for a residential care or extra care facility. Currently, there is no waiting list for people to move into extra care and this is not an unusual situation for these schemes. However, whilst there is a degree of certainty from the County that East Cambs is not, at this present time, a priority area for the development of new schemes, the requirements of an aging population would still need to be factored into future schemes commensurate with the level of growth experienced within the district.

7.14 Concerns have been raised in the letters of representation and in particular from the Bottisham Medical Practice, who have continued to state that their practice already provides care to two large residential and nursing homes within the village. With a disproportionately high number of existing elderly patients relative to their small practice list size, the development would have an impact on their existing patient population.

7.15 The following table also demonstrates recently approved and extant schemes that cater for residential care facilities, namely:

17/00880/OUM	Outline planning application for 150 residential dwellings (Use Class C3), a 75-bed care home (Use Class C2), a local shop (Use Class A1) and an ancillary medical consultation facility (Use Class D1) along with public open space and associated infrastructure with all matters reserved other than the means of access into the site	Scotsdales Garden Centre, 41 Market Street, Fordham	Approved, 8th August 2018
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	from Market Street / Soham Road and Station Road.		
19/00771/FUM	Development of the land to provide a new 70-bedroom care home (Use Class C2), a children's nursery (Use Class D1), 18 dwellings (Use Class C3) and associated access, car and cycle parking, structural landscaping and amenity space provision.	Land Parcel East of 2 The Shade, Soham	Approved, subject to S106 legal agreement (pending)
17/02002/FUM	Erection of a three storey sixty six bed care home for older people with associated car park, access and landscaping.	Land North of Cam Drive, Ely.	Approved, 6th April 2018
18/00752/ESO	Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping	Land Southwest Of 98 To 138 Station Road Kennett	Approved 15.04.2020
13/00785/ESO	Residential led development of up to 1,200 homes with associated employment and	land to the west of Lynn Road in Ely	Approved 20.06.2016

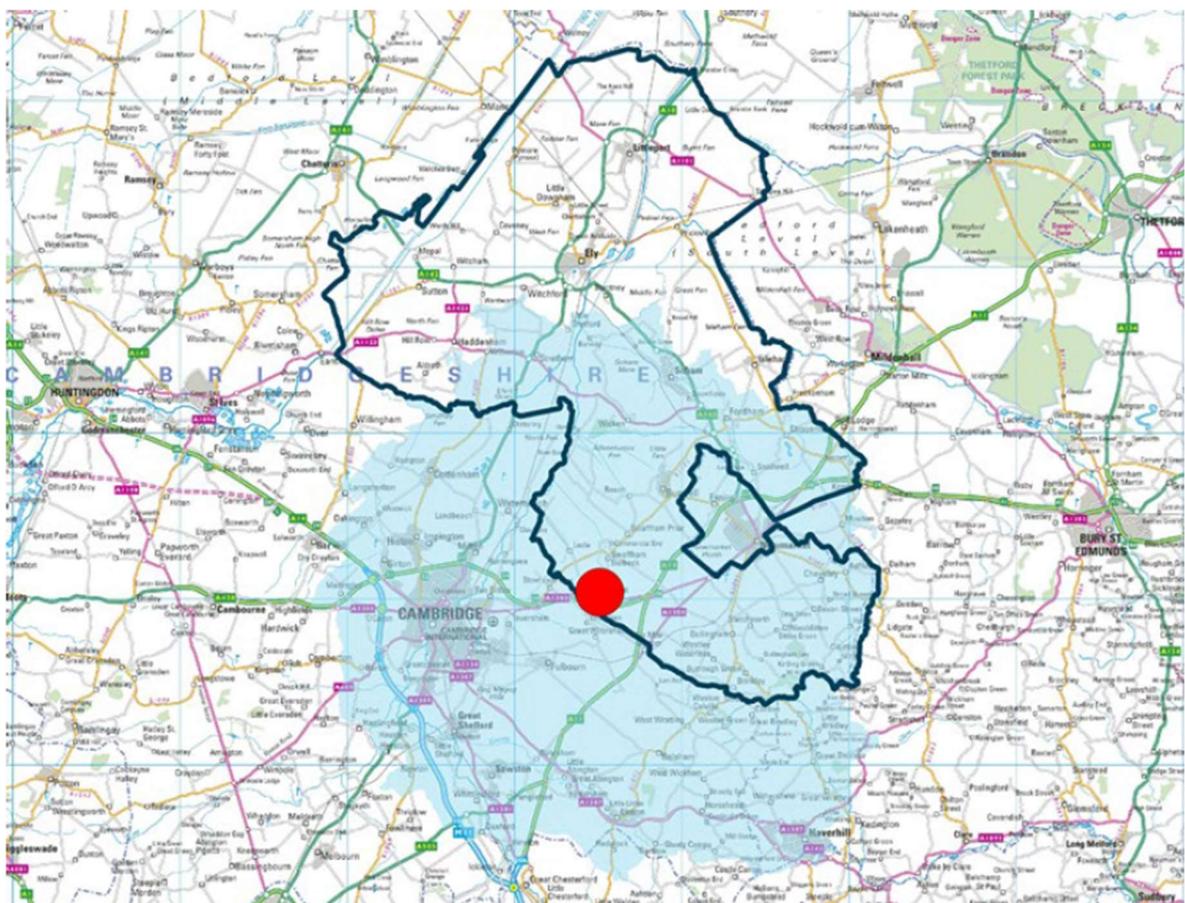
	community uses (including care home or extra care home). Supporting infrastructure, and open space/landscaping		
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- 7.16 Cambridgeshire County Council and Peterborough City Council have jointly produced their first Market Position Statement – 2018-2019 (MPS), for Adult Social Care which identifies the key pressures in adult social care and highlights the commissioning intentions and its direction of travel. The findings reveal that by 2026 the population is projected to increase by 40% (65-74 year olds), 66% (75-84 year olds) and 73% (85+ year olds) which would create significant funding issues. The MPS indicates that both joint authorities are experiencing difficulties in recruiting and retaining care workers. As a consequence, both Councils acknowledge that they need to explore how adult social care support can be undertaken differently. The MPS indicates that “people have better lives when they are supported to remain as independent as possible in and by their communities”. In East Cambridgeshire the MPS states that there is a significant shortage of nursing and nursing dementia placements; homecare capacity and shortage of personal assistants. This would be felt more acutely during the COVID-19 pandemic.
- 7.17 In terms of how adult social care for those who own their own home is managed, the joint Councils are currently developing a ‘Self-funder Strategy’ which will enable self-funders to access provision to maximise their independence. It is acknowledged, however, that information on accommodation for ‘self-funders’ is not readily available at the time of writing this report.
- 7.18 In this respect the applicants were concerned that this aspect was not fully supported in the original planning report, and as such, the type of accommodation being proposed was not recognised. The retirement care village is tailored for ‘self-funders’ who would downsize from their homes and purchase/rent a unit in the retirement village.
- 7.19 At present, self-funders pay for their accommodation and care within the many residential care homes and when those funds run out, the funding would then be taken over by the County. The concept of the retirement village is that those units are purchased/rented by the residents thus freeing up the spaces in the residential care facilities. However, the care provided would not be private health care, and as such, the concerns identified by the Bottisham Medical Practice are well founded as they could be faced with an instant increase in the number of frail and vulnerable adults who would, virtually overnight, become their patients. Whilst the applicants argue that additional doctors could be hired, it is important to stress that until the medical conditions of each new resident are known then the current funding available may not meet with the range and volume of medical conditions displayed by residents, all of whom would be newly added to the GP surgery. Moreover, medical conditions would increase and/or deteriorate in range and severity as time went by. The medical practice would forever be playing catch-up. Irrespective of this the County Council Adult Care Commissioner is still of the view that Bottisham

is well supported by its existing care provision such that this facility is not required within the village.

7.20 The applicants have submitted additional information in the form of a letter dated 29th September 2020 by Carterwood, who prepared the Planning Need Assessment (PNA) for the original planning application submitted in February 2020, and a report entitled Advice on Health and Social Care for the development of a retirement care village.

7.21 The PNA submitted with the application states that ‘on average, residents travel 19.6 miles from their previous homes to move into a well specified private extra care village’, with 30% of residents coming from 10 miles away or more and that there is a “significant under-supply of private extra care with an indicative demand for over 555 units in the market catchment area and 218 in the East Cambs area”. Whilst the resultant lack of private extra care as a percentage of the overall provision has not been stated, it is estimated that just 13.5% of existing private extra care provision is available in the market catchment area, with only 20% within the East Cambs area. For information purposes, a map of the market catchment area is indicated below. Clearly, there is a significant under-supply of private extra care within the market catchment area, much of which falls outside of the district of East Cambridgeshire.



7.22 The PNA then suggests that the local authority is only seeking to meet the needs for those individuals in funded beds in care homes rather than the significant proportion of individuals who would need to fund their own care in a care home. As a

consequence, “there is little extra care accommodation for private purchase or market rent in the two assessed catchments”. However, as Bottisham is located on the district border with Central Cambridge/South Cambridgeshire, it would be fair to say the development would be more attractive for those residents living in the south of the district or Central Cambridgeshire rather than to the north of the district within Ely, Littleport or even Soham where the Council is concentrating its areas for growth, in accordance with the locational strategy as set out in policy GROWTH 2 of the Local Plan, and where the Council would focus residential care facilities to enable more people to access this type of facility, albeit Soham is within the market catchment area.

- 7.23 In referring to the Sheffield Hallam/CRESR Report [Nov 2017] the PNA quotes that “There are signs that general needs housing may present problems for older people, with 37 % of private sector stock (across Cambridgeshire) failing to meet Decent Homes Standards and containing hazards which increase the chance of trips and falls”.
- 7.24 In conclusion, the Sheffield Hallam/CRESR reports that “If home adaptations, as has been suggested¹, can delay entry into residential care by four years, then the impact of this on the flow of residents into such specialist housing and residential settings may be significant. Add to this the potential to build new homes to the Part M4 specifications, and this may diminish demand for specialist housing, with potential secondary impacts on domiciliary care”.
- 7.25 Whereas this report refers to the Greater Cambridge area and parts of South Cambridgeshire, in East Cambridgeshire the district recognises the need of providing housing for potentially vulnerable elderly and single person households and aims to ensure that a proportion of new housing built is suitable, or easily adaptable for occupation by the elderly or people with disabilities (Lifetime Homes Standard or equivalent). Moreover, all new homes would be required to meet Part M of the Building regulations which recently introduced two new optional accessibility standards. It would also need to be considered that a percentage of elderly people would wish to remain in their homes for as long as possible and not move away from what is known to them. Building new homes to the ‘lifetime homes standards’ assists in enabling people to live independently, a fact that the Sheffield Hallam/CRESR recognises.
- 7.26 The document entitled ‘Advice on Health and Social Care for the development of a retirement care village’ has been submitted by the applicants and reviews strategic documents relating to the commissioning of primary care and adult social care, as well as its meetings with local stakeholders with a view to highlight relevant information that either supports or opposes the development.
- 7.27 The key findings of this document are that the retirement village would:
- meet the strategic health and social care needs of the community;
 - meet the needs of the over 65 population who are homeowners;
 - be centred around a social hub which allows integration with other members of the development.

- 7.28 In reviewing the information submitted and without the benefit of the 'Self-Funder Strategy' which is being prepared by Cambridgeshire County and Peterborough City Councils, the Council would not disagree with the applicants view that 'self-funders' are under-represented within the overall health care strategy for which this type of retirement village would provide. Clearly, this form of accommodation would reduce the cost of the accommodation on offer and would provide an alternative to the standard residential care facility and an opportunity to buy into a retirement care village with healthcare provided by the NHS. However, by demonstrating that this is an attractive alternative, does not automatically suggest this should outweigh the harm proposed by the location of the proposal within the Green Belt.
- 7.29 The applicants consider they have demonstrated that very special circumstances exist and that the need for a facility of this size, scale, bulk and massing outweighs any harm to its location in this part of the Bottisham Green Belt. The applicants have stated that there are no sequentially preferable sites to provide this development, although no evidence has been submitted to support this. The benefits of a retirement care village have been explained and have been noted. However, whilst the information submitted alludes to there being no other suitable sites within the District for this type of development, including non-Green Belt sites, no information has been provided to demonstrate this fact. The applicants have therefore failed to provide conclusive information as to which sites have been considered and discounted. For the site, which is located outside the development envelope, and within the Green Belt, very special circumstances would need to have been demonstrated to outweigh the harm to the special character of the Green Belt. Moreover, a similar application (albeit, not located within East Cambridgeshire) has been dismissed at appeal, due to the fact that special circumstances had not been demonstrated and its impact on the openness of the Green Belt, historic environment and visual detriment. A copy of the appeal decision (APP/B1930/1/19/3235642) is attached as Appendix 1.
- 7.30 It is still considered that very special circumstances have not been demonstrated and that the scheme does not fall within any of the exception criteria stipulated in Policy ENV10 or Chapter 13 of the NPPF and would have a substantially greater impact upon the openness of the Green Belt than existing and would result in substantive harm to the openness of the Green Belt.
- 7.31 The impact on the landscape character and visual amenities of the area is considered to be irrevocably harmed by the proposed development. The inclusion of the affordable housing within the north-western section of the site erodes further its openness. The site is located outside of the development envelope and in terms of Policy GROWTH 2 the location of development would be restricted unless it falls within one of the exceptions listed in the policy. Whilst residential care homes (and affordable housing exception schemes) are exceptions listed, and would be accepted under this policy, it would also need to satisfy the aims and objectives of Policy HOU6. As demonstrated in paras 7.12 – 7.15 there are already a number of residential care homes in Bottisham, with vacancies, moreover, there is no waiting list for people to move into extra care, albeit at the time of writing this report the country is experiencing a pandemic which has seriously affected the way in which residential care is provided. The position of the buildings which project into open countryside is further compounded by the indicative height and layout of the

scheme contributing to an urbanising effect on the eastern side of Bottisham which would harm the special character of this part of the village and would be contrary to Policies ENV1 and ENV2 of the adopted Local Plan 2015.

- 7.32 In terms of impact on pedestrian and highway safety, additional information has been submitted to the satisfaction of the Transport Assessment Team at Cambridge County Council who have removed their holding objection subject to mitigation measures imposed by condition. The scheme is considered to provide safe access to the site and would not result in implications on highway and pedestrian safety.
- 7.33 It is considered that an acceptable level of residential amenity can be adequately provided for existing and future occupiers of the site, subject to further details required on the positioning of some bedroom windows to ensure noise level are kept at an acceptable level, without relying on mechanical ventilation. The impact on existing residential amenity is also considered satisfactory.
- 7.34 The applicants have also demonstrated to the satisfaction of the Wildlife Trust that there could be a net environmental gain represented on site (subject to further information being submitted at the detailed design stage), and that a suitable sustainable urban drainage strategy can satisfactorily accommodate surface water drainage. There is also existing capacity within the sewerage network to accommodate the increase in development.
- 7.35 The scheme would also provide a number of community facilities which would be available to those outside of the retirement care village.
- 7.36 In terms of the NPPF, the harm to listed buildings, being less than substantial, should be weighed against the public benefits of the proposal including where appropriate, securing their optimum viable use. As noted within the relevant section of the report, the proposal provides a number of community benefits in the form of public open space and the retention of public viewpoints both of which are public benefits. The degree of harm is considered to be less than substantial in terms of the NPPF and within the lower end of the spectrum of harm. The impact on the historic environment is considered to be acceptable.
- 7.37 To conclude it is considered that the case for very special circumstances to overcome the, in principle and actual harm to the openness of the Green Belt, has not been made and the proposal would result in significant harm to the openness of the Green Belt and result in the urbanisation and domestication of the site and a loss of the characteristics of this part of the Bottisham Green Belt. The proposal is therefore not considered acceptable in principle.

7.38 Residential Amenity

- 7.39 The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy ENV2 of the Local Plan requires development to respect the residential amenity of existing and future occupiers.
- 7.40 Bearing in mind the size of the site and the indicative location of the development, it is accepted that the scheme would be able to achieve a satisfactory relationship with existing residential development and would not detrimentally impact on the

residential amenities in terms of overlooking, visual intrusion, loss of privacy as well as any loss of sunlight/daylight and that these issues could be comprehensively assessed at the reserved matters stage.

- 7.41 Within the PNA, the applicants have emphasised the health and wellbeing benefits of living within a retirement care village with its own dedicated services and facilities which would benefit older people residing at the site. The applicants state that this would improve the quality of life of elderly residents, who would normally be living alone and isolated, and who would live as part of a community, supported and cared for. In this respect the living environment of future occupiers of the site would be acceptable.
- 7.42 The applicants have submitted an Acoustics Report [Hoare Lea LLP – November 2020] which has measured survey data to assess the suitability of the site for development of the residential units. The report finds that the existing noise is determined by road traffic movements on the A14 and A1303. The Council's Environmental Health Officer has commented on the proposal stating that on examining the illustrative Masterplan the site has been sensibly laid out, but once the final layout has been agreed a revised Noise Impact Assessment should be submitted. In any event for the avoidance of doubt the Council would request a condition preventing the installation of any external mechanical plant on any future reserved matters application.
- 7.43 It is considered that the proposal could achieve a satisfactory living environment for both existing and future occupiers and these matters would be comprehensively assessed at the reserved matters stage. The proposal therefore complies with ENV2 of the adopted Local Plan 2015.

7.44 Development within the Green Belt and Visual Amenity

- 7.45 Section 13 of the NPPF - Protecting Green Belt Land at para 143 states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.
- 7.46 Policy ENV1 of the Local Plan 2015 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV2 of the Local Plan 2015 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas.
- 7.47 Policy ENV10 of the adopted Local Plan 2015 is in general conformity with the NPPF, in that where development is permitted within the Green Belt it must be:
- Located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt; and
 - Subject to landscaping conditions, together with a requirement that any planting is adequately maintained to ensure that any impact on the Green Belt is mitigated.

7.48 The Applicants have suggested that there is an inconsistency within the wording of Policy ENV10 in that it conflicts with the NPPF by adding a further test that development must not have an adverse effect on the rural character and openness of the Green Belt. However, design and location are pre-requisite requirements of 'appropriate development' and relate to those uses which require a rural setting and preserve the openness of the Green Belt.

7.49 Development will therefore be strictly controlled, and generally linked to those uses which require a rural setting and preserve the openness of the Green Belt. Para 145 of the NPPF sets out clear guidance on the types of buildings and development that may exceptionally be permitted in Green Belt areas, as listed below:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.50 Paragraph 146 of the NPPF also states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

7.51 The proposed development of the site for a Retirement Care Village does not fall within any of the above criteria and therefore does not meet the requirements of the NPPF. However, 100% affordable housing on exception sites would meet with criteria f) of para 145 of the NPPF and Policy GROWTH 2 of the adopted Local Plan 2015. Given that the affordable housing element of the scheme is a direct consequence of the proposal for a retirement care village/C2 residential use proposed, then this cannot be considered in isolation but rather as a component of the scheme proposed.

7.52 The NPPG sets out what characteristics can be taken into account when assessing the impact of a development upon openness. It sets out that assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- Openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant as could its volume;
- The duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- The degree of activity likely to be generated, such as traffic generation.

7.53 The applicants have revised the Green Belt Assessment (GBA) - November 2020 which was submitted with the original application and refers to the Cambridge Inner Green Belt Boundary Report for Cambridge City Council and South Cambridgeshire District Council. The GBA notes that “key views of Cambridge would not be affected, and that the proposal would extend the existing village edge but no further north than the existing development on Beechwood Ave”. It does concur that the development would extend beyond the development at Hilton Park to the east, although “would not reduce the physical gap”. The part of the site on which the development is proposed measures approximately 4.12 ha (10.18 acres) and the proposal would encircle Field 1. The GBA considers the scheme would bring the field within the village”. But notes “there would be a change in outlook from the properties which have existing views across the site, particularly those with views of Field 2, thus diminishing the rural setting of small areas of the village edge”. As such, “development of the site would result in a degree of encroachment on the countryside in conflict with NGB Purpose 3”.

7.54 It is pertinent at this point to remind members that there are five purposes set out in para 134 of the NPPF referred to in the GBA as NGB [National Green Belt]. These are:

- A) To check the unrestricted sprawl of large built-up areas;

- B) to prevent neighbouring towns merging into one another;
- C) to assist in safeguarding the countryside from encroachment;
- D) to preserve the setting and special character of historic towns; and
- E) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.55 The GBA further states that the “proposed retirement care village buildings would have a total footprint of approximately 8,000sqm (8,611sft) and a max height of 12m (39.3 ft). The total footprint of affordable housing units would depend on the number of units required at reserved matters stage and would have a max height of 8.5 m. (27.8ft). In spatial terms this represents a significant volume of built development within the Green Belt” it goes on to state that “in addition there is likely to be external walls, fences, steps, ramps lighting signage garden features, roads, footpaths and parking as well as an increase in activity”. It concludes that “Overall, therefore, the development proposals will have an adverse effect on the openness of the Green Belt.

7.56 The degree of harm has also been assessed, with the GBA finding 2 aspects of harm namely, NGB purpose 4 and Cambridge Green Belt purpose 2 arising from the extension of Bottisham Village into the application site.

7.57 The Assessment identifies that “the proposed development will result in a loss of openness of the GB. The volume of new development will be significant, and there will be a change to the visual perception of openness and the degree of activity associated with the site as a result of the development. They will be apparent within the site itself and the area of the GB parcel close to the site, but the effects on the GB parcel beyond the site will reduce as the tree planting proposed along the site boundaries matures, resulting in a Moderate degree of harm arising from loss of GB openness. In relation to Policy ENV10, the proposed development will have a moderate adverse effect on the openness of the GB but no effect on its rural character”.

7.58 It is of concern, however, that the applicants consider the significant degree of harm to the Green Belt beyond the site would reduce as the tree planting matures resulting in “moderate harm” even though within the site itself the change to the visual perception of openness could never be mitigated. What is being proposed is an attempt to conceal the scale, bulk and massing of buildings in engineered long range views through gaps in the building line or by locating the main building behind an existing line of trees, which it is proposed to reinforce with additional landscaping. Notwithstanding the fact that years may elapse before the newly planted trees form an adequate screen to disguise the development, the art of applying soft landscaping within any new scheme should be a means of framing the development, not obscuring it. The National Design Guide, Section 11 “requires development to respond to existing local character and identity which is made up of typical characteristics such as the pattern of housing, and special features that are distinct from their surroundings.” Relying on landscaping features to obscure development is not a concept of good design and is contrary to the aims and objectives of Policy ENV2 of the adopted Local Plan, in that the design of development which fails to have regard to local context including architectural traditions and does not take advantage of opportunities to preserve, enhance or

enrich the character, appearance and quality of an area will not be acceptable and planning applications will be refused.

- 7.59 In para 7.29 of the Report to Committee, Members attention was drawn to an appeal decision for a retirement care village comprising a 64 bedroom care home, 126 assisted living bungalows and apartments, a community clubhouse etc on a horticultural site within the Green Belt in Chiswell Green, St Albans, which was dismissed at Appeal (APP/B1930/1/19/3235642). See Appendix 1. The Inspector considered “*the determination of whether very special circumstances exist is a matter of planning judgement based on a consideration of all relevant matters. However, very special circumstances cannot exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other consideration. Consequently, for the appeal to succeed, the overall balance would have to favour the appellants’ case, not just marginally, but decisively.*” The Inspector concluded that: “*despite the considerable merits of the development, the inherent conflict with the development plan and national policy with regard to harm to the Green Belt, designated heritage assets and character and appearance, lead me to conclude that the very special circumstances necessary to justify the proposed development have not been demonstrated*”.
- 7.60 The proposed development in Bottisham would result in an expanse of buildings sprawling across the northern, western and eastern edges of the site as well as the access road and parking areas. Whilst the indicative layout would result in the retention of parts of the pasture and arable land, mitigating some of the negative effects of the built form on the openness of the Green Belt, the proposed indicative layout would introduce numerous buildings along these boundaries which are currently devoid of any buildings.
- 7.61 A Landscape and Visual Impact Assessment (LVIA) [Viridian Landscape Planning – November 2020] has been submitted with the application and this document places the site within the Chalklands Landscape Character Area (LCT) (Cambridgeshire Landscape Guidelines), defining the large-scale landscape by large fields, bold shelter belts and sweeping masses of woodland. The Report continues that the site also has some of the characteristics of the Lowland Village Chalkland LCT in that it is low-lying with medium to large sized fields enclosed by hawthorn hedges.
- 7.62 It is acknowledged that its Green Belt land use designation does not imply landscape value or a valued landscape, the fact that the landscape falls within the green belt is just another material consideration to be assessed in the evaluation of the planning application. However, as described above the flat, open semi-parkland character populated by groups of mature walnut trees does lend a tranquil setting to the village and from views into the site from the Public Right of Way (PROW). This PROW runs the complete length of the western boundary and forms a key setting for the Conservation Area and the Listed Buildings within the south western section of the site.
- 7.63 In concluding, the LVIA states that adverse landscape effect of *moderate significance* on the landscape character of the site are predicted for both the northern and southern fields during the construction but would reduce to *minor significance* by 15 years after completion due to maturing planting.

- 7.64 The visual effects have been taken from eight viewpoints, each of which have two more receptor groups. Adverse visual effects of *major significance* are predicted for pedestrians/walkers at only three viewpoints all of which are close to the site, on or near PROW 25/10 along the western boundary during construction and on completion. However, these are predicted to reduce to *moderate significance* after 15 years with maturing mitigation planning.
- 7.65 Clearly the impact on visual amenity has been a key consideration in the indicative layout which sites most of the built environment within the north-western and north-eastern corners of the site, leaving much of the remaining site for landscaping and public open space.
- 7.66 However, in placing buildings completely along the rear boundary which abuts open countryside, the proposal would extend the amount of built environment further into the countryside than any of the existing areas of built form found in the eastern part of Bottisham village. The application proposes and shows indicatively a 12m (39ft) high building with car parks catering for approximately 176 vehicles as well as new road layouts with an additional 51 affordable (approx.) housing units which would extend the line of existing dwellings from Rowan Close into the site.
- 7.67 It is considered the development would dominate the area and the skyline in this part of the site. Bearing in mind that most of the district is represented by flat low lying pasture land, then this edifice would mask the views currently experienced along the PROW, and in effect mask the current views of the open countryside beyond. Not only does the proposal extend beyond the defined development envelope for Bottisham but it introduces a discordant form of development totally at odds with the prevalent character of development represented in Bottisham. It also alters the visual effects and extends directly into undeveloped and open Green Belt land with no exceptional circumstances applicable.
- 7.68 It is considered that on the basis of the submitted information that the development of this site to provide a 170 bed retirement care village plus approximately 51 affordable dwellings would have a substantially greater impact upon the openness of the Green Belt than existing and would result in substantive harm to the openness of the Green Belt. The scheme would result in the urbanisation of this area beyond existing development resulting in a negative and built-up environment and as a result the substantial harm caused to the openness of the Green Belt demonstrably outweighs the public benefits of the scheme.
- 7.69 Overall the proposal is considered to be inappropriate development that is harmful to the openness of the Green Belt. Whilst it is acknowledged there would likely be a need for C2 residential accommodation for self-funders, it is still not clear what that level of need is. Furthermore, the applicants have not demonstrated a sequential approach has been taken with regard to identifying more suitable sites on non-Green Belt sites, such that no very special circumstances have been demonstrated to outweigh the actual harm. The development would therefore result in a substantial loss of openness and would conflict with the purposes of the Green Belt.
- 7.70 It is considered that the proposal, for the reasons outlined above, would have an adverse effect on the rural character and visual amenities as well as the openness

of the Green Belt. As such it is considered to fail to comply with the NPPF and Local Plan policy and comprises inappropriate development.

7.71 Historic Environment

- 7.72 Policy ENV14 of the Local Plan requires that development proposals at or affecting all sites of known or potential archaeological interest will have regard to their impact upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings. Policy ENV14 further requires the submission of an appropriate archaeological evaluation/assessment by a suitably qualified person. This initial work may be required prior to the submission of a planning application.
- 7.73 The application has been accompanied by an Archaeological Evaluation Report [Cotswold Archaeology dated November 2020]. The report found that the majority of the artefactual evidence found across the site proved post-medieval or modern in date. This is considered to be not unexpected given that the site has been under continuous agricultural cultivation.
- 7.74 The County Archaeologist has raised no objection to the scheme subject to further investigation. A suspected human cremation burial (likely to be prehistoric, requires further examination) and a number of late Saxon to Medieval features not connected with agricultural process was found in discrete areas of the site. These would require investigation prior to any construction activity, were the site to be granted consent. The evaluation confirmed that no remains of national importance were present. It is therefore considered that the harm to any potential archaeological remains could be mitigated through further work being undertaken.
- 7.75 In terms of the impact on the Conservation Area and Listed Buildings the scheme has been accompanied by a Heritage Statement [Cotswold Archaeology dated November 2020]. Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Policy ENV11 of the adopted Local Plan 2015 seeks to ensure that development proposals preserve or enhance the character or appearance of conservation areas and Policy ENV12 requires new development that affects the setting of a Listed Building to only be permitted where they would preserve or enhance those elements that make a positive contribution to or better reveal the significance of the heritage asset, nor materially harm the immediate or wider setting of the Listed Building.
- 7.76 The site is located in proximity to a number of designated heritage assets with parts of the southern area extending into the Bottisham Conservation Area. The report states that given its proximity to the site, Bottisham House (Grade II Listed) would be most notable. The significance of Bottisham House predominantly derives from its evidential (architectural) and historic values as well as the contribution of its setting. The approach along the driveway to the House would be maintained and the important points of appreciation of the house itself would remain unaltered. However, the development would alter how the house is experienced due to a change in the views northwards and eastwards from the upper storey and as a result of change to the designed view through the Clairvoyee.

- 7.77 The Council's Conservation Officer still considers the Heritage Statement's characterisation of the heritage impacts as less than substantial harm to the closest assets (Bottisham House, Bottisham Conservation Area) affected and no impact to others is a fair conclusion and given the separation distances involved in the indicative layout, there are no fundamental conservation concerns.
- 7.78 The degree of harm is considered to be less than substantial in terms of the NPPF and within the lower end of the spectrum of harm. As such, caselaw makes it clear that s66 of the Act requires consideration, importance and weight to be afforded to that harm. The NPPF and Policies ENV11, ENV12 and ENV14 emphasise that the conservation of archaeological interest is a material consideration in the planning process.
- 7.79 In terms of the NPPF, the harm to listed buildings, being less than substantial, should be weighed against the public benefits of the proposal including where appropriate, securing their optimum viable use. As noted above, the proposal provides a number of community benefits in terms of public open space and the retention of public viewpoints both of which are considered to be public benefits.
- 7.80 It is considered therefore that the scheme would not adversely affect the character and amenities of the conservation area and listed buildings located within close proximity to the site.
- 7.81 Highway Safety and Access**
- 7.82 Policy COM7 of the adopted Local Plan requires that all development must ensure a safe and convenient access to the public highway. It also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location.
- 7.83 Bottisham is described in the adopted Local Plan 2015 as a relatively large village situated approximately 7 miles east of Cambridge and 6 miles west of Newmarket. Local amenities include a public house, shop and post office, GP surgery, library, primary school and Bottisham Village College. There is a bus service located within 100m of the site and this service has a frequency of a bus every 2 hours. The Bottisham Greenway cycle route is also planned to connect Bottisham to Cambridge, however this is located approximately 7 miles away and is unlikely to be used by residents of the retirement village.
- 7.84 The proposal would introduce a new site access between Nos 143 and 163 High Street of 5.5m in width with a 2m footway on either side for both pedestrians and vehicles. The site access would run parallel with the western boundary as far as the line of properties in Beechwood Avenue whereupon it veers towards the centre of the site. A new pedestrian entrance is proposed to the north-west of the site from Rowan Close.
- 7.85 The scheme has been re-assessed by the Local Highways Authority Transport Assessment Team who have removed their holding objection to the scheme as additional information has been provided. The Transport Assessment now includes the latest 60 months' accident record data obtained from CCC together with an analysis of any trends or clusters. The data reveals that there were no accident

clusters and the recorded accidents were not involving a number of vulnerable road users.

- 7.86 In terms of the capacity assessment the applicants have provided details to the satisfaction of the Transport Assessment team. The High Street/A1303 junction would operate within capacity in both the am and pm peaks. The site access with the High Street junction also indicates that the junction would operate within capacity in both the am and pm peaks.
- 7.87 The Highways Authority have considered the vehicle trip rates using the TRICS database which they consider to be robust, with vehicle trip rates calculated using the (0.176 two-way vehicle trip rate in the AM peak and 0.184 two-way vehicle trip rate in the PM peak). On this basis it is agreed that the proposed development would generate up to 30 two-way car trips in the AM peak hour and 31 two-way car trips in the PM peak with approximately 90% of the vehicle trips coming in and out the site from the south east via A1303 West bound (80%) and 10% from the A1303 East bound.
- 7.88 The Highways Authority have also agreed with the following Traffic Flow scenario.
- 2019 baseline validated against queue length surveys:
 - Future year scenario no development (base + TEMPRO growth + committed development)
 - Future year scenario with development (base + TEMPRO growth + committed development + development)
- Capacity Assessment
The following junction has been modelled with Junctions 9:
- High Street / A1303 junction.
 - Site access / High Street junction.
- 7.89 The Transport Assessment team are therefore no longer objecting subject to a range of mitigation measures which can be submitted at the detailed design stage
- 7.90 From a highway's development management perspective, the Local Highway Authority requested additional information regarding a number of original concerns which have now been addressed in amendments to the scheme. Namely, the widening of the footway opposite the site towards the village centre to 2.0m which has now been incorporated in the access layout plan.
- 7.91 Initially, the applicant suggested there are footways on both sides of the High Street at the entrance into the site but there are no pedestrian crossing places at or near the access of the development, and in view of the low flow of traffic coupled with the frequency of dropped kerbs, enabled safe crossing of the road. However, the Highways Authority objected and it is now proposed to place a crossing point north to south adjacent to the site access with a return crossing point required in the vicinity of the bus stop and this could be secured by condition for submission of detailed engineering drawings.
- 7.92 The footway widening would also necessitate the relocation of the existing Vehicle Activated Sign (VAS)/ School warning sign (to the west of the new access on the

south side of High Street). Relocating the VAS to the back edge of the widened footway (circa 500mm) would be acceptable in traffic and safety terms, and forward visibility to the sign would not be compromised. Undergrowth on the adjacent highway verge would need to be cut back, and overhanging/ encroaching tree growth cleared to implement the footway link.

- 7.93 For the avoidance of doubt, the proposed vehicular access and pedestrian crossing points can achieve appropriate visibility/ vehicle sight stopping distance in all respects, with due regard to the nature of High Street.
- 7.94 With regard to the pedestrian/cycle access from Rowan Close initially the Local Highways Authority raised a concern that the extent of the public highway adjacent to Rowan Close terminated at the back edge of the adjacent footway. Furthermore, the application site edged red did not appear to abut the highway. Accordingly, it was unclear how any access to Rowan Close could be delivered. The applicants have now submitted revised drawings where the red line has been extended to meet the back edge of the footpath adjacent to Rowan Close and this would allow pedestrian and cycle access into the site. The applicants have also signed Certificate C of the application form which certifies that all reasonable steps have been taken to find out the names and addresses of the other owners of the land. An advert was also placed in the Cambridgeshire press on 18th November 2020 to announce the applicants' intention of developing this site.
- 7.95 A Technical Note dated 29th September 2020 has been submitted wherein the applicants referred to the use of S228 of the Highways Act 1980 to deliver the footpath/cycle path link to Rowan Close across third party land. To clarify, Section 228 allows for the making up of land with no known owner as highway maintainable at public expense. The Local Highways Authority in their response dated 9th December 2020 have indicated that a S278 Agreement would be required to be completed between the developer and the LHA to secure the implementation of any works within the public highway, supported by appropriate technical submission.
- 7.96 Both the Highway Development Management and Transportation Teams are no longer raising an objection to the proposal and on this basis the scheme would comply with Policy COM7 of the adopted Local Plan and is considered acceptable.
- 7.97 Parking**
- 7.98 Policy COM 8 of the adopted Local Plan requires development proposals to provide adequate levels of car and cycle parking.
- 7.99 According to the information submitted the proposed redevelopment will provide 176 car parking spaces to serve staff, visitors and more able residents, which is higher than the East Cambridgeshire District Council parking standards of up to 1 car space for each resident staff member, plus up to 1 space for every 2 non-resident staff members and up to 1 car space per 4 residents. Secure cycle parking will be provided in line with the ECDC Minimum Standard provision of one space per three staff members and one space per dwelling.

- 7.100 In addition, there would be a requirement for 2 parking spaces per dwelling for the affordable dwellings proposed, as well as visitor parking. If the application were to be approved, these details could be submitted at the detailed design stage.
- 7.101 The scheme would comply with Policy COM8 of the adopted Local Plan 2015 and is considered acceptable.

Ecology

- 7.102 Policy ENV7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network.
- 7.103 Para 175 of the NPPF is also relevant and highlights the importance of biodiversity and habitats when determining planning applications. In July 2019 the Government confirmed their intention to make biodiversity net gain mandatory in England for all development. The emerging 'standard' by which environmental gain is calculated is the DEFRA Biodiversity Metric 2.0 test.
- 7.104 As a consequence, the Council have adopted a Natural Environment Supplementary Planning Document in September 2020, and this provides guidance for new development to protect and encourage the biodiversity and ecology interests on site.
- 7.105 The application site comprises two fields, one used for grazing purposes and the other for arable crops. These are bounded by hedgerow and trees, including protected trees.
- 7.106 The proposal has been accompanied by an Ecology Impact Assessment [BSG Ecology – December 2019] and Biodiversity Net Gain Assessment [BSG Ecology – November 2020]. A Desk Study and an extended Phase 1 Habitat Survey were undertaken in April 2019. The findings of these surveys reported that there are no designated sites on or close to the site. The site supports the following Habitats of Principal Importance:
- Hedgerow
- Broad-leaved woodland
- 7.107 The sites supports a number of walnut trees in a parkland setting that have ecological 'veteran' features that makes this habitat of County interest.
- 7.108 The Devil's Dyke Special Area of Conservation lies 3.7km north east of the site and Bottisham Park County Wildlife Site lies 580m north with Heath Road/Street Way Green Lanes County Wildlife Site 1km south-east of the site.
- 7.109 Protected species interest is limited to no more than local importance. A summary of the evaluation of ecological features is provided below:

Feature	Scoped In / out based on desk study and field survey	Evaluation of Importance	Present on site
Sites			
Statutory (SAC, SSSI, LNR)	Scoped in	International & National	No
Non-statutory (CWS)	Scoped in	County	No
The development site	Scoped in	Local	Yes
Habitats			
Arable and with field margins	Scoped in	Site	Yes
Hedgerow	Scoped in	Local	Yes
Semi-improved grassland	Scoped in	Local	Yes
Parkland and scattered trees	Scoped in	County	Yes
Broad-leaved woodland	Scoped in	Site	Yes
Scattered scrub	Scoped in	Site	Yes

Feature	Scoped In / out based on desk study and field survey	Evaluation of Importance	Present on site
Protected species			
Bats	Scoped in	Local	Likely foraging and commuting
Badger	Scoped in	Local	No setts; likely foraging
Domouse	Scoped out	N/A	No
Birds	Scoped in	Local	Nesting in trees and hedgerows
Great crested newt	Scoped out	N/A	No
Reptiles	Scoped out	Site	No

7.110 In assessing the revised biodiversity net gain assessment it now includes a smaller habitat net gain than in the original assessment which has been reduced to 4.82% as opposed to the previous 10.35%. The Wildlife Trust considered the revised information and has commented that the development would no longer achieve a 10% biodiversity net gain for habitats which would be their recommendation as the minimum requirement. The applicants have commented that there is currently no policy requirement at local or national level for a minimum 10% gain, and that the Wildlife Trust would be willing to accept a figure below 10%, albeit above what they were currently proposing. The applicants would be looking at the BNG calculator again to see if there was any way to boost the score further, and the Wildlife Trust has offered to assist in this process. It is likely that any further net gains would come from detailed layout, planting specifications and management of communal areas within the retirement care village, and that further net gains in biodiversity could be delivered through detailed design at Reserved Matters stage to which the Wildlife Trust have agreed.

7.111 An Arboricultural Impact Assessment [Sylva Consultancy dated November 2019] was submitted and this notes that as the development area would be concentrated in the northern field adjacent to the eastern boundary, the indicative layout illustrates sufficient room exists on the site to retain the existing tree stock and for the final layout to be positioned beyond the root protection area of trees. The majority of trees within the site, worthy of protection, are now protected by a tree preservation order, and the indicative layout has been guided by the protective measures imposed by the Council. In terms of the new access this would result in

the removal of some hedgerow, however, the hedgerow is considered to be of low quality. The new internal road would be positioned beyond the constraints of the existing tree stock and therefore no trees would be removed. The extensive landscaping proposed as part of the scheme would result in additional tree planting.

7.112 It is considered the development would satisfy the policy requirements of the NPPF and would be capable of delivering a biodiversity net gain and further information would need to be supplied at a detailed design stage. In view of the mitigation proposed, the scheme is considered to comply with Policy ENV7 of the adopted Local Plan 2015 and the Natural Environment SPD.

7.113 Flood Risk and Drainage

7.114 Policy ENV8 of the adopted Local Plan 2015 states that all development should contribute to an overall flood risk reduction. The site is located wholly in Flood Zone 1 and has been assessed as being at very low risk of flooding. Surface water currently infiltrates into the ground without any formal drainage. Whereas County records indicate that the site has a high risk of groundwater flooding, there are no records of historic groundwater flooding on the site.

7.115 The application is accompanied by a Flood Risk Assessment [Campbell Reith November 2020] and a Drainage Strategy. In managing surface water discharge, the scheme would incorporate a combination of permeable pavement arrangements, infiltration basins, filter trenches and swales as well as extensive soft landscaping.

7.116 The Local Lead Flood Authority have raised no objection to the scheme subject to conditions. They are supportive of the use of infiltration basins/ trenches and permeable paving as they provide water quality treatment which is of particular importance when infiltrating into the ground. Groundwater levels were recorded at 3 metres below ground level, providing a sufficient unsaturated zone between the base of proposed infiltration features and the groundwater level.

7.117 In terms of foul water, Anglian Water have raised no objection to the scheme commenting that there is currently capacity to connect to the foul sewer.

7.118 It is considered that the scheme would comply with Policy ENV8 of the adopted Local Plan 2015 and the Flood and Water SPD.

7.119 Other Material Matters

7.120 In the revised scheme, the north-western corner of the site is proposed to accommodate 30% affordable housing which equates to approximately 51 dwellings. As such Policy GROWTH 3 of the adopted Local Plan 2015 and the Developer Contributions SPD requires residential development of 20 or more dwellings to provide or to contribute towards the cost of providing children's playing space and open space.

7.121 According to the adopted Local Plan 2015, the village has limited open space particularly in terms of what is available for public use. The open space adjacent to

the Village College is widely used for informal recreation and events, and makes an important contribution to community life.

- 7.122 The proposal would provide public open space in the form of parkland and an equipped area of play available to members of the public. The scheme would also provide leisure facilities, some of which would also be available to the wider community. In this respect the proposal would make an acceptable contribution to public open space and community facilities and would comply with Policy GROWTH 3 of the adopted Local Plan 2015 and the Developer Contributions SPD.
- 7.123 All applications for residential use are considered particularly sensitive to the presence of contamination. It is therefore considered reasonable that conditions are appended to the grant of planning permission requiring a contamination assessment to be agreed by the Local Planning Authority prior to commencement of development and with regards to unexpected contamination and remediation measures if required. Subject to the relevant conditions being appended, the proposal accords with Policy ENV9 of the Local Plan 2015.
- 7.124 The applicants have produced a HOTs for the s106 Agreement with obligations to secure delivery and long-term management of public access to the proposed Natural Managed Open Space (NMOS) and LEAP and up to 30% on-site provision of Affordable Housing to be provided with an appropriate off-site contribution if required. There would be a requirement to provide satisfactory management of the site concerning waste awareness, storage and collection and with the addition of 51 affordable dwellings there would be a contribution towards education, libraries and learning. The scheme would also now be CIL liable.
- 7.125 The Council has recently adopted an SPD on Climate Change as it considers as an area experiencing growth “it comes with the responsibility to balance competing demands and mitigate the negative impacts of that growth as far as is reasonably possible”. The SPD predominantly focusses on providing additional guidance to the implementation of Policy ENV4, in that all new development would be expected to aim for reduced or zero carbon development in accordance with the zero carbon hierarchy. Although the applicant has submitted a Feasibility Study for Renewable Energy & Low Carbon Technology and 10% Calculations Assessment, in view of the adoption of the Climate Change SPD in February 2021, it would be unreasonable to expect the applicant to provide a Sustainability Statement which incorporates the aims and objectives of the SPD at such short notice. Moreover, there is a caveat within Policy CC1 of the SPD that requires this can be imposed by condition. Should the application be considered acceptable by Committee, then further details will be requested by condition, in accordance with the SPD.
- 7.126 The Minerals and Waste Development Control Team have noted that the matter of waste management does not appear to have been addressed within the submitted application documentation, nor does there appear to be any specific consideration given to this policy. To ensure compliance it is therefore requested that, should the Planning Authority be minded to grant planning permission, it is subject to an appropriately worded condition.

8. CONCLUSION

- 8.1 It is acknowledged that the scheme would provide additional residential care accommodation within the District as identified in the Council's SHMAA (2013) and that further research into self-funding extra special care is being undertaken. However, whilst it is acknowledged there is a need for accommodation to provide for an ageing population, Bottisham already benefits from accommodation of a similar style to that proposed and where there are currently vacancies. Furthermore, the County Council have confirmed that they would not be identifying accommodation in the Bottisham area due to the existing facilities. In view of the fact that the joint local authorities of Cambridgeshire and Peterborough are undertaking research on a self-funder policy, the fact that they have not supported the scheme indicates that there is not an identified need for such provision that cannot be met within the built up areas, as required by policy HOU6 of the Local Plan 2015.
- 8.2 The applicants have indicated that other non-Green Belt sites have been considered and discounted, however, no evidence has been provided to support this view.
- 8.3 Policy GROWTH2 of the Local Plan states that the key focus for development within the District will be focussed on the market towns of Ely, Soham and Littleport, with more limited development taking place in villages which have defined development envelopes. Outside of development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development would be restricted in compliance with the exception criteria, provided there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied. Although the proposal does fall within a number of the exception criteria of Policy GROWTH 2, it would fail to protect the countryside and the setting of Bottisham, which are requirements of other specific policies within the Local Plan.
- 8.4 Notwithstanding the acceptability of the scheme with respect to highway and pedestrian safety; 30% contribution towards affordable housing; biodiversity net gain, flooding and drainage and heritage assets, as these issues are pre-requisites of sustainable development and do not cumulatively provide a case for special circumstances.
- 8.5 To conclude, the determination of whether very special circumstances exist is a matter of planning judgement based on a consideration of all relevant matters. The case for demonstrating very special circumstances to outweigh any harm to the Green Belt, and any other harm has not been made and as such the proposal would result in substantial harm to the openness of the Green Belt and would encroach upon open countryside. Irrespective of the considerable merits of the development, the inherent conflict with the development plan and national policy with regard to harm to the Green Belt and visual amenity of this part of Bottisham demonstrate that the very special circumstances necessary to justify the proposed development have not been demonstrated and the proposal would be at odds with Policies ENV1, ENV2 and ENV10 of the Local Plan and chapter 13 of the NPPF, as it does not meet any of the exceptions. This view has been supported at appeal on a similar Green-Belt site.

- 8.6 This application has been evaluated against the extant Development Plan which is the starting point for all decision making. The Development Plan comprises the East Cambridgeshire Local Plan 2015 and the report has assessed the application against the core planning principles of the NPPF and whether the proposal delivers sustainable development.
- 8.7 The scheme does not accord with both national and local planning policy and is considered not to represent sustainable development.

9. COSTS

- 9.1 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.
- 9.2 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.
- 9.3 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.
- 9.4 In this case members' attention is particularly drawn to the following points:
- The site location with the Green Belt
Adverse impact on visual amenity

10.0 APPENDICES

Appendix 1 – Appeal Ref: APP/B1930/W/19/3235642

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/00296/OUM	Anne James Room No. 011 The Grange Ely	Anne James Planning Consultant 01353 665555 anne.james@eastcambs.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>