

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:

[P57]

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 Council cannot currently demonstrate a robust five year housing supply and therefore the policies within the Core Strategy relating to the supply of housing should not be considered up-to-date. In light of this, applications for housing development, such as this one, should be considered in the context of the presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF).

- 1.5 This application for up to 100 residential dwellings, would go some way to address the five year housing supply shortfall, which the Planning Inspector has advised amounts to 320 dwellings. The benefit of this development is therefore the contribution it would make in terms of housing supply within the District as a whole as well as the economic benefits of construction and additional population to support local businesses, and the provision of affordable housing.
- 1.6 The key considerations in determining this application are therefore: whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development, as set out above, when assessed against the policies in the NPPF taken as a whole and against the policies within the Core Strategy which do not specifically relate to the supply of housing; or, whether any specific policies within the NPPF indicate that the development should be restricted.
- 1.7 In making the above assessment, the following material considerations are relevant:
- Settlement strategy and sustainable patterns of development;
 - 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.
- 1.8 The proposed development is considered to be out of scale with Haddenham and therefore 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. When assessed against the policies within the NPPF as a whole and against those policies within the Core Strategy which remain relevant, it is considered that these adverse impacts would significantly and demonstrably outweigh the benefits of the development.
- 1.9 The application is therefore recommended for refusal.
- 1.10 **A Site visit has been arranged for 10:45am, 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 master plan 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;
- Arboricultural 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. 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 little in the way hedges or trees.
- 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 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** – At the time of writing this report, 56 people had commented on the application. Of these, 47 explicitly expressed that they objected to the proposal. No representations have been received supporting 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.eastcambs.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:

- Gladman 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, are 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** - Initially commented in defence of the Council's five year housing supply (see discussion in Planning Comments). However, the Planning Inspector has subsequently confirmed that there is a shortfall of 320 dwellings. The following comments in relation to Haddenham and the sustainability/suitability of the development are still considered to be relevant:

- 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.

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 north-eastern 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 |
| 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

Core Strategy Housing Policies Considered Out-of-Date

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 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.

- 9.2 The proposed development is located outside the development envelope on unallocated land, and would therefore normally constitute a departure from both Core Strategy and draft Local Plan policies. However, the current Core Strategy 2009 is based on evidence now considered to be out of date. The emerging Local Plan is currently under Examination, and the Local Plan Inspector has recently issued an Interim Conclusions Report (appendix 1) stating that in his view there is a shortfall of 320 dwellings in the Council's five year housing land supply. He has advised that the Hearings for the Examination be deferred for two months to allow the Council to address this issue.
- 9.3 Therefore, whilst the Inspector is satisfied that a robust supply of housing land has been demonstrated for the Plan period as a whole (13,000 dwellings), and that the use of a 5% buffer in calculating housing supply is acceptable, the Council cannot demonstrate a robust five year housing supply at the present time, due to the shortfall highlighted above.
- 9.4 Members should note that whilst there is currently a lack of 5 year housing land supply, the Council is due to consider a series of proposed modifications to the Local Plan to address the issue, at the Full Council meeting on 4th September. It is therefore anticipated that at some stage in the near future, the Council will be able to demonstrate a 5 year housing land supply.
- 9.5 Notwithstanding the ongoing work to address the housing land supply shortfall, at the present time, paragraph 49 of the NPPF applies, which states that relevant policies for the supply of housing should not be considered up-to-date, and housing applications, such as this one, should be considered in the context of the presumption in favour of sustainable development.
- 9.6 The presumption in favour of sustainable development is a key principle underpinning the NPPF. The sustainability or otherwise of a particular development proposal is therefore a key material consideration in determining planning applications, particularly in those cases where relevant housing policies are considered out-of-date, due to the absence of a five year housing supply.
- 9.7 Paragraph 7 of the NPPF defines sustainable development as having three dimensions: economic, social and environmental. These give rise to three key roles of the planning system:
- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local

services that reflect the community's needs and support its health, social and cultural well-being; and

- An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of these, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

9.8 In practice, the presumption in favour of sustainable development means that development proposals should be approved unless any adverse impacts would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole and against the policies within the Core Strategy which do not specifically relate to the supply of housing; or, whether any specific policies within the NPPF indicate that the development should be restricted.

9.9 The benefits of the development, against which any adverse impacts must be weighed, are: the contribution that it would make in terms of addressing the housing supply shortfall, within the District as a whole; the economic benefits of construction and additional population to support local businesses; and the provision of affordable housing to meet the needs of the district as a whole.

9.10 In making this assessment of impacts against benefits, the following material considerations are considered to be relevant:

Environmental Sustainability

- Settlement strategy and sustainable patterns of development
- 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

Social Sustainability

- Issues of highway safety and accessibility
- Impacts on residential amenity
- Provision of affordable housing to meet district-wide need
- Impacts on local services and infrastructure

Economic Sustainability

- Economic benefits of construction industry jobs
- Increased population supporting local businesses

Settlement strategy and sustainable patterns of development

9.11 The importance of sustainable development emphasised in the NPPF is echoed in the policies of the Core Strategy and the draft Local Plan. One of the key ways in which sustainable development is achieved is through a clear settlement strategy and policies directing development to the most sustainable locations. These policies do not

specifically relate to the supply of housing and as such are still a relevant consideration in determining this application.

- 9.12 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.”*
- 9.13 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.
- 9.14 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. This reflects the advice in the NPPF, which seeks to support prosperous rural communities (part 3 and part 6 paragraph 55.) 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 considered to be contrary to the settlement hierarchy in policy GROWTH2 of the draft Local plan and contrary to the spatial strategy set out in policy CS1 of the Core Strategy.
- 9.15 Haddenham is a relatively 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.
- 9.16 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).
- 9.17 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.

- 9.18 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.
- 9.19 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.
- 9.20 When taken cumulatively with the housing allocations proposed for Haddenham and the recently approved affordable housing exception site at Northumbria Close, 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, which could not be easily mitigated for. 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.
- 9.21 The development would also be contrary to the environmental strand of achieving sustainable development in the NPPF (paragraphs 7, 34 and 95) as the location would lead to a car-dependant development as described above, and would therefore fail to reduce greenhouse gas emissions.
- 9.22 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

- 9.23 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.
- 9.24 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 and can be seen in the environmental strand of sustainable development as defined in the NPPF, which states that the planning system should contribute to protecting and enhancing our natural built and historic environment (paragraph 7).

- 9.25 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.
- 9.26 Haddenham is one of the highest points in the Fens and the application site sits at a key vantage point in the district. From this part of Haddenham, there are attractive and locally valued views from the ridge down across the Fens to Cambridge, and the site takes in part of this existing vista. This is a highly distinctive landscape in the local area and is an important part of the setting not only of Haddenham but also of the Isle of Ely. This open and attractive vista also forms an important gap between Haddenham and Wilburton, with the highway between the two running along the top of the ridge.
- 9.27 In terms of visual effects of the development, 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 partially restricts views of the site on the approach to the village from the east. However, this vegetation, which does not benefit from any special protection, does not prevent all views across the site, nor does it diminish the importance of this particular landscape. In addition, the development would be clearly visible from Wilburton Road, directly to the north of the site and there would also be views from users of the southern section of Lode Way.
- 9.28 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 is therefore considered that the proposed development of this land would result in a significant adverse effect on the setting of the village.
- 9.29 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.

- 9.30 The presumption in favour of sustainable development set out in paragraph 14 of the NPPF states that applications should be approved unless: any adverse effects would significantly and demonstrably outweigh the benefits; or where specific policies in the NPPF indicate the development should be restricted. In the case of visual amenity and the character of the area (part of the environmental sustainability of the proposal), it is considered that the adverse effects would significantly outweigh the benefits the development would bring in terms of helping to address the housing supply shortfall for the district, bringing affordable housing and associated economic benefits. It is also considered the development would directly conflict with policy 11 of the NPPF 'Conserving and enhancing the natural environment'

Impacts on ecology and biodiversity

- 9.31 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.
- 9.32 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.
- 9.33 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.
- 9.34 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.
- 9.35 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.
- 9.36 The potential impact on great crested newts is considered within the report and various water bodies 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.

- 9.37 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.
- 9.38 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.
- 9.39 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 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

- 9.40 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.
- 9.41 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 is will be feasible to attenuate the surface water runoff from the development without increasing the risk of flooding.
- 9.42 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.

- 9.43 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.
- 9.44 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.
- 9.45 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

- 9.46 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.
- 9.47 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.
- 9.48 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 north-eastern 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.
- 9.49 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.
- 9.50 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.”*

9.51 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

9.52 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.

9.53 Concerns have been raised by both local residents and the Parish Council 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.

9.54 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. A list of the conditions the Transport Officer requires to mitigate the proposed development is attached at appendix 2.

9.55 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

9.56 There are a number of residential properties in relatively close proximity to the site: those in Orchard Way to the west and those on Wilburton Road, to the north, from which the site would be accessed.

9.57 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.

- 9.58 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.
- 9.59 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, however, as they have also stated, this needs to be confirmed at the detailed design stage.
- 9.60 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

- 9.61 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.

9.62 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 has raised no concerns in relation to the impact on the proposed development on air quality.

9.63 Associated Economic Benefits

The NPPF (paragraph 54) recognises that housing development in rural areas can help promote sustainable development by supporting local services. A development of this scale would also bring other economic benefits in terms of construction jobs. However, it is considered that these benefits would be significantly outweighed by the adverse impacts previously discussed in this report.

9.64 Affordable Housing

As previously discussed, the Planning Inspector has accepted the Council's Housing figures for the whole Plan period. If this is delivered, then the Council will also address the identified affordable housing need for the district.

It is important to note that in terms of local need, Haddenham has an affordable housing scheme off Northumbria Close for 24 dwellings, which is currently under construction. In addition the allocation should provide approximately 12 affordable homes.

Given the local context and the fact that affordable housing supply for the plan period has been identified, it is considered that the benefit associated with the affordable housing element of this development would be significantly outweighed by the adverse impacts previously discussed in this report. Furthermore, it should be highlighted that whilst the Design and Access Statement states that approximately 30% affordable housing would be achieved, the viability of this has not been fully assessed. This is particularly important given the as yet unknown archaeological costs associated with the development and the significant highways improvements required by the County Council.

9.65 Local Infrastructure and Services

Numerous representations have raised concerns about the potential adverse impacts on the local services, in particular health and education provision. Local infrastructure would generally be secured through the Community Infrastructure Levy (CIL). However, there are instances where contributions for specific improvements, made necessary by the development, could be secured through a S106 Agreement.

Given that the local planning authority has significant concerns with the proposed development and is recommending the refusal of the application, negotiations have not taken place in relation to local infrastructure and possible contributions.

Summary

9.66 The Council accepts that in light of the five year housing supply shortfall, identified by the Planning Inspector, paragraph 49 of the NPPF applies, and relevant policies for the supply of housing should not be considered up to date. However, other policies within the plan such as those relating to specific issues such as sustainability, visual amenity and ecology are still relevant.

9.67 The application has been assessed in line paragraph 14 of the NPPF, which states that where relevant policies are out-of-date, applications should be approved unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole; or where specific policies in the NPPF indicate the development should be restricted.

9.68 The proposed development is considered to be out of scale with Haddenham and therefore environmentally and socially 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. The proposal would therefore fail to meet the environmental thread of sustainable development as set out in the NPPF, by virtue of its failure to help reduce green house gas emissions.

- 9.69 In addition, it is considered that the proposed development would give rise to significant adverse impacts in terms of visual amenity and the impact on the setting of Haddenham, which forms part of a locally valued landscape. These impacts would significantly outweigh the benefit of the development, in terms of the contribution it would make to the housing supply shortfall for the district as a whole. As a result of these impacts the proposal would also be contrary to policy EN1 of the Core Strategy and policy ENV1 of the draft Local Plan, as well as policy 11 of the NPPF 'Conserving and enhancing the natural environment'
- 9.70 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 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 be contrary to the environmental strand of achieving sustainable development in the NPPF (paragraph 7 and 95) as the location of would lead to a car-dependant development and would therefore fail to reduce greenhouse gas emissions.

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.

It is considered that these adverse effects would significantly and demonstrably outweigh any benefit the development would bring in terms of helping to address the housing supply shortfall for the district.

10.2 Reason 2

Haddenham is one of the highest points in the Fens and the application site sits at a key vantage point in the district. From this part of Haddenham, there are attractive and locally valued views from the ridge down across the Fens to Cambridge, and the site takes in part of this existing vista. This is a highly distinctive landscape in the local area and is an important part of the setting not only of Haddenham but also of the Isle

of Ely. This open and attractive vista also forms an important gap between Haddenham and Wilburton, with the highway between the two running along the top of the ridge.

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.

It is considered that these adverse effects would significantly and demonstrably outweigh any benefits the development would bring in terms of helping to address the housing supply shortfall for the district, providing jobs and additional economic support for local businesses and providing additional affordable housing. It is also considered the development would directly conflict with policy 11 of the NPPF 'Conserving and enhancing the natural environment'.

10.3 Reason 3

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.

10.4 Reason 4

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.

Could be supplied within the necessary timescales

| <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>

**EAST CAMBRIDGESHIRE LOCAL PLAN (LP) EXAMINATION
INSPECTOR'S INTERIM CONCLUSIONS – 14 July 2014
MATTER 1 – DUTY TO CO-OPERATE
MATTER 2 – MEETING HOUSING NEEDS**

Introduction

1. Further to my comments at the resumed hearing session (held on 23 June 2014) I am writing to set out my Interim Conclusions in respect of matters 1 and 2. For the avoidance of doubt, this note does not set out a final view on the soundness of the Plan in respect of these (or any other) matters and is issued without prejudice to the contents of my final report.
2. A further paper on five year housing supply was prepared by the Council after the resumed hearing session¹. This was made available for comment by other interested parties. My interim conclusions take this paper and the representations received into account.

Matter 1 – Assessment of the Duty to Co-operate

3. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with the duty imposed on it by section 33A of the 2004 Act in relation to the Plan's preparation. The Council comments on this in its Duty to Co-operate Statement², which describes the activities that it has undertaken with other bodies in order to maximise the effectiveness of Plan preparation. These include Cambridgeshire County Council, other planning authorities (including councils in Suffolk) and relevant statutory bodies.
4. In particular, the Council has participated in the Cambridgeshire and Peterborough Joint Strategic Planning Unit, which has enabled consideration of a range of strategic issues and the preparation of a Memorandum of Co-operation (MoC)³ (discussed in more detail below). This sets out the vision and objectives for the long-term development of the Cambridgeshire and Peterborough area. It also outlines the broad spatial approach towards meeting the area's growth needs. Other joint working has included the preparation of a Water Cycle Study (with Fenland District Council): this has been updated with the agreement of a joint position statement between the Council, Anglian Water and the Environment Agency⁴
5. While Duty to Co-operate objections to the Plan were raised by some other local planning authorities, these are not now being maintained in the light of the Council's revised stance on housing numbers as set out below. Outstanding concerns relate to matters of detail only. The Council's active participation in relevant joint bodies and its adoption of the amended position on housing provision as agreed in the MoC represent

¹ Document ref. HE/16, dated 27 June 2014.

² Document ref. SD/17.

³ Document ref. SD/18.

⁴ Document refs. ENE/1 and PST/3.

clear evidence that it has co-operated constructively, actively and on an ongoing basis. Therefore, I am satisfied that the duty has been complied with.

Matter 2 – Meeting Housing Needs

a. Objective Assessment of Housing Needs

6. The Local Plan as submitted states, with reference to a Housing Requirement Paper dated February 2013⁵, that the evidence indicates that there is likely to be a need for about 9,000 to 10,000 dwellings over the 20 year period 2011-2031. Background papers prepared by the Council⁶ raise some concerns about the robustness of the Strategic Housing Market Assessment (SHMA)⁷. However, as was confirmed at the relevant hearing session, the Council's position has changed in respect of this matter. In line with the above-noted Memorandum of Co-operation (MoC), it now accepts the conclusion of the SHMA for the Cambridge sub-region housing market area (HMA)⁸ that 13,000 additional homes are needed within East Cambridgeshire District over that period. The Council proposes amended wording to reflect the revised position, which is included in the modifications discussed below.
7. A number of challenges have been made to the Council's assessment of housing need. Some of these objections relate to the 9,000-10,000 dwelling figure: given that the Council no longer proposes this, and bearing in mind my comments below, there is little merit in discussing that target in any further detail. Concerns in respect of the intended apportionment of housing need within the HMA are also discussed below. However, it is first necessary to consider the objections that have been made to the Council's amended position in respect of objectively assessed needs: in summary, these take the view that the 13,000 dwelling figure is an inadequate representation of the true level of housing needs within the District between 2011 and 2031.
8. The key evidence base underlying the 13,000 figure is the SHMA (notably its updated chapters 12 and 13) supported by the Population, Housing and Employment Forecasts Technical Report (PHEFTR)⁹ (April 2013) published by Cambridgeshire County Council (CCC). The relevant methodology is set out in section 2 of the PHEFTR. In summary, this considers a range of forecasts and projections, including national population and household projections (including the 2011-based DCLG household projections), local data (notably CCC's own population forecasts) and sub-national models (the East of England Forecasting Model (EEFM) and the Local Economy Forecasting Model (LEFM)). The outputs from the different data sources are compared at the district level, with revisions to reflect the 2011 Census. For East Cambridgeshire, the report identifies an indicative population figure of around 110,000 by 2031. Using occupancy ratios of 2.35 and 2.24 people per dwelling (at 2011 and 2031 respectively), this indicative population figure has been used to generate dwelling numbers. For East Cambridgeshire, this equates to a change from 36,000 to 49,000 dwellings (+13,000).

⁵ Document ref. HE/3.

⁶ For example document HE/4.

⁷ Document HE/8.

⁸ The Cambridge HMA includes the five Cambridgeshire districts as well as Forest Heath and St Edmundsbury in Suffolk.

⁹ Document SE/10.

9. A number of technical objections have been raised about this approach, including concerns about migration assumptions and the use of standard occupancy ratios. While the interim 2011-based projections suggest higher levels of net in-migration for East Cambridgeshire than previous projections, these do not cover the full plan period and are in any event interim only. Updated migration figures are, at the time of writing, yet to come from the 2011 Census. The validity of extending interim 2011-based migration assumptions over the remainder of the Plan period (as suggested in one model supplied by representors¹⁰) is therefore open to question.
10. In respect of occupancy ratios, the PHEFTR assumes a continued fall in household size through the Plan period. The relevant figures derive from trends between 1996 and 2007 for the East of England, and therefore avoid potential concerns that household size data from the 2011 Census may include an element of suppressed need. This approach appears prudent. While concerns were raised that occupancy ratios may vary depending upon the amount and type of in-migration, I have seen no substantive evidence that the PHEFTR's approach (which uses different occupancy ratios for different districts) is inherently unsound.
11. Concerns have also been raised about the degree to which the above-noted assessment has taken into account market signals, as is required by the Framework and more recent advice in the national Planning Practice Guidance (PPG). I accept that the latter guidance post-dates the Plan's submission, and that – in draft form – it did not apply to Local Plans (such as the present one) submitted before October 2013. However, the final version of the PPG does apply to the Local Plan and it is therefore relevant to my considerations. The Council has had the opportunity to consider and respond to its requirements. Various signals are listed in the PPG, including land prices, house prices, rents, affordability, rate of development and overcrowding. In general, these factors are considered in the SHMA. This shows¹¹ house prices and the mean house price to income ratio within the District remaining below sub-regional averages.
12. As already noted, the PHEFTR's methodology incorporates economic-based projections as well as those based solely upon demographic change. The population growth suggested for East Cambridgeshire by the PHEFTR lies broadly between the outputs of the EEFM and the LEFM. Both of these baseline forecasts suggest a similar level of jobs growth for the District (somewhat under 8% over the period 2011-2031): the difference in outputs (in population terms) reflects the difference in estimations of job numbers in 2010.
13. More up-to-date data on market signals have been provided on behalf of a representor¹². Average house prices in the District are slightly below the sub-regional figure, while rental levels are higher (with a higher rate of growth since 2011). The affordability ratio has worsened between 2000 and 2013, with the District's figure being broadly aligned with those of the sub-region and region. The rate of change of housing market activity is similarly aligned to the sub-regional and regional figures, while the current rate of housing market activity is the highest in the sub-region (although well below the regional average). As will be discussed below, completion rates for new

¹⁰ Barton Willmore East Cambridgeshire District Housing Need Assessment (November 2013): Chelmer Model Demographic-led scenario 2.

¹¹ SHMA section 12.2.3 – document ref. HE/8.

¹² GVA Market Signals Assessment for Gladman Developments Ltd (May 2014).

housing in the District have dropped markedly from previous years where relevant plan targets were met or over-achieved. To my mind these data present a mixed picture and do not therefore amount to a compelling case for adding an upwards adjustment to the 13,000 dwelling figure.

14. Furthermore, it is noted that the 13,000 dwelling figure does not differ substantially from the output of a Chelmer model scenario presented by representors¹³, which suggested a requirement of some 13,500-13,700 dwellings over the Plan period. The average number of dwellings per year implied by the 13,000 dwelling target (650) exceeds the 618 dwellings/year figure quoted on the Local Housing Requirement Assessment Working Group's 'What Homes Where' website¹⁴. Taking these matters together, I consider that the 13,000 dwelling figure represents an objective assessment of overall housing need within East Cambridgeshire District during the Plan period.
15. As agreed at the relevant hearing session, the Council has provided further detail about the affordable housing component of this figure in an updated paper¹⁵. This provides appropriate clarification of the methodology that has been used to calculate affordable housing need and supply during the Plan period, with reference to the revised overall housing land supply figures discussed below.

b. Determining the Local Plan's Housing Requirement

16. As already noted, the Plan does not seek to provide for the full objectively assessed need of 13,000 dwellings, proposing instead a figure of 11,500 as agreed in the MoC. The Council stated at the relevant hearing session that this approach does not reflect a problem of potential housing capacity within the District. As is made clear in its housing evidence there are no fundamental constraints to delivery in terms of land availability, environmental capacity and infrastructure capacity¹⁶. Rather, the proposed housing target arises from a strategic assessment of development patterns within the wider HMA that has been undertaken by Cambridgeshire local authorities jointly with Peterborough City Council.
17. The context for the MoC is set by the abolition of the East of England Plan – the Regional Strategy (RS) – in January 2013. It continues a history of joint working between councils in the Cambridgeshire and Peterborough areas: in part this reflects an overlap between the Cambridge and Peterborough HMAs. The MoC includes a joint statement on the development strategy for these areas¹⁷. In summary, the intended approach seeks to secure sustainable development by locating new homes in and close to Cambridge and Peterborough and other main centres of employment, while avoiding dispersed development that could increase unsustainable travel patterns and restrict access to key services and facilities. Implementation of the strategy is already underway, with new urban extensions being delivered in Cambridge and Peterborough.

¹³ Barton Willmore East Cambridgeshire District Housing Need Assessment (November 2013): Chelmer Model Demographic-led scenario 1.

¹⁴ <http://www.howmanyhomes.org/2.html> dated March 2013.

¹⁵ Additional Note on Affordable Housing Need and Supply – document ref. HE/15.

¹⁶ See for example paragraph 3.3.1 of document HE/4.

¹⁷ Appendix 2 of document SD/18.

18. In practical terms, the MoC includes an agreement that two of the authorities concerned (East Cambridgeshire and Fenland District Councils) should not provide for the full need identified in the SHMA. In the case of East Cambridgeshire, this represents a reduction of 1,500 dwellings from the 13,000 dwelling total (2011-2031): the corresponding figure for Fenland is 1,000. The MoC states that an equivalent figure of 2,500 dwellings has already been provided for outside the Cambridge HMA in Peterborough's Local Plan.
19. Two main objections have been raised to this approach. First, it is queried whether adequate provision has indeed been made for the 2,500 dwellings in Peterborough. Second, given that Peterborough lies outside the Cambridge HMA and there is no overlap between East Cambridgeshire and the Peterborough HMA, concern is raised the resulting outcome conflicts with the requirements of the National Planning Policy Framework – specifically with paragraph 47 which requires among other matters that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the Framework's policies. I address each matter in turn.
20. At the relevant hearing session, Peterborough City Council confirmed that it is willing to accommodate a proportion of the need arising in the Cambridge HMA – namely 2,500 dwellings or around 10% of Peterborough's overall adopted housing target¹⁸. In effect, these have already been provided for in the adopted Peterborough Core Strategy (CS) and Peterborough Site Allocations DPD. The relevant housing targets and allocations derive from the RS: an increase of 9,000 dwellings in the final version of the RS made by the Secretary of State was focussed on the two urban areas of Peterborough and Cambridge rather than being dispersed more widely. As such, the relevant housing growth reflected a wider need than that solely arising from Peterborough itself.
21. Further support is provided by the 'What Homes Where' website, which suggests an average figure of 882 households per year for Peterborough (in the period 2011-2031). This is markedly less than the planned annual delivery rate (2006-2021) of 1,420 dwellings set out in the adopted Peterborough CS¹⁹. For these reasons, I am satisfied that adequate provision has been made for the relevant dwellings within Peterborough City Council's area.
22. As already described, the MoC envisages that part of the objectively assessed needs of the Cambridge HMA (2,500 dwellings) would be met outside that HMA. While there is a geographical overlap between the Peterborough and Cambridge HMAs, this does not include East Cambridgeshire District. Representors observe that there is limited interaction (for example in respect of commuting) between East Cambridgeshire and Peterborough: they query whether it would be appropriate to encourage such movements across intervening districts. However, such concerns do not take account of the strategic nature of the apportionment that is now proposed. This relates to the Cambridge HMA as a whole, rather than solely to East Cambridgeshire.
23. As is recognised by the SHMA, the definition of HMAs is an imprecise science. Peterborough is the largest urban area within the sub-region. It is a major centre for

¹⁸ See also statement of common ground (Document SCG/1).

¹⁹ Peterborough Core Strategy paragraph 5.3.5.

employment with good transport links and other infrastructure. Recent figures suggest a net daily in-commute from Cambridgeshire of some 7,000 people²⁰. The Peterborough HMA overlaps with the Cambridge HMA, which itself extends close to Peterborough's urban edge. In functional terms, I have therefore seen no substantive evidence that providing an element of the Cambridge HMA's needs within Peterborough would conflict with the Framework's sustainable development objectives. Indeed, given Peterborough's accessibility, infrastructure availability and range of service provision, the intended arrangement would broadly accord with general sustainable development principles.

24. Furthermore, given that the intended apportionment of development has been agreed by local authorities working in co-operation as required by the legal duty already discussed, it seems to me that the approach that is now proposed is consistent with the principles of localism. National planning policy allows for circumstances where development requirements from one local authority area will be met in another. In view of the close relationship between the Cambridge and Peterborough HMAs, the intended provision of 2,500 dwellings across the HMA boundary does not therefore appear either unreasonable or inconsistent with the overall policy thrust of the Framework. Accordingly, I am satisfied that the objectively assessed housing needs described above would be adequately provided for. As such, the 11,500 dwelling target that the Council now proposes is both justified and consistent with national policy.

c. Housing Land Supply

Housing Land Supply over the Plan period

25. The Plan's references to housing land supply (notably table 3.2 and supporting text) relate to the original housing target that has now been superseded. The Council accepts that this is out of date and an amended version of table 3.2 was proposed in the pre-hearing modifications: this sought to demonstrate that the revised 11,500 dwelling total could be achieved during the Plan period. It also used an amended time period (2011-2031) consistent with that set out in the MoC. As will be discussed below, these figures have been subject to yet further changes in the post-hearing modifications, reflecting updated housing land supply evidence set out in the Housing Supply Background Paper (HSBP) (March 2014)²¹.
26. Given the Council's present position, I do not intend to consider the submitted version of table 3.2 in detail. However, as the revised figures proposed in the pre-hearing modifications (and supporting paper²²) were discussed at the relevant hearing session in February, it is appropriate to consider them in more detail before reviewing the Council's more recent amendments.
27. Following the February hearing, I raised a number of concerns with the Council in respect of its housing land supply evidence²³. I summarise these below, along with the Council's responses.

²⁰ Paragraph 3.4, document SD/18.

²¹ Document ref. HE/13.

²² Dated September 2013 (document HE/10).

²³ Inspector's note dated 19 February 2014.

28. First, housing supply should demonstrate appropriate flexibility in line with paragraph 14 of the Framework. The total housing supply set out in the revised version of table 3.2 was exactly equivalent to the Plan's 11,500 dwelling total. As such, any slippage in housing delivery, or any over-estimation in the underlying assumptions, would mean that an adequate supply could not be demonstrated. The Council has responded to this by including additional supply from the proposed 'broad locations' at Soham and Littleport. Taking into account other adjustments (see below) the overall housing land supply for the Plan period increased to just under 12,000 dwellings. This includes a 'headroom' of some 500 dwellings over the 11,500 figure.
29. Second, no explicit allowance had been made for the non-delivery of outstanding commitments and 'large potential sites'. In respect of the first of these categories, the particular circumstances of the sites concerned (some of which are presently under construction) support the Council's view that they are likely to be delivered during the Plan period. However, the deliverability of sites in the latter category is less certain. While they are all identified in the Strategic Housing Land Availability Assessment, they have not been allocated in the Plan, although all lie within identified development envelopes. A number of representors have queried whether all will be deliverable during the Plan period. The Council has reviewed the sites concerned and has taken the view that a 'discount rate' should not be applied to this element of supply. In any event, bearing in mind that the overall supply anticipated from this source is estimated at 622 dwellings, any slippage would be unlikely to exceed the 500 dwelling headroom referred to above. As such, this is not a serious weakness.
30. Third, it is clear from the supporting evidence²⁴ that the windfall assumptions include allowance for developments within private residential gardens from year 6 of the Plan period onwards. This is at odds with paragraph 48 of the Framework, which states (among other matters) that any windfall allowance should not include residential gardens. In its 2014 HSBP, the Council proposes to exclude garden land from the windfall estimate. I return to this matter below in the context of the Council's more recent submission.
31. Fourth, while the principle of identifying some of the housing requirement within broad locations (rather than specific allocations) is consistent with national policy²⁵, and while there is no substantive evidence that the suggested scale of housing development in these broad locations would not be deliverable, two concerns arose with the Council's approach in this regard. First, the amount of housing that the revised table 3.2 expected the broad locations to accommodate (1,776) was both unduly precise and inconsistent with the revised policy GROWTH1 (which refers to 1,500 dwellings 'or so'). Second, the Council's changes to the proposals map in respect of these broad locations appeared unduly site-specific. This could prejudice the consideration of actual sites when allocations are brought forward in the Local Plan review.
32. In response, the Council has amended its 'broad locations' total to a round figure of 2,300. Its amended changes to policy GROWTH1 and supporting text are consistent with this figure. In respect of the second point, a revised notation has been proposed to

²⁴ Paragraph 2.2.9 of the Council's Matter 2 Hearing Statement.

²⁵ Paragraph 157 of the Framework.

denote the 'broad locations' in Soham and Littleport. These changes appropriately address the relevant concerns.

33. Although completions in the first two years of the Plan period were below the target now proposed, with projected completions for 2013/14 showing a similar trend, there is no evidence of a record of persistent underdelivery. In fact up to 2009, when economic conditions clearly worsened, the Council generally exceeded (often substantially) its relevant annual housing targets.
34. The potential rural exception sites relate to locations where specific discussions have taken place with registered social landlords or a Community Land Trust. The total yield (70 dwellings) is modest. The March 2014 HSBP clearly distinguishes these from the estimate of small rural windfalls within settlements: I am therefore satisfied that there has been no 'double-counting' in respect of this figure.
35. Taking all of the above together, and subject to my conclusions with respect to the merits of particular sites that have been the subject of representations, I consider that a robust supply of housing land has been demonstrated for the Plan period as a whole. I now turn to consider the five year housing land supply.

Five Year Housing Land Supply

36. The March 2014 HSBP sets out the Council's assessment of its housing land supply in the five years from 2014/15 to 2018/19. This identifies a supply of 4,089 dwellings compared to five year requirements calculated at 3,884 or 3,285 dwellings using the 'Sedgefield' or 'Liverpool' methods respectively. The substance and the methodology of these assessments have been challenged.
37. While the Council has presented its figures based on both the 'Sedgefield' and 'Liverpool' methods of calculation, its most recent paper argues that there are local circumstances to support use of the 'Liverpool' method. However, the PPG states that local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible²⁶: I do not share the Council's view that there is any ambiguity in this requirement. In the present case, as already noted, there is a shortfall arising from relatively low completion numbers (actual and projected) between 2011/12 and 2013/14. The shortfall equates to some 865 dwellings, based on the housing target that is now proposed. As also discussed above, it is part of the Council's general case that there are no fundamental constraints to delivery in terms of land availability, environmental capacity and infrastructure capacity within the District. Accordingly, there appears to be no substantive reason to depart from the PPG's guidance in respect of this matter. The 'Sedgefield' method should therefore be applied and the above-noted shortfall should be apportioned during the first 5 years of the Plan period.
38. The Council's assessment of the five year housing land requirement using that method adopts a 5% buffer in line with the requirements of paragraph 47 of the Framework. Given the evidence of previous over-delivery prior to 2009 mentioned above, I do not share the view of some representors that a 20% buffer should be applied. Equally, I do not feel that a 5% buffer should be added to the shortfall in addition to the overall housing requirement figure (as has been suggested by a representor): this seems at

²⁶ PPG paragraph reference ID: 3-035-20140306

odds with the Framework's statement that the buffer should be moved forward from later in the Plan period. For these reasons, the Council's assessment of a 3,884 dwelling five year requirement in its March 2014 HSBP is robustly based. (I consider more recent changes that the Council suggests²⁷ in respect of this figure below.)

39. However, I consider that the Council's assessment of its five year housing land supply is over-optimistic. National planning policy requires a five year supply of specific deliverable sites, explaining (among other matters) that to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable²⁸. Additional guidance is provided by the PPG, which states that local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. It notes that the size of sites will be an important factor in identifying whether a housing site is deliverable within the first five years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply²⁹.
40. In my post-hearing note I raised concern about the assumptions of likely delivery from allocated housing sites, notably North of Ely (ELY1). The Council responded by amending the likely start of completions from 2014/15 to 2015/16. However, it increased the likely yield of dwellings in the first years of the development from 180 to 220 dwellings/year. The justification for the increased annual completion rate derives from discussions with two of the developers concerned, who each give figures of 100-120 units per annum as a reasonable expectation – a total range of 200-240 dwellings/year. However, these figures are estimates only. It is noted that one developer states that 100 dwellings/year is 'probable' while 120 is only 'possible'. To my mind, a conservative assessment should therefore use the lower estimate (200 dwellings/ year) rather than a mid-range figure.
41. I also agree with representors that a more cautious figure is justified in the first year of completions as development commences and sales begin to increase. Given the site's scale and complexity, a figure of 160 dwellings for that year (i.e. 80 dwellings per developer) would appear a more prudent assumption. I note that reduced completion rates in the initial year are anticipated by the Council at other large sites such as Ely Station Gateway and Soham Eastern Gateway.
42. The Council's revised start date for North Ely assumes that completions will begin in 2015/16. At the time of writing, the beginning of that period is only some 9 months away. The Council is minded to approve two applications for a total of 2,000 dwellings on this site. However, these are outline rather than full applications and, in both cases, the relevant permissions have yet to be issued. Negotiations are underway in respect of conditions and legal agreements. The Council anticipates that these will return to Committee in early September 2014. It will then be necessary for reserved matters applications to be submitted, considered and approved: while the Council anticipates

²⁷ Document HE/16 (June 2014).

²⁸ See footnote 11 to paragraph 47 of the Framework.

²⁹ See PPG paragraph reference ID: 3-031-20140306.

that the first of these will be approved in early 2015, this is by no means certain. As noted above, some of the Council's previous assumptions about the site's likely delivery have proved to be over-optimistic.

43. North Ely is a substantial site with a range of requirements that are set out in LP policy ELY1. Detailed designs have yet to be approved and infrastructure has to be put in place. While the Council states that a new primary school will open on the site in September 2015, and that a main estate road will be provided into the western part of the development, the relevant planning application has yet to be determined. Furthermore, other infrastructure works and pre-commencement requirements are likely to be needed before any housebuilding can commence on site.
44. I note the Council's view, expressed at the resumed hearing session, that previous experience suggests that once development is on site then take up could be relatively rapid. However, bearing in mind the scale and complexity of the site, I consider it unlikely that 220 (or even 160) dwellings will be completed by April 2016. To my mind, a more pragmatic assessment would be to assume that completions will start a year later. Taking the above two assessments together would reduce the anticipated five year yield from the North Ely site from the 880 set out in the March 2014 HSBP to 560 – a reduction of 320 dwellings from the stated figure.
45. An assessment prepared on behalf of a representor³⁰ has provided a detailed commentary on the Council's assumptions in respect of this and other sites listed in the March 2014 HSBP. In general, this seems to me to present a pessimistic picture of likely future housing delivery. For example, delivery of housing at Ely Station Gateway (policies ELY7/8) would not necessarily depend upon relocation of the Tesco store, as this site includes other land (such as the Westmill Food site north of Angel Drove). Nevertheless, that land has not yet been the subject of a planning application, and (as set out in policies ELY7/8, as proposed to be modified) any such development, which the Plan envisages as being mixed-use rather than housing-only, would be required to take account of the Ely Station Supplementary Planning Document – which is yet to be finalised. It therefore seems to me prudent to assume that delivery of housing from this site will begin in 2016/17 rather than 2015/16. This would reduce the anticipated five year yield from the 310 set out in the March 2014 HSBP to 220 – a reduction of 90 dwellings.
46. The proposed site at Newmarket Road, Burwell has been the subject of objections, which I will address in my main report. However, in land supply terms, the Council has retained its previous assumption that completions will begin on site in 2015/16. Furthermore, it has increased the likely annual yield in the later part of the five year period from 40 to 50 dwellings/year. I accept that recent evidence suggests a particularly strong housing market in Burwell and, as such, the proposed increase in housing delivery rate appears justified. However, like the sites discussed above, this scheme does not yet have planning permission. Indeed, a planning application has yet to be submitted. While a draft masterplan has been prepared, the supporting information was not available at the time of the resumed hearing session. These factors suggest that if the site is allocated as is now proposed completions are unlikely to be in

³⁰ Updated Assessment of East Cambridgeshire District Council 5 Year Housing Land Supply (Savills on behalf of Gladman Developments) (May 2014).

place within the timescale that is now anticipated. To my mind, a more realistic assumption would be to assume that completions will not begin until 2016/17. This would reduce the five year yield from 190 to 140 dwellings, a reduction of 50 dwellings.

47. While I do not intend to provide a detailed site-by-site commentary on the large potential sites within settlements, it seems to me that there is sufficient uncertainty about a number of those included within table 4 of the March 2014 HSBP to question the robustness of the approximate 600 dwelling yield that is anticipated during the five year period. Specific concerns include sites where viability issues remain to be determined, where particular infrastructure constraints (such as access) remain to be resolved and where landowners have failed to provide updated information about the site's likely delivery. Given that the inclusion of a site within the five year land supply requires that it is deliverable, rather than simply developable, some caution is necessary. To my mind, it would be prudent to apply a 10% 'discount' rate in respect of these sites: this would reduce the five year yield from some 600 to 540, a reduction of 60 dwellings.
48. Taken together, the above adjustments would represent a reduction of some 520 dwellings in the stated five year land supply. Given that the Council's figures suggest an oversupply of some 200 dwellings above the five year housing requirement (using the Sedgfield method), it seems to me that **there is in practice a shortfall of some 320 dwellings from the required total**. A robust five year housing supply has not therefore been demonstrated.
49. In its June 2014 paper³¹, the Council states that a number of factors suggest that its assessment of the five year housing land supply is conservative. First, it proposes that the overall supply should be increased by 85 dwellings, on the assumption that the small site windfall developments (sources 5 and 7) should be distributed over 18 rather than 15 years – i.e. the period 2013/14-2030/31 rather than 2016/17-2030/31). However, given that outstanding commitments, including small site commitments, are already factored into the calculation (within sources 2 and 3), such an assumption seems to me to risk double-counting during the early years. The Council's initial decision to exclude those years from the anticipated five year supply was therefore robust: I see no reason to amend it.
50. Second, the Council notes that while it has excluded residential gardens from its windfall estimates, evidence suggests that such sites will indeed come forward. It refers to past rates of some 29 dwellings/year, which it considers (if reduced by a 20% discount) would result in a supply of some 115 dwellings during the five year period. While I do not dispute the historical evidence, paragraph 48 of the Framework is clear that such an allowance should not be included in the five year land supply. It is necessary that the Council's evidence base accords with national policy.
51. Third, the Council refers to the potential for large windfall sites to come forward on sites that have not previously been identified. While historical evidence suggests a rate of some 53 dwellings/year, these have come forward on a highly variable basis (ranging from 5 dwellings in 2010/11 to 100 in 2011/12). The Council has recently (in support of the Local Plan) carried out a substantial site search exercise that will have identified many of the larger sites that might otherwise have come forward as windfalls: these are

³¹ Document ref. HE/16.

already included in the 'large potential sites within settlements' category (source 4). I therefore agree with the Council's initial approach of not including an additional 'large windfall sites' category.

52. The Council also refers to a number of current applications for new housing that have not been previously referenced in its trajectory. However, these have not yet been determined. Indeed, some relate to sites that are the subject of representations that are being resisted by the Council. To include these sites within the five year land supply in advance of their respective applications being determined would be clearly premature. I note however that some are due for consideration in forthcoming months: in principle, and subject to meeting the relevant national policy criteria, any new planning permissions on sites that had not previously been referenced could be considered within the five year land supply.
53. I accept that the above-noted shortfall is markedly less than that suggested by some representors. However, failure to demonstrate a robust five year housing land supply at the time of adoption would (in the light of paragraph 49 of the National Planning Policy Framework) render relevant policies for the supply of housing out of date. In such circumstances, it would be difficult to find the Local Plan sound. While the Council intends to commence the formal stage of a Local Plan review within two years, this would not affect the provision of a five year supply of housing at the time of the present Plan's adoption. The PPG requires that there should be a five year housing land supply at all points during the Plan period³²: this is not therefore a matter that can be addressed by future review.

Conclusions

54. As I have already advised³³, it is for the Council in the first instance to consider how best to respond to my concerns about its five year housing land supply. It seems to me that this is a matter that can be resolved in the context of the ongoing examination – for example by the Council proposing new allocations, as suggested in my note dated 19 February 2014. Such changes would need to be subject to public consultation along the lines of previous exercises, although this would only need to be focussed on the relevant changes. Any resumed hearing would be similarly focussed. Clearly, any such changes should be underpinned by appropriate evidence – including sustainability appraisal, flood risk assessment and Habitats Regulations assessment. Any new allocations should meet relevant national policy criteria for inclusion in the five year land supply.
55. I look forward to receiving the Council's confirmation that it is willing to address the concerns set out above regarding the five year land supply. My suggestion is that the examination should be paused for a period of not more than two months to enable the Council to consider these comments and take action accordingly. Progress can then be reviewed at that stage. I would be grateful if the Council could confirm that this course of action is acceptable in principle and I would welcome a response by **3pm on Thursday 17 July 2014**.

Michael J Hetherington Inspector,
East Cambridgeshire Local Plan Examination 14 July 2014

³² Planning Practice Guidance paragraph ref ID 3-030-20140306.

³³ Email from the Inspector to East Cambridgeshire DC dated 25 June 2014.

Condition 1

Prior to commencement of development full details of the new priority junction into the site as indicated on Drawing 4746/11/01 A shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted details shall include a programme of implementation for agreement with the Local Planning Authority, and the works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner

Condition 2

Prior to commencement of development full details of improvements to the A1123 Haddenham Road/Wilburton Road Junction as indicated on Drawing 4746/11/01 A shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted details shall include a programme of implementation for agreement with the Local Planning Authority, and the works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner,

Condition 3

No development shall take place on any phase of development until full details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the full internal road layout of the site.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner

Condition 4

No development shall take place on any phase of development until full details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the parking and cycle parking provision, which shall as a minimum be in accordance with the Council's approved Parking Standards.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner

Condition 5

Prior to commencement of development full details of the proposed crossing facilities for pedestrians and cyclists on Wilburton Road shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted details shall include a programme of implementation for agreement with the Local Planning Authority, and the works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner

Condition 6

Footway improvement along A1123 New Road

Prior to the commencement of development full details of a foot way alongside the A1123 New Road between Wilburton Road and shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted details

shall include a programme of implementation prior to the commencement of use of the new school, for agreement with the Local Planning Authority, and the works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner

Condition 7

A Construction Management Plan is to be agreed with the Local Planning and Highway Authority prior to the commencement of development on the site.

Condition 8

The development shall not be occupied until a Residential Travel Plan has been submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority.

Condition 9

Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner.

Condition 10

The gradient of the vehicular access shall not exceed 1:12 for a minimum distance of 5.0m into the site as measured from the near edge of the highway carriageway.

Reason: In the interests of highway safety.

Condition 11

Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

Condition 12

Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to:

- a) Enter, turn and leave the site in forward gear
- b) Park clear of the public highway

The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

Reason: In the interests of satisfactory development and highway safety.

Condition 13

Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

Reason: In the interests of highway safety

Condition 14

No part of any structure shall overhang or encroach under or upon the public highway and no gate / door / ground floor window shall open outwards over the public highway.

Reason: In the interests of highway safety.

Condition 15

The proposed new highway boundary shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.

Reason: To prevent any building being constructed within the proposed highway boundary.

Condition 16

A metalled surface shall be provided for a minimum distance ofm along the access road from its junction with the public highway. No works shall commence on site unless/until details of wheel washing facilities associated with the proposals have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent mud and extraneous material being deposited on the highway.

Condition 17

Prior to the commencement of use of the site, the approved wheel washing facilities shall be provided to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: To prevent mud and extraneous material being deposited on the highway.

Condition 18

No works shall commence on site unless/until a route for all traffic associated with the construction of the development (or associated with the use of the site) has been provided and approved in writing to the satisfaction of the Local Planning Authority in consultation with the High Authority together with proposals to control and manage traffic using the agreed route and to ensure no other local roads are used by construction traffic (or site traffic).

Reason: In the interests of maintaining highway efficiency and safety.

Informative

This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.