

MAIN CASE

Proposal: Outline application for up to 100 residential units with all matters reserved except for means of access

Location: Land South Of 18 Wilburton Road Haddenham Cambridgeshire

Applicant: Gladman Developments Ltd

Agent: Savills (UK) Ltd

Reference No: 14/00130/OUM

Case Officer: Penelope Mills

Parish: Haddenham
 Ward: Haddenham
 Ward Councillor/s: Councillor Gareth Wilson
 Councillor Ian Allen
 Councillor Pauline Wilson

Date Received: 24 February 2014 Expiry Date:

[P19]

1.0 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission for up to 100 residential units on land to the south of 18 Wilburton Road, Haddenham. Approval is sought for access as part of the application, and all other matters (appearance, landscaping, layout and scale) are reserved.
- 1.2 The site is outside the development envelope for Haddenham and the proposal is therefore a departure from the policies contained within the Core Strategy, which forms part of the Development Plan for the District.
- 1.3 The application has been called to Planning Committee by the Local Member Councillor Pauline Wilson and by the County Councillor for Haddenham, Councillor Bill Hunt.
- 1.4 The key consideration in determining this application, is whether or not there are sufficient material considerations in favour of the development so as to outweigh the provisions of the development plan, which seek to strictly control development in the countryside. In this respect the following material considerations are relevant:
 - The presence of a five year housing land supply;
 - Sustainability and the needs and priorities of Haddenham;
 - Impacts on visual amenity and the character of the countryside and the setting of Haddenham;

- Impacts on ecology and biodiversity;
- Flood risk and drainage issues;
- Impacts on the historic environment;
- Issues of highway safety and accessibility; and,
- Impacts on residential amenity.

- 1.5 The Council disagrees with the applicant's assertion that there is a critical shortfall of housing supply within East Cambridgeshire and as such the policies relating to land supply, which include those relating to housing development in the countryside, should be considered to be out-of-date, with the emphasis on determining the application placed on the presumption in favour of development in the national Planning Policy Statement.
- 1.6 It is considered that the Council's position in relation to housing supply is robust, and that no additional sites, such as the one proposed in this application, would be required to meet the objectively assessed need. The absence of a five year housing supply is therefore not a legitimate material consideration in this case and cannot be used to justify the setting aside of sound planning policies relating to the control of development in the countryside.
- 1.7 The proposed development is considered to be out of scale with Haddenham and unsustainable, outstripping the modest increase in employment provision envisaged for the settlement, and placing significantly increased pressure on local infrastructure. The lack of employment, retail and leisure opportunities within the village coupled with the limited options in terms of public transport would result in an unsustainable pattern of development, encouraging high levels of out commuting by private vehicle. In addition, it is considered that the proposed development would give rise to significant adverse effects in terms of visual amenity and the impact on the setting of Haddenham, which forms part of a locally valued landscape.
- 1.8 The application is therefore recommended for refusal.
- 1.9 **A Site visit has been arranged for 11.00am, prior to the Planning Committee meeting.**

2.0 THE APPLICATION

- 2.1 The application seeks outline planning permission for up to 100 residential units with all matters reserved apart from access. A single vehicular access from Wilburton Road is proposed, which would be facilitated by the demolition of an existing detached dwelling.
- 2.2 The Design and Access Statement outlines the amount of development and the mix of uses proposed. The application site covers an area of 4.12 hectares with the indicative masterplan showing 3.14 hectares for residential development, with an average of 30 dwellings per hectare. The applicant has stated that the development would provide a mix of dwellings and house types, providing approximately 30% affordable homes. 0.64 hectares are provisionally shown for public open space including formal footpaths, areas of amenity and meadow grassland to provide areas for recreational activities and to enhance biodiversity.

2.3 The application is supported by the following plans and documents:

- Location Plan
- Proposed Access to Development Site – drawing no. 4746/11/01
- Topographical Land Survey – drawing no. S13/451
- Framework Plan – drawing no. 5913-L-02-C
- Assessment of 5 Year Housing Supply
- Design and Access Statement;
- Planning Statement;
- Flood Risk Assessment and Outline Drainage Strategy;
- Transport Assessment;
- Aboricultural Assessment;
- Landscape and Visual Impact Assessment;
- Ecological Appraisal;
- Archaeological Desk-based Assessment;
- Air and Noise Screening Reports;
- Utilities and Infrastructure Report;
- Statement of Community Involvement;
- Socio-Economic Impact report;
- Sustainability Assessment;
- Affordable Housing Statement;
- Contamination Preliminary Risk Assessment;
- S106 Heads of Terms

3.0 THE APPLICANT'S CASE

3.1 The Applicant's case is set out in the Design and Access Statement and the Planning Statement, both of which can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link:

<http://pa.eastcambs.gov.uk/online-applications/>

3.2 Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, on the application file.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located on the south eastern edge of Haddenham on land outside the development envelope. The site lies to the south of Wilburton Road (A1223), from which a single vehicular access is proposed.

4.2 The 'L-shaped' site covers an area of 4.12 hectares, and is predominantly arable farm land, classed as Grade 2 in the National Agricultural Land Classification, comprising two field parcels separated by a farm access track. There is an agricultural barn on the site between the two parcels of land and a detached residential dwelling at the front of the site, number 18 Wilburton Road, which would be demolished to allow for the access.

- 4.3 The site does not have any local or national ecological designations and there are no registered public rights of way crossing the site or running along the boundaries. The site is not within a flood zone, although it is in an area of groundwater vulnerability.
- 4.4 The site sits on a ridge and the land falls away to the south, relatively steeply. There are existing trees and hedges along parts of the eastern and western boundaries as well as the northern boundary with Wilburton Road. However, within the site itself there is very little vegetation other than arable crops.
- 4.5 The majority of the surrounding land to the north east and south is undeveloped agricultural land, with some scattered residential dwellings and other buildings. To the west of the site is the village of Haddenham, with Orchard Way and the adjoining Pear Tree Close, immediately to the west of the site.

5.0 PLANNING HISTORY

- 5.1 There is no relevant planning history for the site.

6.0 REPLIES TO CONSULTATIONS

- 6.1 **Neighbours** – 55 people commented on the application. Of these, 46 explicitly expressed that they objected to the proposal. The following relevant points were raised in the consultation responses (full copies of the responses can be found on the application file or through public access using the following link:
<http://pa.eastcamb.gov.uk/online-applications/>

Highways Issues

- Highway safety and congestion
- Inadequate and inaccurate Transport Assessment

Sustainability

- Will significantly increase out commuting
- Not sustainable approach to traffic management
- Poor local public transport provision
- Adverse impact on local infrastructure – schools, doctor
- Increased demand for services such as water, electricity, gas
- Wilburton school is a special needs establishment and therefore nearest secondary school provision is Witchford, over 5km away.
- Limited employment possibilities in the village
- No comparison of destinations of bus services as compared to actual work destination
- There is no train station in Haddenham

Ecology / Biodiversity

- Loss of habitat with adverse impact on bats and other species

Policy / Planning history

- Not in line with Haddenham Village Vision and better sites available
- Outside the development envelope

- Goes against localism
- Site previously refused permission for a single dwelling
- No gas supply in Haddenham

Residential Amenity

- Traffic noise for residents of Orchard Way
- Loss of agricultural land
- Overlooking to existing neighbouring development

Visual Amenity

- Detrimental visual impact on surrounding countryside
- Local residents of Haddenham value this landscape
- Not urban fringe – it is Fen Edge Village
- Out of character – the largest comparable development in village history is half this size
- Adverse impact on character of village
- Negative impact on long distance views of Haddenham from the south

Inaccuracies/insufficiencies

- Insufficient open space provision
- There are three continuous monitoring points in the village for air quality, contrary to the statement in the Air Quality Management Report
- Public consultation was not meaningful
- Internet speeds given are not accurate and in reality are much lower
- Accuracy of transport data queried

Other matters

- Impact on nearby horses
- Lack of capacity in sewerage system
- Already have approved affordable housing exception site for 24 dwellings

6.2 **Councillor Pauline Wilson** – called application to Planning Committee and made the following comments:

- Gladmans Development said they had contacted the school regarding spaces for new pupils, but this is not true and the school is already full and has to have a porta cabin for an extra class room.
- We are one and a half doctors short for our village how can we cope with all these extra families that will come with 100 extra houses
- In view of the fact that this application is outside the village envelope, it should be refused.

6.3 **Councillor Bill Hunt** – called application to Planning Committee and made the following comments:

- This site is outside the building 'envelope' and therefore conflicts with our policies.
- I am the County Council Member for Haddenham and oppose this inappropriate overdevelopment outside the building boundary.

6.4 **Haddenham Parish Council** – recommend refusal for the following reasons:

- Gladman are interfering with the due process of the Local Plan Submission and seeking to secure planning permission using NPPF 'loophole' in order to build outside the village envelope. We expect ECDC to defend their position with respect to their figures on the housing trajectory.
- Even if Gladman is found to be correct and the 5 year deliverable land supply is insufficient for ECDC as a whole, that does not automatically mean that the shortfall should be met by allowing this proposal to go ahead in this location.
- This proposal is NOT a sustainable development in the sense that the proposed development does not "enhance or maintain the vitality of the community" in this location (NPPF definition). It is sited on the village extremity with no connection to the rest of the village and, as such, would be difficult to view as integrated. The document supporting their argument can and should be challenged, as many of the opinions are just that – opinions. There are few employment opportunities within the village and this would force new residents to become commuters to other communities. There are concerns that their report glosses over the very real issues of over-crowding of the surgery (which has advertised several times for GPs without success) and the primary school. Simply ticking a series of boxes does not amount to proof that this development is sustainable.
- Despite Gladman obtaining professional opinion to support their case, the proposed site entrance is dangerous and could lead to accidents and traffic congestion at peak times. There are serious doubts that the analysis fails to take account of the correct peak hours in the respect of queuing times or the effect of the queue back from the Twenty Pence Road junction with Wilburton High Street. Cross reference should be made with the Mereham results as they refer to different rush hour results. Furthermore, the accident statistics for the junction with Wilburton Road with New Road do not reveal the whole story, as they are simply those actually reported. There have been many more which are unrecorded on official records. There is mention of the effect on the village of HCV traffic, particularly when the A14 is closed for some reason and diversions are in operation. No provision is suggested for foot or cycle traffic to connect with the rest of the village in a safe manner.
- The proposal directly contravenes our own "Village Vision" developed in connection with ECDC and makes a mockery of "localism" and local determination of priorities in respect of housing land allocation.
- There is no proven need for additional "affordable housing" in the village at present, especially since the recent approval for 24 houses off Northumbria Close.
- The loss of Grade 2 and 3 farmland is treated as though it doesn't matter much and it has no real farming value.
- The results of the "consultation" have been disregarded entirely and have made the process worthless as a consequence. The majority of the feedback has been against the proposal, but this has had no effect on their submission. It appears that it was going to be made regardless and the exercise in consultation has been a sham.

6.5 ECDC Forward Planning

- The Local Plan is at an advanced stage of preparation and it is considered that significant weight can be attached to its policies.
- The Council has produced a revised Housing Supply Paper in response to the Inspectors comments. The key change is that the estimated supply of dwellings

over the Plan period has been increased to provide flexibility and ensure that the housing target can be met.

- The assessment considers the 5 year period from 2014/15-2018/19. It demonstrates that the district has a five year supply that meets 105.3% of the target (or 5.27 years) using the 'Sedgefield' methodology. Therefore no additional sites are required to meet the objectively assessed need.
- East Cambridgeshire has pioneered the inclusion of 'village visions' within the Local Plan, developed in close collaboration with Parish Councils and local communities.
- In Haddenham, there was clear local opposition towards large scale growth
- The needs and priorities for Haddenham over the plan period have been assessed as medium-scale housing development balanced by an extension of Haddenham Business Park. The Inspector has not indicated that this scale of housing development is too small for the village.
- The development proposed is therefore inappropriate for Haddenham in terms of scale and is inconsistent with the Haddenham Vision which forms part of the Local Plan.
- The District Council has recently produced an updated housing trajectory (March 2014) which demonstrates that there is an adequate five year supply of housing in East Cambridgeshire. The trajectory was updated at the request of the Planning Inspector appointed to consider the soundness of the draft Local Plan (currently in examination stage). The Inspector queried the estimate delivery rates in North Ely, and indicated that windfall rates for garden land should be excluded from future supply estimates. Following discussion with the Church Commissioners and Endurance Estates, more cautious assumptions have been included for delivery of North Ely – and estimates have been adjusted to exclude garden land. A number of other adjustments were also made in the methodology used to calculate the five year supply, at the request of the Planning Inspector. The latest trajectory and five year supply calculation is therefore considered to provide an up to date and realistic assessment of housing supply in East Cambridgeshire.
- Gladman have also queried some of the calculations used to estimate the five year housing supply. One of their objections relates to the use of a 5% buffer. The NPPF indicates that where there is persistent under-delivery of housing, a buffer of 20% rather than 5% should be used. Gladman claim that as recent delivery rates during the recessionary period have been lower than the housing target, that the 20% buffer should be applied. However, advice in the recently published National Planning Policy Guidance document is clear on the matter – *'The assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle.'* Between 2001 and 2012 there was a housing oversupply of 23% against the District's housing target.

6.6 **ECDC Waste Strategy**

- The Environmental Protection Act 1990 enables Councils to charge for the supply of wheeled bins, therefore all new residential developments in East Cambridgeshire are required to make financial contributions to allow for the provision of appropriate coloured waste storage containers (wheeled bins)
- This contribution is currently set at £25 per bin with each property requiring two bins. Blocks of flats will require larger bulk bins; however the number required will

be determined by the number of units in a block. 1100lt bulk bins are charged at £275 each, 660lt bulk bins are charged at £250

6.7 **Environmental Health** – advised the following:

Construction Phase

- Prior to any work commencing on site a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the control of pollution (including noise, dust and lighting etc) during the construction phase. The CEMP shall be adhered to at all times during the construction phase, unless otherwise agreed in writing with the Local Planning Authority (LPA).
- Construction times shall be limited to 08:00 - 18:00 each day Monday to Friday and 08:00 - 13:00 on Saturdays (none on Sundays or bank holidays).
- Deliveries to the site during the construction phase shall be limited to 08:00 - 18:00 each day Monday - Friday and 08:00 - 13:00 on Saturdays unless prior written agreement with the LPA has been given.
- During the construction phase all lighting, excluding security lighting, shall be switched off between the hours of 22:00 - 06:00.
- No burning of waste during the preparation or construction phases.

Operational phase

- I agree with the noise impact assessment in respect that the potential noise from existing road traffic on the proposed properties is unlikely to be significant and that required standards should be met, however, as they have also stated, this needs to be confirmed at the detailed design stage. For example, I note from the plans that there is to be a small buffer zone between the development and the road, which will alleviate road noise and I would advise this, or alternative mitigation is fully considered. I presume we will be able to flag up any issues at the detailed design stage in order to ensure the correct standards will be met?

6.8 **Cambridgeshire Constabulary** – made the following comments:

- In terms of crime, Haddenham overall has seen 87 crimes recorded over a 12 month period, one crime was recorded for Wilburton Road, so would not be concerned for this site.
- The layout is very much what I would recommend in terms of layout and design with back to back gardens, active frontages and public spaces overlooked and probably in curtilage car parking, so have no comment to make at this stage.

6.9 **Cambridgeshire Historic Environment Team** - object to the application as it provides insufficient archaeological information on which to base a planning decision. A summary of the points raised are set out below

- An archaeological desk-based assessment provides an overview of known archaeological evidence, but does not assess the archaeological evidence in relation to the context in which it was found.
- It does not follow that there is "low potential for significant archaeological evidence" at the site. Imposing an archaeological condition would not be a proportionate

response to the archaeological potential that development on the Haddenham ridge may expose.

- Noted that the submitted Preliminary Risk Assessment (Phase 1 desk study; dated 05 02 14) highlighted the presence of pottery shards in one of the trial holes.
- The content of the Desk-Based Assessment on its own does not provide a suitable appraisal of the application area.
- We recommend that the site is subject to an archaeological evaluation, to be commissioned and undertaken at the expense of the developer, and carried out prior to any planning determination.
- The evaluation results should allow fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains within the development area. An informed judgement can then be made as to whether any planning consent will need to include provisions for the recording and, more importantly, the preservation of important archaeological remains in situ.
- The geophysical survey plot is most helpful in defining a new area of what is apparently archaeological activity in the northeastern part while indicating other areas for which the variation in the geophysical plot is unexplained. However, the trench plan is regrettably too low in density to either ground truth the geophysical survey data or to provide an adequate characterisation of the application area. The layout ignores the major anomaly in south, the extent of the new archaeological site, and the slope of the hill on which downward soil movement can be expected (especially given the trend of medieval ploughing) has not been addressed.
- Therefore, the evaluation trench layout will be unable to provide a statement of the significance of the archaeological resource of the application area. I recommend that a more proportionate trench array is devised that will satisfy the needs of NPPF paragraph 128. Such a low density of trenching for a major housing development scheme where impacts to archaeological remains will be total is not acceptable.
- We advise that the trench plan is rejected and that the applicant /their agent is asked to put forward a more proportionate evaluation strategy for this proposed development area.

6.10 **Environment Agency** – Following the submission of revised drainage calculations the Environment Agency is able to remove the objection relating to the adequacy of the flood risk assessment. However, they continue to object to the proposed development on the following grounds:

- Insufficient information relating to foul water treatment infrastructure.

6.11 **Anglian Water**

- There are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary
- The foul drainage from this development is in the catchment of Haddenham Water Recycling Centre, that will have available capacity for these flows
- The sewerage system at present has available capacity for these flows.

- 6.12 **Cambridgeshire County Council Transport Assessment Team:** Initial holding objection, which was removed following the submission of additional transport information
- The additional information, which initially took the form of a response note has been incorporated into an amended Transport Assessment for Ease of reference
 - The County Council is satisfied that the issues raised in relation to this development have been adequately addressed and the scheme is acceptable subject to the use of satisfactory planning conditions.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 East Cambridgeshire Core Strategy 2009

CS1	Spatial Strategy
CS2	Housing
CS6	Environment
CS8	Access
H1	Housing Mix and Type
H2	Density
H3	Affordable housing
S4	Developer contribution
CS7	Infrastructure
S6	Transport impact
S7	Parking provision
EN1	Landscape and settlement character
EN2	Design
EN3	Sustainable construction and energy efficiency
EN4	Renewable energy
EN5	Historic conservation
EN6	Biodiversity and geology
EN7	Flood risk

7.2 East Cambridgeshire Local Plan Pre submission version (February 2013) as amended.

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 5	carbon offsetting
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

HAD 1	Housing allocation, land off Rowan Close
HAD 2	Housing allocation, land at New Road

8.0 CENTRAL GOVERNMENT POLICY

8.1 National Planning Policy Framework 2012

Core Planning Policies

- 4 Promoting sustainable transport
- 5 Supporting high quality communications infrastructure
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

9.0 PLANNING COMMENTS

9.1 The proposed development is located outside the development envelope on unallocated land, and is therefore a departure from both Core Strategy and draft Local Plan policies. As such, the key consideration in determining the application is whether or not there are sufficient material considerations in favour of the development so as to outweigh the provisions of the development plan, which seek to strictly control development in the countryside. In this respect the following material considerations are relevant:

- Presence of a five year housing land supply;
- Sustainability and the needs and priorities of Haddenham
- Impacts on visual amenity and the character of the countryside and the setting of Haddenham
- Impacts on ecology and biodiversity
- Impacts on the historic environment
- Flood risk and drainage issues
- Issues of highway safety and accessibility
- Impacts on residential amenity

Development in the countryside and presence of five year housing supply

9.2 Section 38 (6) of the Planning and Compulsory Purchase Act requires that decisions on planning applications are made in accordance with the Development Plan, unless material considerations indicate otherwise. The statutory Development Plan for the District currently comprises the East Cambridgeshire Core Strategy, 2009 and the Cambridgeshire and Peterborough Minerals and Waste Plan 2012.

9.3 The current Core Strategy will be replaced by the East Cambridgeshire Local Plan, which has reached an advanced stage of preparation, having gone through public examination and several stages of public consultation. These emerging policies are a material consideration in determining planning applications and Annex 1 of the National Planning Policy Framework states that the level of weight which can be attached to them will depend on the following:

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

9.4 In relation to the post modification housing supply policies there have only been four objections alongside three representations in support. In light of this low level of objection and the advanced stage of production, it is considered that these policies can be given weight.

9.5 Details of all of the representations received in relation to all the emerging policies can be viewed on the Council's website using the following links:

<http://www.eastcambs.gov.uk/sites/default/files/SD9%20Summary%20of%20Representations%20on%20the%20pre-submission%20Local%20Plan.pdf>

http://www.eastcambs.gov.uk/sites/default/files/Summary%20of%20Reps%20Consultation%20Statement%209June14_0.pdf

9.6 The application site is located outside the development envelope for Haddenham, on land designated in the Core Strategy as countryside. Policy CS1 of the Core Strategy states that development in the countryside will be strictly controlled, and restricted to that which is essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction and outdoor recreation – or to other uses specifically identified in the plan. Policy CS2 states that outside settlement boundaries and allocated sites, there will be a strict control over residential development. Exceptions to this policy include affordable housing, sites for gypsies and travellers and agricultural workers dwellings.

9.7 The proposed development does not fall within any of the exceptions policies contained within the Core Strategy relating to development in the countryside. It is therefore contrary to the policies within the Development Plan and as such, the application should be refused, unless material considerations indicate otherwise.

9.8 One of the key aims of National Planning Policy Framework (NPPF) is to significantly boost the supply of housing. In order to meet this aim, in paragraph 47 it states that local authorities should identify and update annually a supply of specific, deliverable sites, sufficient to provide five years worth of housing against their housing requirements, plus an additional buffer of 5%. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

- 9.9 The NPPF goes on to state at paragraph 49 that *“housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing site.”*
- 9.10 The applicant has submitted assessments of East Cambridgeshire’s 5 year supply of housing land, which conclude that ECDC does not have a 5 year supply. Indeed, they argue that applying the Sedgefield Methodology, if all large potential windfall sites are included, that ECDC only has a land supply of a maximum of 3.17 years. They consider this to be an optimistic calculation, assessing in detail some of the large Local Plan Allocations, and suggest that if all sites were assessed in detail the overall supply is likely to be further reduced.
- 9.11 The applicant disagrees with the Local Plan Target of 11,500 dwellings in the draft Local Plan period, and this objection was submitted as part of the Examination of the Plan. The applicant also asserts that the Council should be applying a 20% buffer as they consider that there is evidence of persistent under delivery of housing in the district.
- 9.12 The applicant therefore asserts in paragraph 5.6 of the Land Supply Assessment that there is a *“critical shortfall of housing supply within East Cambridgeshire that must be addressed as a matter of urgency if important local and national objectives are to be met.”* This being the case, they argue that the policies relating to land supply, which include those relating to housing development in the countryside, should be considered to be out-of-date, with the emphasis on determining the application placed on the presumption in favour of development in the NPPF.
- 9.13 At the Examination of the draft Local Plan, the Inspector queried the estimated delivery rates in North Ely, and indicated that windfall rates for garden land should be excluded from future supply estimates. Following discussion with the Church Commissioners and Endurance Estates, more cautious assumptions have been included for delivery of North Ely – and estimates have been adjusted to exclude garden land. A number of other adjustments were also made in the methodology used to calculate the five year supply, and the at the request of the Planning Inspector. The latest trajectory and five year supply calculation is therefore considered to provide an up to date and realistic assessment of housing supply in East Cambridgeshire.
- 9.14 During the Local Plan hearing sessions the Inspector did not indicate any insurmountable soundness problems Plan. However, some areas of concern were highlighted, and after the close of the hearing sessions, an Inspector’s note was published setting out these key concerns. These included comments relating to the different sources of housing supply and overall flexibility in delivery. The updated Five Year Housing Supply Assessment, referred to above, was carried out to address these concerns.
- 9.15 In respect of the buffer that should be applied, the Inspector did not query the 5% applied by ECDC at the hearing sessions and the published note does not indicate any concerns relating to the use of a 5% buffer. It is correct that the National Planning Policy Framework indicates that where there is persistent under-delivery of housing, a

buffer of 20% rather than 5% should be used. Gladman claim that as recent delivery rates during the recessionary period have been lower than the housing target, that the 20% buffer should be applied. However, advice in the recently published National Planning Policy Guidance document is clear on the matter – *‘The assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle.’* Between 2001 and 2012 there was a housing oversupply of 23% against the District’s housing target.

- 9.16 In conclusion, the revised housing trajectory uses conservative and reasonable estimates to calculate the future supply of housing, and the methodology is considered to be consistent with Government advice in the National Planning Policy Framework and the National Planning Policy Guidance. The Council therefore considers that its position in relation to housing supply is robust, and that no additional sites, such as the one proposed in this application, would be required to meet the objectively assessed need.
- 9.17 The local planning authority considers that the absence of a five year housing supply is not a legitimate material consideration in this case and cannot be used to justify the setting aside of sound planning policies relating to the control of development in the countryside and the locational strategy for new residential development across the district.

Sustainability and the needs and priorities of Haddenham.

- 9.18 A key principle underpinning the NPPF is the presumption in favour of sustainable development. The sustainability or otherwise of a particular development proposal is therefore a key material consideration in determining planning applications. This is reflected in policies within the Core Strategy and the emerging Local Plan.
- 9.19 Policy CS6 of the Core Strategy states that *“all new development should contribute to the delivery of sustainable development, by being designed and located to minimise carbon emissions and the use of non-renewable resources”* and policy CS8 makes it clear that reducing the need to travel by car involves *“ensuring development is located where it is most accessible and can help to increase the use of non-car modes.”*
- 9.20 In the emerging Local Plan, the locational strategy set out in policy GROWTH2 is designed to ensure that growth is sustainable, by focussing the majority of new development on the Market Towns of Ely, Soham and Littleport. These locations have a wide range of jobs, services and facilities and better transport infrastructure. Locating development in these locations can therefore help to reduce out-commuting, the need to travel, carbon emissions and energy use.
- 9.21 It is acknowledged that there is a need to support the villages within East Cambridgeshire and in this respect, some limited growth can help to sustain local services and community activities. However, it is considered that the most sustainable path for the district is to focus development on the Market Towns as set out above. In this context the provision of 100 residential dwellings on unallocated land outside a village envelope is not considered sustainable development.

- 9.22 Haddenham is a large village with a reasonable level of services, and it is anticipated that Haddenham will grow over the Plan period through infill sites within the village and two specific housing allocations set out in Haddenham ‘village vision’ within the emerging Local Plan. These ‘village visions’ are neighbourhood plan-style documents, that were developed in close collaboration with Parish Councils and local communities. This high level of local engagement and empowerment has enabled the Council to closely “reflect the needs and priorities” of communities within the Local Plan as advocated by the NPPF (paragraphs 1 and 17). This approach also accords with the Government’s Localism agenda.
- 9.23 In the case of Haddenham, there was clear local opposition towards large scale growth – 62% of respondents to the Issues & Options consultation supported growth of less than 20 dwellings whilst only 2% supported large-scale growth of over 20 dwellings. The outcome of the site allocation process for Haddenham took account of this local feeling and resulted in two small/medium scale housing developments: HAD 1 (15 dwellings off Rowan Close) and HAD 2 (24 dwellings at New Road), supported by a 0.8ha employment development at Haddenham Business Park (HAD 3).
- 9.24 The needs and priorities for Haddenham over the plan period have therefore been assessed as medium-scale housing development balanced by an extension of Haddenham Business Park. The Inspector appointed to consider the soundness of the draft local plan has not indicated that this scale of housing development is too small for the village.
- 9.25 The County Council is satisfied with the amended Transport Assessment, which asserts that Haddenham is a sustainable location for residential development. However, the local planning authority is entitled to make its own assessment of suitability issues posed by the development. In this respect, it is not the sustainability of Haddenham as a village that is called into question, but the sustainability of the scale of development proposed in this location.
- 9.26 Whilst there is some provision for public transport, the choice of travel times, particularly in relation to travel to Cambridge, is limited, and in reality it is unlikely to suit the majority of working patterns. In addition, although the small scale leisure and retail facilities within the village are likely to fall within a reasonable walking distance, people would need to travel to a larger centre, be that Ely or Cambridge, for more specialised retail and leisure needs. In this respect, it is again unlikely that the limited public transport options would be sufficient and the majority of journeys would therefore be made by private vehicle.
- 9.27 When taken cumulatively with the housing allocations proposed for Haddenham and the recently approved affordable housing exception site, the proposed development would result in an unsustainable amount of residential development, which would far outstrip the modest increase in employment development proposed and would potentially cause additional and unanticipated demands on local infrastructure. The limited employment, retail and leisure opportunities within the village coupled with the limited options in terms of public transport would result in an unsustainable pattern of development encouraging high levels of out commuting, contrary to policies CS6 and CS8 of the current Core Strategy and policy COM7 of the draft Local Plan 2014.

9.28 The development proposal is therefore inappropriate for Haddenham in terms of its scale and is inconsistent with the Haddenham Vision, which forms part of the emerging Local Plan, which carries significant weight as a material consideration. It is also out-of-kilter with the locational strategy for development within the district which seeks to secure the most sustainable pattern of growth by focussing the majority of development on the three Market Towns.

Impacts on visual amenity and the character of the countryside

9.29 The application site is located on the eastern edge of Haddenham on predominantly undeveloped land, which falls towards the south, as part of a ridge running east-west between Haddenham and Wilburton. Whilst the site is not covered by any landscape quality designations (there are no such designations within East Cambridgeshire), the site does make a positive contribution to the setting of the village.

9.30 Policy EN1 of the Core Strategy recognises the importance of the edge of settlement locations and requires developments to demonstrate that their location, scale, design and materials will protect, conserve and where possible enhance the settlement edge, space between settlements and their wider landscape setting. This requirement is also carried forward in policy ENV1 of the draft Local Plan.

9.31 A Landscape and Visual Impact Assessment has been submitted with the application, which identifies and assesses the significance of and the effects of change resulting from the development both on landscape and people's views and visual amenity. In terms of the impact on the landscape, the assessment concludes that the impact on the Fens National Character Area and the 'Fens' landscape on a regional scale would be negligible. However, it acknowledges that the development would inevitably have an effect on the local landscape.

9.32 In terms of visual effects, the assessment states that the open views into the site are limited and that localised topography and vegetation cover restrict visibility from much of the wider landscape. It is correct that the vegetation along the southern side of Wilburton Road restricts views of the site on the approach to the village from the east. However the development will be clearly visible from Wilburton Road, directly to the north of the site and there would also be limited views from users of the southern section of Lode Way.

9.33 The assessment concludes that the housing to the east of Haddenham already creates a fringe feel with an abrupt edge, and that the proposals would provide a softer transitional edge to the existing development. However, whilst the physical layout of the development in Orchard Way does create a single hard edge to the settlement when viewed on plan or from an aerial view, this is not how the setting of the village is perceived from the public vantage points of Wilburton Road. Due to the existing landscape features, the topography of the area and the position of the public highways, what is in fact perceived, is a low density single frontage of development, punctuated by gaps affording views across the countryside beyond. This is not a hard edge, but a transitional zone, which provides an attractive setting for the village. It therefore considered that the proposed development of this land would result in a significant adverse effect on the setting of the village.

9.34 In light of the impact on the setting of Haddenham described above, the proposal would be contrary to policy EN1 of the Core Strategy and policy ENV1 of the draft Local Plan. It would also be contrary to the guidance contained within paragraph 109 of the National Planning Policy Framework which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Impacts on ecology and biodiversity

9.35 Objectors have raised concerns over the loss of wildlife habitat and the potential adverse impact on various species, including bats, which are protected. Policies EN6 and ES6 of the Core Strategy and draft Local Plan respectively, seek to ensure that the impact on wildlife is minimised and that opportunities for biodiversity enhancement are taken.

9.36 The site is not in close proximity to any designated sites and does not have any designations itself. There are three non-statutory County Wildlife Sites located within 1km of the site, but it is considered that these would not be adversely affected by the proposed development.

9.37 Given the scale of the proposal and the undeveloped nature of the site, it is appropriate that the impacts on biodiversity and protected species are assessed in line with local and national Planning Policy, and with regard to the Natural England Standing Advice on Protected Species. In this respect, an Ecological Assessment has been submitted with the application, which includes details of an extended phase 1 habitat survey.

9.38 The survey indicates the presence of priority habitat hedgerows. However, the majority of these would be retained, with new hedgerow planting to mitigate for any losses. Mitigation has also been recommended that would prevent unlikely but possible negative impacts on badgers, breeding birds and reptiles.

9.39 With regards to the more general loss of habitat and impacts on biodiversity, the report suggests a number of possible biodiversity enhancements and it is considered that appropriate provisions for habitat creation and biodiversity features could be achieved on site.

9.40 The potential impact on great crested newts is considered within the report and various waterbodies around the site were assessed for suitability for great crested newts. The report recommends that no further survey work for great crested newts is required.

9.41 The trees and existing buildings on site were assessed for bat roost potential. None of the trees present within the site had the potential to support roosting bats. However, the two buildings were assessed as having low potential. In light of this, a bat emergence/return survey was undertaken to ascertain whether roosting bats are using the two buildings on the site. The survey was undertaken by two surveyors with hand-held bat detector units, covering all potential bat access/egress points on the buildings at either dusk or dawn. No bats were seen or recorded emerging from or returning to

roost in either and as such, roosting bats are considered to be absent from both buildings and are not likely to pose a constraint to their demolition.

- 9.42 Given the absence of roosting bats and the very low activity levels recorded at the site, the ecologist has advised that specific mitigation measures are not considered necessary for this development. However, so that the site continues to provide roosting opportunities for bats following demolition and post-development, two or three bat boxes could be installed on retained mature trees along boundary features or within an area of open space as an ecological enhancement measure.
- 9.43 The correct survey work has been undertaken and appropriate mitigation measures have been proposed, where this is necessary. The local planning authority can therefore be satisfied that there would be no adverse impact on protected species as a result of the development. Landscape features could be retained as part of the development and additional biodiversity features could be incorporated into the design, layout and landscaping. The application therefore satisfies the requirements of policy EN6 of the Core Strategy and is in accordance with the guidance contained within the NPPF, which states that local planning authorities should aim to conserve and enhance biodiversity.

Flood risk and drainage issues

- 9.44 The application site is not situated within a designated flood zone. However, a flood risk assessment is required in support of the development, due to its scale. Having reviewed the submitted information the Environment Agency initially objected to the proposed development, due to the absence of an acceptable Flood Risk Assessment (FRA) and the insufficient information relating to foul water treatment infrastructure.
- 9.45 Following the submission of revised drainage calculation as part of an amended Flood Risk Assessment, the Environment Agency has removed the objection concerning the proposed development. The revised calculations demonstrate the maximum likely attenuation capacity required to limit the surface water runoff to 20 l/s, which is the level required by the Environment Agency. This has demonstrated it would be feasible to attenuate the surface water runoff from the development without increasing the risk of flooding.
- 9.46 The Agency has expressed disappointment that no further work has been done to integrate higher order SuDS into the development. However, this could be carried out at the reserved matters stage of the development when the design and layout are specified. As such, it would not be reasonable to refuse the application on this basis.
- 9.47 In relation to foul water treatment infrastructure, The Environment Agency has raised concerns that there is insufficient evidence that the proposal can be delivered without detriment to the water environment. This site has not been allocated for housing in the Draft Local Plan and has therefore not been included in the assessments of capacity.
- 9.48 Whilst Anglian Water has not objected to the proposal, the Environment Agency have confirmed that the comments received by Anglian Water do not provide any further evidence to address the concerns raised in their original response. As such, the

Environment Agency has not removed its objection in relation to foul sewerage capacity.

- 9.49 The proposal therefore fails to demonstrate that it complies with policy EN8 of the East Cambridgeshire Core Strategy 2009 and ENV9 of the draft East Cambridgeshire Local Plan 2014, which seek to ensure that all development proposals should ensure no deterioration in water quality.

Impacts on the historic environment

- 9.50 The application site is outside the Haddenham Conservation Area and there are no listed buildings in close proximity. However, the Historic Environment Team at the County Council have highlighted that the site could have archaeological potential. In this respect they have objected to the application on the basis that it provides insufficient archaeological information.
- 9.51 The applicant has submitted an archaeological desk-based assessment, which concludes that there is a low potential for significant archaeological evidence and therefore deems pre-determination field evaluation as unnecessary. This is a point which is disputed by the Historic Environment Team.
- 9.52 The applicant has also submitted a geophysical survey and trench plan in support of the application. The County has advised that the geophysical survey plot is helpful in defining a new area of what is apparently archaeological activity in the northeastern part while indicating other areas for which the variation in the geophysical plot is unexplained. However, the trench plan is considered to be too low in density to either ground truth the geophysical survey data or to provide an adequate characterisation of the application area. The layout ignores the major anomaly in south, the extent of the new archaeological site, and the slope of the hill on which downward soil movement can be expected (especially given the trend of medieval ploughing) has not been addressed.
- 9.53 The County has advised that the evaluation trench layout will be unable to provide a statement of the significance of the archaeological resource of the application area and as such will not satisfy the needs of the National Planning Policy Statement which requires a proportionate understanding of the archaeological character and significance of the application area.
- 9.54 Paragraph 009 of the Planning Practice Guidance reiterates this requirement, stating that *“being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”*
- 9.55 In the absence of any undertaking to carry out any additional work in respect of archaeology, the County Historic Environment Team continues to object to the proposal as it provides insufficient archaeological information on which to base a planning decision. The proposal is therefore contrary to paragraph 128 of the National Planning Policy Framework, policy EN5 of the Core Strategy and policy ENV14 of the draft Local Plan.

Issues of highway safety and accessibility

- 9.56 A Transport Assessment has been submitted as part of the application, and this has been amended following the initial comments of the County's Principal Transport Officer.
- 9.57 Concerns have been raised by local residents and the Parish Council both about the safety of the proposed access and the impact on the local highway network as a result of the proposed development. Many have also expressed doubts about the adequacy and accuracy of the submitted information.
- 9.58 The Principal Transport Officer has reviewed the amended information and has confirmed to the local planning authority that they are satisfied that the issues raised have been adequately addressed so that they are able to remove their initial holding objection. This position is subject to the use of a number of planning conditions requiring a number of highways improvements including a new priority junction into the site, improvements to the A1123 Haddenham Road/Wilburton Road junction, proposed crossing facilities on Wilburton Road, the creation of a new footway along the A1123 New Road, between Wilburton Road, and the submission of a residential travel plan.
- 9.59 In light of the revised position of the County Council Transport Assessment Review, the local planning authority must acknowledge that the proposal would be acceptable on highway safety grounds and that any potential adverse effects could be mitigated by the use of conditions. The proposal is therefore considered to comply with policy S6 and S7 of the East Cambridgeshire Core Strategy 2009 and to policies COM7 and COM8 of the draft Local Plan.

Impacts on residential amenity

- 9.60 There are a number of residential properties in relatively close proximity to the site: those of Orchard Way to the west and those on Wilburton Road, to the north, from which the site would be accessed.
- 9.61 The change from an undeveloped piece agricultural of land to a residential development will clearly have an impact on the outlook and setting of these properties, and those towards the front of the development will be likely to experience an increase in activity from the occupants of that development using the main access point. However, the indicative master plan illustrates that there would be sufficient space to adequately mitigate for any adverse impact with the use of soft landscaping.
- 9.62 Objectors have raised concerns about noise and disturbance from the additional traffic movements to and from the site. It is considered that there would be an increase in traffic noise as a result of people entering and leaving the new development, however, the new access would be sufficiently distant from those properties in Orchard Way and those on Wilburton Road to ensure that there would not be a significant adverse effect on residential amenity.

- 9.63 The Council's Environmental Health Officer has reviewed the application and is satisfied with the findings of the submitted noise impact assessment in respect that the potential noise from existing road traffic on the proposed properties is unlikely to be significant and that required standards should be met.
- 9.64 The size of the gardens on the adjacent development, along with the scope for a sensitive layout within the site itself also indicates that it would be possible to achieve a design and layout that would enable sufficient separation distances to prevent any adverse effects on residential amenity in terms of overlooking of buildings being overbearing. It is therefore considered that the local planning authority could not object to the proposal on the grounds of residential amenity, as it would be possible to design a scheme that complied with policy EN2 of the Core Strategy and policy ENV2 of the draft Local Plan in that respect.

Other material matters

Impact on trees

- 9.65 An arboricultural impact assessment has been submitted with the application, which shows that the majority of the landscape features on the site could be retained. The Trees Officer is satisfied with report and the potential impact on individual trees is considered to be acceptable.
- 9.66 Air Quality
Concerns have been raised regarding the impacts on air quality and the fact that there are continuous monitoring points in the village for air quality, contrary to the statement in the Air Quality Management Report. The Environmental Health Officer has reviewed the application and have raised no concerns in relation to the impact on the proposed development on air quality.

Summary

- 9.67 The Council disagrees with the applicant's assertion that there is a critical shortfall of housing supply within East Cambridgeshire and as such the policies relating to land supply, which include those relating to housing development in the countryside, should be considered to be out-of-date, with the emphasis on determining the application placed on the presumption in favour of development in the national Planning Policy Statement.
- 9.68 As discussed earlier in this report, the Council considers that its position in relation to housing supply is robust, and that no additional sites, such as the one proposed in this application, would be required to meet the objectively assessed need. The absence of a five year housing supply is therefore not a legitimate material consideration in this case and cannot be used to justify the setting aside of sound planning policies relating to the control of development in the countryside.
- 9.69 The proposed development is considered to be out of scale with Haddenham and unsustainable, outstripping the modest increase in employment provision envisaged for the settlement, and placing significantly increased pressure on local infrastructure. The lack of employment, retail and leisure opportunities within the village coupled with the limited options in terms of public transport would result in an unsustainable pattern

of development, encouraging high levels of out commuting by private vehicle, contrary to policies CS6 and CS8 of the current Core Strategy and policy COM7 of the draft Local Plan 2014.

- 9.70 In addition, it is considered that the proposed development would give rise to significant adverse effects in terms of visual amenity and the impact on the setting of Haddenham, which forms part of a locally valued landscape.
- 9.71 Whilst there would be no adverse effects in terms of biodiversity, protected species, highway safety and residential amenity, due to a lack of sufficient information, the local planning authority cannot be satisfied that there would not be adverse effects on archaeological remains and foul water treatment infrastructure.

10.0 RECOMMENDATION

That the application be refused for the following reasons:

10.1 Reason 1

The application site is located outside the development envelope for Haddenham, on land designated in the Core Strategy as countryside. The development is therefore contrary to policies CS1 and CS2 of the East Cambridgeshire Core Strategy 2009, which state that development in the countryside will be strictly controlled, and restricted to specific exceptions. The development is also contrary to policy GROWTH2 of the draft Local Plan, which has been attached considerable weight given the advanced stage at which the Plan is in production.

The applicant has argued that in the absence of a five year housing supply the policies relating to land supply, which include those relating to housing development in the countryside, should be considered to be out-of-date. However, the Council considers that its position in relation to five year supply of land for housing is robust, and that no addition sites, such as the one proposed in this application, would be required to meet the objectively assessed need. The local planning authority therefore considers that the absence of a five year housing supply is not a legitimate material consideration in this case and cannot be used to justify the setting aside of sound planning policies relating to the control of development in the countryside and the locational strategy for new residential development across the district.

10.2 Reason 2

The proposed development, particularly when considered cumulatively with the proposed housing allocations for Haddenham and the recently approved affordable housing exception site, would result in an unsustainable amount of residential development, which would outstrip the modest increase in employment provision envisaged for Haddenham and place significantly increased pressure on local infrastructure. The lack of employment, retail and leisure opportunities within the village coupled with the limited options in terms of public transport would result in an unsustainable pattern of development, encouraging high levels of out commuting by private vehicle, contrary to policies CS6 and CS8 of the current Core Strategy and policy COM7 of the draft Local Plan 2014.

The development would also fail to accord with the locational strategy set out in policy GROWTH2 of the draft Local Plan, which seeks to secure the most sustainable pattern of growth by focussing the majority of development on the Market Towns, and would also be inconsistent with the Haddenham Vision which forms part of the emerging Local Plan.

10.3 Reason 3

The application site is located on undeveloped land at the edge of the village of Haddenham, which currently makes a positive contribution to the setting of the village. Due to the existing landscape features, the topography of the area and the position of the public highways, the character of the area as experienced on the ground is a low density single frontage of development, punctuated by gaps affording views across the countryside beyond. This is not a hard edge, but a transitional zone, which provides an attractive setting for the village and is part of a locally valued landscape. The proposed development of this land would result in a significant adverse effect on the setting of the village contrary to policy EN1 of the Core Strategy and policy ENV1 of the draft Local Plan. It would also be contrary to the guidance contained within paragraph 109 of the National PLANNING Policy Framework which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

10.4 Reason 4

The application provides insufficient archaeological information to enable the local planning authority to properly assess the nature and extent of the impact on potential archaeological remains within the site. The indicative thresholds provided as part of the outline application indicate that impacts upon archaeological remains could be total, and there is insufficient evidence to understand the potential impact of the proposed development, as required by paragraph 128 of the National Planning Policy Framework 2012. The application therefore fails to demonstrate that the requirements of policy ENV5 of the East Cambridgeshire Core Strategy 2009 and policy ENV14 of the draft Local Plan 2014.

10.5 Reason 5

The application provides insufficient evidence in relation to foul water treatment infrastructure to demonstrate that the proposal can be delivered without detriment to the water environment. The application therefore fails to comply with policy EN8 of the East Cambridgeshire Core Strategy 2009 and ENV9 of the draft East Cambridgeshire Local Plan 2014.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Planning Application	Penelope Mills Room No. 011 The Grange Ely	Penelope Mills Senior Planning Officer 01353 665555 penny.mills@eastcambs.gov.uk

<http://pa.eastcambs.gov.uk/online-applications/>

East Cambridgeshire Local Plan – post-hearing work and proposed modifications

<http://www.eastcambs.gov.uk/sites/default/files/d%26t%20cttee%20report%20on%20post%20hearing%20work%2014apr14.pdf>

Core Strategy

<http://www.eastcambs.gov.uk/local-development-framework/adoption-core-strategy>

Draft Local Plan

<http://www.eastcambs.gov.uk/local-development-framework/east-cambridgeshire-local-plan>