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**MAIN CASE**

**Reference No:** 19/00214/OUM

**Proposal:** Residential development for up to 110 dwellings

**Site Address:** Land South Of 18 Wilburton Road Haddenham Cambridgeshire

**Applicant:** Land Allocation Limited

**Case Officer:** Angela Briggs, Planning Team Leader

**Parish:** Haddenham

**Ward:** Haddenham  
Ward Councillor/s: Gareth Wilson

**Date Received:** 22 February 2019      **Expiry Date:** 11<sup>th</sup> October 2019

[U103]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE the application for the following reasons:

1. 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 and would be completely uncharacteristic of this part of Haddenham, contrary to Policy ENV1 of the East Cambridgeshire Local Plan, 2015. It would also be contrary to guidance contained within paragraph 170 of the NPPF 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 that the proposed development would directly conflict with the principles of chapter 15 of the NPPF 'Conserving and enhancing the natural environment'

2. The proposed development would introduce a new access onto the junction of Wilburton Road and New Road, also known as the A1123, which is the main highway through the villages of Wilburton and Haddenham, along the northern ridge. The proposed development would lead to the creation of an access on a stretch of classified highway where the principal function is that of carrying traffic freely and safely between centres of population. The vehicular movements associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of the principle function and introduce a point of possible traffic conflict, being detrimental to highway safety, and therefore the proposed development fails to comply with Policy COM7 of the East Cambridgeshire Local Plan, 2015, which seeks all new development to provide safe and convenient access to the highway network.

Furthermore, the applicant has failed to submit sufficient highway information to demonstrate that the proposed junction arrangement can be laid out and designed to the correct guidance and highways authority standards, and the application is not supported by a sufficient Transport Assessment or Road Safety Audit to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety. Also adequate pedestrian infrastructure has not been demonstrated to serve the proposed development. The proposed development is therefore also contrary to Policy COM7 of the East Cambridgeshire Local Plan, 2015 which seeks new large developments to be supported by a sufficient Transport Assessment if the proposals are likely to result in significant transport implications.

3. The application provides insufficient evidence in relation to the presence of Great Crested Newts and biodiversity net gain to demonstrate that the proposal can be delivered without detrimental harm to the ecology of the area. The application therefore fails to comply with Policy ENV7 of the East Cambridgeshire Local Plan, 2015 and paragraph 174 of the NPPF which seeks development proposals to pursue opportunities for securing measurable net gains for biodiversity.
4. The proposed development fails to mitigate against the impact on the existing primary healthcare within the village and Early Years education and therefore does not comply with Policy Growth 3 of the Local Plan which requires developments to make contributions towards infrastructure through financial payments, secured via a S106 legal agreement.
5. Housing developments of 100 or more dwellings will be expected to provide a minimum of 5% self-build properties. The proposed development fails to demonstrate that this quantum of development would form part of the

development proposal, and therefore is contrary to Policy HOU1 of the East Cambridgeshire Local Plan, 2015.

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission for up to 110 residential units on land to the south of 18 Wilburton Road, Haddenham. Approval is sought for access only as part of the application, with all other matters (appearance, landscaping, layout and scale) reserved.
- 2.2 The site covers an area of 4.14 hectares (approximately 10 acres) and is situated outside of the development envelope. An indicative site plan accompanies the application which indicates some landscaping features and an area of open space. The proposed access would be from the A1123 (Haddenham Road/Wilburton Road junction).
- 2.3 The planning history of the site consists of application 14/00130/OUM which was an outline scheme for up to 100 dwellings on this site, with access from Wilburton Road. This scheme also included the demolition of no.18 Wilburton Road to enable the access to be created in this location. This application was refused for four reasons which are summarised as follows:

1. The proposed development would result in an unsustainable amount of residential development, which would outstrip the increase in employment provision envisaged for Haddenham and place significant pressure of 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. The development would also be contrary to the environmental strand of achieving sustainable development in the NPPF as the location of (*the site*) would lead to a car-dependent development and would therefore fail to reduce greenhouse gas emissions.
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 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 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 highway, 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.

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 shortfall for the district, providing jobs and additional economic support for local businesses and providing additional affordable housing.

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.
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.

2.4 The decision notice is attached in full as Appendix 1.

2.5 The application is accompanied by the following documents:

- Planning Supporting Statement
- Design and Access Statement
- Arboricultural/Tree Impact Assessment
- Flood Risk Assessment
- Contaminated Land study/Groundsure data
- Utilities Statement
- Transport Assessment
- Biodiversity/Ecological Assessment
- Statement of Community Involvement
- Open Space Assessment
- Odour Assessment
- Heads of Terms (S106)
- Foul Sewerage Assessment
- Affordable Housing Statement
- Archaeological Evaluation Report

2.6 A Landscape Visual Impact Assessment was submitted at a later stage (March 2019) and the Proposed Site Plan was amended to include further landscaping features (Rev E). A Cumulative Impact Study (dated July 2019) was also submitted in response to some of the consultee comments. Also a revised Preliminary Ecology Assessment was submitted which covers Great Crested Newts, a further bat survey report and a biodiversity net gain assessment (dated June 2019). A revised Flood Risk Assessment was submitted in May 2019.

2.7 An extension of time request until 11<sup>th</sup> November was sent to the applicant to allow the application to be considered at Planning Committee. The applicant has not agreed the extension of time request and therefore, the application will be determined outside of the previously agreed target date of 11<sup>th</sup> October.

2.8 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

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

2.9 This application has come to Planning Committee in accordance with the Council's Constitution as it is for over 50 dwellings.

3.0 **PLANNING HISTORY**

3.1

|              |  |                                       |
|--------------|--|---------------------------------------|
| 14/00130/OUM | Outline application for up to 100 residential units with all matters reserved except for means of access | Refused – 7 <sup>th</sup> August 2014 |
|--------------|--|---------------------------------------|

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 (A1123), 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. Part of the site (southern part) is situated within the Water Treatment Works Safeguarding Area.

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 situated within Flood Zone 1 and 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 of 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 **RESPONSES FROM CONSULTEES**

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

5.2 **Local Highways Authority (Transport Assessment Team) - 19 March 2019**

**Pedestrians**

Wilburton Road has a footway on the northern side of the road which runs towards the main village. An adjacent footpath on the southern side of Wilburton Road starts

80m away from the site. The description of the pedestrian infrastructure is unacceptable. The Highway Authority requests the footway widths of Wilburton Road. The accessibility plan is not acceptable. The applicant is advised to provide a 2 km walking isochrone map using real routes, not as the crow flies. This will demonstrate what facilities are within walking accessibility from the site.

#### Cyclists

The description of the existing cycle conditions is unacceptable. The Highway Authority requests information about any local cycle routes, and if there are any national cycle routes close to the site.

A 5km cycling Isochrone map is required. The map must use real routes not as the crow flies.

#### Local Amenities

The Highway Authority advises the applicant to create a detailed list of local amenities with the distances from the site.

#### Public Transport

There is a bus stop on either side of Wilburton Road to the west of the site entrance, the bus stops have a flag and pole only. The description of the public transport infrastructure is unacceptable. The applicant is advised to list the distances to all of the bus stops near to the site and what the current infrastructure is. This includes bus stops on Wilburton Road and New Road.

The highway authority requests the applicant provides a list of the services which run to all of the local bus stops, as well as the frequency of services.

#### Existing Local Road Network

Wilburton Road has a carriageway width of 7.3m which serves part of the village of Haddenham.

New Road (A1123) to the North West, serves the remainder of the village. The A1123 to the east offers routes to A10 and Ely. The current speed limit of Wilburton road is 30mph.

The date the survey data was collected was 19th December 2018, this date is not acceptable for the collection of traffic data. The 19th December is the last day of the normal school autumn term, therefore universities and private schools will have already broken up for Christmas. Surveys need to be submitted which have been undertaken on a neutral day.

The survey locations are as follows:

- A1123 Wilburton
- Wilburton Road
- A1123 Haddenham

The applicant is advised to include a map detailing where the surveys locations were for clarity.

The distribution shows that development traffic will have an impact on the Hop Row/High Street priority junction and The Green/ High Street priority junction. The applicant is advised to survey the junctions.

#### Accident Data

The Highway Authority does not accept Crashmap as it does not contain the most up to date data.

The latest 60 months of accident data is available to request from Cambridgeshire County Council at [etinfo@cambridgeshire.gov.uk](mailto:etinfo@cambridgeshire.gov.uk)

#### Current Situation and Likely Growth

The applicant states that there are no committed developments within the vicinity of the development. There is a currently a live planning application for 48 dwellings on Station Road, Haddenham. It is requested that the developer contacts the LPA to confirm there are no committed developos.

#### TEMPRO

It is requested that the applicant provided evidence of the method used to calculate TEMPRO

Growth rates, as the highway authority did not get the same results.

#### Parking

Car and cycle parking needs to be provided in accordance with East Cambridgeshire's parking standards.

#### Access Design

Access needs to be agreed with Geoff Ellwood  
[Geoffrey.Ellwood@cambridgeshire.gov.uk](mailto:Geoffrey.Ellwood@cambridgeshire.gov.uk)

#### Trip Generation

The Highway Authority does not accept the use of Irish sites in TRICS. The applicant is advised to choose sites which are comparable to the development which are not in Ireland/ Northern Ireland and Greater London. The Highway Authority has not reviewed the Trip generation because a review is required.

#### Trip Distribution

The use of census data to calculate distribution is acceptable.

The trip distribution flow diagram is acceptable for use.

#### Junction Analysis

The Highway Authority has not reviewed all of the junction analysis, as a review of the trip generation and committed developments is required. However, the applicant is advised to show the results of the junction analysis for

- 2018 current traffic conditions
- 2020 base (without development)
- 2020 base + committed developments
- 2020 base + committed developments + development traffic
- 2025 base
- 2025 base + committed developments
- 2025 base + committed developments + development traffic

The applicant is advised to include Hop Row/High Street priority junction and The Green/ High Street priority junction within the junction capacity analysis.

Please note, the inclusion of committed developments is dependent on the results of discussions with East Cambridgeshire District Council. As stated above.

The Highway Authority has not reviewed the flow diagrams due to a review of the trip generation and the committed developments required. The applicant is advised to review the flow diagrams to check for incorrect calculations, and to make a flow diagram for every junction analysis situation as stated above.

More information is required to justify the adjustment of flows due to seasonal differences.

#### Mitigation

The Transport Assessment should identify suitable measures to mitigate the impact of the development on the surrounding highway network. This should include any improvements for pedestrians and cyclists to access local facilities along with bus stop improvements.

The Highway Authority requires more information within the Transport Assessment, before any possible mitigation can be identified.

#### Travel Plan

It is advised that the applicant provides a travel plan for future residents. This can include welcome packs to inform new residents of the sustainable transport methods as well as subsidising bus vouchers.

#### Conclusion

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

### 5.3 **Local Highways Authority (Access and highway safety) - 9 April 2019**

It is noted that the Transport Assessment Team requires a significant level of additional information to properly assess the impact of the development on the local highway network; in turn, such information is required before we can fully assess the impact of the development of this site access and the adjacent junction/s.

Notwithstanding the above, in the submitted form the Local Highway Authority objections to this application, and would recommend refusal for the following reasons:

1. The application is not supported by sufficient highway and transport information, including dimensions, gradients/ levels, or vehicle tracking to demonstrate that the proposed development would not be prejudicial to conditions of highway safety.

2. As far as can be determined from the submitted information, the proposed access arrangements are unsatisfactory to serve the development by reason of inadequate visibility east of the proposed access, substandard width, alignment and geometry on the realigned Wilburton Road and at the junction with the A1123 Haddenham Road; the proposal would therefore be likely result in adverse manoeuvres on the public highway being prejudicial to conditions of highway safety.



3. Inadequate pedestrian infrastructure has been proposed to serve the development proposed.

Additional Comments:

- In order to facilitate this proposed development, extensive alterations to the existing highway would be required, as well as the dedication of land as highway maintainable at public expense.
- The site lies immediately adjacent to the A1123 Principal Distributor Road, the primary function of which is carrying traffic freely and safely between centres of population. Should the proposed junction arrangement be permitted it is likely that it will have a negative and adverse impact on the primary route, to the detriment to highway safety.

Accordingly, CCC undertook a Safety Assessment on the proposed junction layout to ascertain if the proposals comply with national guidance and CCC standards. The results of this assessment are outlined below. The proposed junction does not meet the Highway Authorities standards in regard to layout, vehicular and pedestrian safety and access visibility. Further, it is considered that inadequate information is provided to fully assess the proposals, particularly where access arrangements have been committed as part of the Outline application.

#### CCC Road Safety Assessment Comments:

1. No swept path analysis/ AutoTrack has been provided for the road realignment or junctions. This is required to demonstrate that all vehicles (including large commercial vehicles) can negotiate the highway network safely and simultaneously.
2. Traffic surveys included in the Transport Assessments were undertaken on the 19th December when traffic flows are unlikely to be typical of those throughout the year. Observation of traffic speeds on site suggests poor compliance with the posted speed limit. This is to some extent corroborated by the information in the transport assessment which indicates an eastbound 85th%ile speed of 36mph. It is also unclear however, how and where the speed surveys were undertaken; without this information, it is not possible to confirm that the data provided represents true free flow speeds approaching the proposed junction.
3. The achievable inter-vehicle visibility both east towards the A1123 and west along Wilburton Road do not meet with required standard and the Manual for Streets of 2.4m x 43m. The information provided fails to demonstrate that the deflection to be implemented will reduce speeds in line with visibility at the junction to achieve suitable Stopping Sight Distance (SSD). Failure to achieve this may result in vehicles turning out of the junction when it is not clear and safe to do so, increasing the risk of turning collisions.
4. There is a significant level difference between the existing highway and the development site. No indication of the final road levels have been provided to show how this will be accommodated in the new road alignment in relation to existing ground levels. Should the eye line from the vehicle waiting in the junction be lower than that from the existing carriageway level, it would further exacerbate the

junction visibility issue detailed above. No details of elevation or camber are provided, making it unclear whether vehicular traction will be maintained.

5. While unclear, at the A1123 junction it appears likely that an eastbound left turn only slip is intended, although left turn at the major junction is also apparent. This would place two junctions in very close proximity, introducing confusion and risk of misinterpretation of the road layout which may in turn result in shunt and turning type accidents on the A1123. This proposal would also require Traffic Regulation Orders such as “No Entry” and “Prohibition of right turn manoeuvres at the proposed left turn only junction, with no certainty that these could be achieved in the absence of appropriate consultation.

6. The means of access is committed as part of the Outline application, however, the drawings provided do not indicate any specific dimensions for carriageway /footway widths, road alignment or junction radii. The access road appears to be narrow and the information provided fails to demonstrate that there will be sufficient room for a vehicle to turn into the junction while another vehicle is waiting at the give way line. This may result in traffic waiting in Wilburton Road while the junction clears, which may result queuing back towards the New Rd junction. Westbound traffic entering Wilburton Road from the A1123 will have limited forward visibility of queuing vehicles, introducing a significant risk of shunt type collision for those entering the junction.

7. The information provided fails to identify where directional and chevron signing is to be relocated to accommodate the proposed change in road alignment and is unclear whether suitable positions exist that will preserve both conspicuity and function without risking obstructing junction visibility. Poor positioning of signing may result in road users failing to read the road correctly, especially during dark or inclement weather, which in turn may result in late braking and loss of control/shunt type accidents.

8. It is anticipated that there will be a significant pedestrian demand between the new development and the village centre that would see pedestrian flows increase towards both New Road and Duck lane. The information provided appears to indicate footways in proximity to the new junction on Wilburton Road, but fails to detail continuity of pedestrian route beyond this.

9. The detail appears to show a section of footway on the south side of New Road to the west of the Wilburton Road junction, which implies that pedestrians will need to cross New Road to access the footway on the northern side. Inter-visibility between crossing pedestrians and westbound traffic is restricted by the bend in the road, especially for those crossing from north to south. The plan fails to identify how pedestrians and other non-motorised users will travel between the new development and the north-western footway, although a natural desire line will exist from the eastern side of the new junction to the central island before crossing the westbound slip. It is likely that this movement will occur whether facility is provided here or not. Inter-visibility between approaching road users and crossing pedestrians will be limited by the bend in the road and will be particularly poor for those crossing from south to north. Failure to provide safe crossing points with adequate visibility between highway users is likely to result in high severity collisions.

10. The footways shown on the eastern side of the Wilburton Road junction appears to terminate in a location that is congested with street furniture; it is unclear how these will be accommodated in the new layout without compromising footway width.

11. The proposal as shown on plan NE1911-10-10 indicates the presence of a large BT surface box in the westbound lane of Wilburton Rd/ New Rd junction. Any reduction in differential skid resistance in the turning area will increase the risk of loss of control accidents, especially for two wheeled vehicles.

#### Further comments received – 15<sup>th</sup> October 2019

The applicant has failed to supply the required information or provide the necessary mitigations to overcome the highways authority's safety concerns or the impact on the highway network. As such I object to this application and would recommend refusal for the following reasons:

1. The application is not supported by sufficient highway information to demonstrate that proposed junction arrangement is laid out and designed to the correct guidance and highways authority standards
2. The application is not supported by sufficient highways Transport Assessment information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety
3. The application is not supported by a sufficient highways Road Safety Audit report to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety
4. The proposed development would lead to the creation of an access on a stretch of classified highway where the principal function is that of carrying traffic freely and safely between centres of population. The vehicular movements associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of the principle function and introduce a point of possible traffic conflict, being detrimental to highway safety.
5. Inadequate pedestrian infrastructure has been proposed to serve the development proposed.
6. As far as can be determined from the submitted plans, the applicant does not appear to control sufficient land to provide the proposed site access arrangement and it is not entirely within highway extent.

In order to construct this proposed new access and alter the existing junction, third party land would be required, which has not been identified and this must be dedicated as highway to ensure highways safety and public access at all times. This aspect is outside of the remit of this application as it is not possible to secure or condition this land as part of this application.

#### 5.4 **Cambridgeshire Fire And Rescue Service - 13 March 2019**

No objection subject to a condition requiring provision of fire hydrants.

#### 5.5 **Cambs Wildlife Trust - 6 March 2019**

I have reviewed the Preliminary Ecological Appraisal and Bat Roost Potential Survey report accompanying the above application and consider further information is required before this application can be determined.

With regards to protected species, the ecological report concluded the site has potential to support great crested newts and bats and has recommended further surveys for these species. These additional surveys should be completed prior to the application being determined. This is in order to provide full information on the likely impacts on protected species, and inform appropriate mitigation measures, which may influence the design of the development. In line with best practice guidance (BS42020), all surveys should normally be completed before planning permission is granted, to establish the presence or absence of protected species and the extent to which they could be affected by the proposals, otherwise all material considerations might not have been considered in making the decision.

It should also be noted that as stated in the report there is a badger sett on site. No further badger surveys are required at this time, as the sett is currently not used, but a pre-commencement survey would be needed.

No assessment has been made of whether the proposed development can, in line with local and national planning policy, deliver a measurable net gain in biodiversity. The ecological report makes recommendations for biodiversity enhancements such as inclusion of native planting and installation of bird and bat boxes and there may be potential to deliver habitat creation and biodiversity enhancements within the proposed areas of open space. However, it appears unlikely from the proposed site layout that there is sufficient area for habitat creation and enhancement to deliver a net gain on site, and whether a net gain is achievable will depend on the detailed habitat creation and enhancement proposals and whether suitable management to sustain such habitats is viable in the future. I recommend that an overview of habitat losses and gains (ideally using a recognised biodiversity accounting tool such as the Warwickshire Biodiversity Impact Assessment Calculator) is provided to demonstrate whether and how this development can achieve a measurable net gain in biodiversity. This assessment should also be provided before this application is determined.

#### Comments received following additional information – 6<sup>th</sup> August 2019

Further to my previous comments on the above planning application, I am pleased to see the outstanding bat survey report has now been provided, and am satisfied with the conclusions and recommendations made. Should permission be granted, the recommended mitigation and enhancement measures in section 6 of the Bat Survey Report should be required by way of a suitably worded planning condition.

I note the further great crested newt surveys are still recommended in sections 4.3 and 6.1 of the Preliminary Ecological Appraisal, but as access to ponds adjacent to the site could not be obtained, this recommendation has been changed in the

remainder of the report and a precautionary approach is recommended instead. This is sufficient to minimise the risk of direct harm to great crested newts. However, it is still unknown whether there is a nearby population of great crested newts and therefore whether the loss of terrestrial habitat on the development site would have a negative impact on this species. In order to provide greater assurance that all potential impacts have been considered, it would be best to work on the assumption that newts may be present on the development site, and include creation of replacement terrestrial habitat suitable for newts within the scheme design.

With regards to delivering a measurable net gain in biodiversity, in line with national planning policy, I am pleased to see a Biodiversity Impact Assessment (BIA) calculator has now been submitted, however, unfortunately this includes unrealistic assessments of target conditions and time to target conditions, not in line with the guidance provided within the calculator (which is based on available evidence - see Habitat Details sheet of the calculator for more information) and therefore I do not consider that it has been demonstrated that a net gain in biodiversity can be achieved within the current proposed layout.

Further detailed comments are as follows:

- o Built environment: Gardens (lawns and planting) should normally be given a condition of poor, as these are normally of limited ecological value and gardens are not usually under the long-term control of the applicant and therefore it cannot be assumed that any condition greater than poor can be achieved in the long term. However, the time to target condition could be reduced.

- o Woodland habitats, including plantation, are likely to take more than 100 years before they approach good condition, with age and structural diversity in the canopy, understorey and field layers that support a range of native species. Therefore guidance recommends moderate condition in 32+ years is more realistic. Good condition for newly planted woodland on former arable land within 5 years is completely unrealistic.

- o Similarly, scattered trees take decades to develop features associated with good condition. Moderate condition within the 20 years proposed could be a more realistic target.

- o Amenity grassland should usually be given a target condition of poor. For some areas of amenity grassland, where it is possible to include seeding with a flowering lawn mixture, and a slightly less frequent mowing regime, moderate condition could be considered.

Revising the calculator to take account of the comments above shows a net loss rather than gain. Therefore further consideration is needed as to how/whether this proposal can demonstrate it can deliver measurable net gains in biodiversity.

## 5.6 **Cambridgeshire Archaeology (County Council) - 27 February 2019**

An archaeological evaluation carried out within the application area in 2014 identified significant archaeological remains predominantly focused around a sub-rectangular enclosure of late Iron Age/Early Roman date at the northern end of the site, as well as evidence for prehistoric activity including animal burials, overlain by extensive medieval ridge and furrow agriculture (Cambridgeshire Historic Environment Record reference ECB4264).

We therefore do not object to development from proceeding in this location but consider that the site should be subject to a further programme of archaeological investigation in mitigation of the development impact, and recommend that this should be secured through the inclusion of a negative condition.

**5.7 Access Group - 6 March 2019**

No objection.

**5.8 ECDC Trees Team - 21 March 2019**

The proposed open space adjacent the attenuation storage has no access point for either pedestrians or for maintenance operatives.

More tree planting will be needed especially along the field boundary.

What is the purpose of the green wall (hedge) across the site in line with the end of Pear Tree Close?

Without housing plotted on the submitted Proposed Masterplan it is not possible to assess the sites merits appropriately.

The housing plotted on Figure 3 of the Proposed Development Plan submitted as part of the BS 5837:2012 Tree and Hedgerow Survey Report leaves very little room for any substantial soft landscaping of the site.

The site ingresses a significant way into open countryside which is out of character for this part of the settlement, and not in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

A landscape assessment is also needed for this site.

I object to this development at the present time due to the concerns raised above.

Additional comments following amended layout plan – 24 April 2019

No further comments as no significant alterations have been made.

**5.9 Landscape Consultant – June 2019**

Object. Please see Appendix 2 for the full report.

Conclusion:

The LVIA concludes that the proposed development of the site can be well integrated into its surroundings (para 4.2.6). However, the above analysis indicates that the susceptibility of the site, to the type of development proposed, has not been sufficiently taken into account and that the overall landscape and visual effects have been underestimated. In particular it is noted that:

- the northern most elevated part of the site is important as a gateway and in providing rural elevated views to the Fens which reinforce sense of place.
- The mid slopes are the steepest and the most visually sensitive from the surrounding landscape and difficult to mitigate, forming open rural slopes that are a setting to the settlements and define their separate identity. Development on these slopes is not characteristic of Haddenham.

Development on the lower slopes and away from historic linear routes that lead to the Fen, is uncharacteristic of the historical development of the village. Based on existing information, it is considered that the proposed development will not be easily integrated and landscape effects would remain adverse in the longer term.

However, the Local Planning Authority may wish to clarify some elements of the scheme prior to determination by requesting the following information:

- Cross sections of the site to demonstrate building heights and tiering of roofscapes and effectiveness of mitigation planting.
- Assessment of views from Haddenham Road.
- Details of the new access arrangement at the northern part of the site.

#### 5.10 **Environmental Health** - 27 February 2019

Due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 – 18:00 each day Monday – Friday  
 07:30 – 13:00 on Saturdays and  
 None on Sundays or Bank Holidays

I would also advise that 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, but not limited to 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).

I have read the Odour Assessment produced by deltasimons dated January 2019 which states it is unlikely that future residents will be exposed to odour concentrations above the relevant criteria. Judging by the Site Plan (as proposed) it would appear that the proposed site is a greater distance away from the Sewage Works than existing residential properties but despite this I cannot find a record of complaint concerning the sewage works. I see that Anglian Water have also been consulted on this application and I would expect them to raise any concerns they may have with the proximity of residential dwellings to their sewage works. At this time with the information available I have no issues to raise.

No other comments to raise at this stage but please send out the environmental notes.

5.11 **ECDC Scientific Officer - 18 March 2019**

Thank you for consulting me on the above application. I have read the Phase 1 Contamination Study prepared by Flood Risk UK dated January 2019 and accept the findings. The report recommends further site investigation to delineate the extent of any contamination. As this application is for a sensitive end use (residential) I recommend that standard contaminated land conditions 1 and 4 are attached to any grant of permission.

5.12 **CCC Waste and Minerals - 19 March 2019**

The planning statement does not appear to address the topic of waste or the relevant policies of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

A condition for a detailed Waste Management and Minimisation Plan is recommended in the event that your Council is minded to grant planning permission.

5.13 **Designing out Crime Officer (Police) – 13 March 2019**

Should Outline approval be given I have noted design and layout including security will be matters reserved.

My role as a Designing out Crime officer involves working with architects, developers and planning departments to design out crime and disorder. Promoting healthy and safe communities and reducing the vulnerability to crime. With the number of homes being planned for this development we would certainly suggest the applicant considers a Secured by Design application and we would work with them to achieve Gold certification

I have no further comments at this stage.

5.14 **Cambridgeshire and Peterborough Clinical Commissioning Group (NHS England) – 19 March 2019**

Conclusion:

- In its capacity as the healthcare provider, CAPCCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.
- The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.
- Assuming the above is considered in conjunction with the current application process, CAPCCG would not wish to raise an objection to the proposed



development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

- The terms set out above are those that CAPCCG deem appropriate having regard to the formulated needs arising from the development.
- CAPCCG is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.
- CAPCCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

5.15 **Environment Agency** – 22 March 2019

No objection.

5.16 **Housing Section** - No Comments Received

5.17 **Waste Strategy (ECDC)** - 26 February 2019

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £43 per property.

5.18 **Anglian Water Services Ltd** - 26 March 2019

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

Surface Water Drainage - The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. Insufficient evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require

confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We request that the agreed strategy is reflected in the planning approval.

Anglian Water would therefore recommend a condition for a surface water management strategy if the Local Planning Authority is mindful to grant planning approval.

Additional Comments following amended Flood Risk Assessment – 18 June 2019

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable. We request that the agreed strategy is reflected in the planning approval.

Additional comments following concerns raised by the LLFA – 18 September 2019

In response to the LLFA's concern we can confirm that we have assessed a surface water discharge connection at 5l/s to manhole 7751, as stated in the submitted Flood Risk Assessment.

We can confirm permission in principle subject to evidence being provided which demonstrates the surface water hierarchy has been followed.

5.19 **The Ely Group Of Internal Drainage Board** - No Comments Received

5.20 **Cadent Gas Ltd** - No Comments Received

5.21 **C P R E** - 3 April 2019

The proposal is not consistent with Policy ENV 1 of the 2015 Local Plan which states that:

"Proposals for development should be informed by, be sympathetic to, and respect the capacity of the distinctive character areas defined in the Cambridgeshire Landscape Guidelines.

Development proposals should demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development and will protect, conserve, and where possible enhance:

- The pattern of distinctive historic and traditional landscape features, such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls, and their function as ecological corridors for wildlife dispersal.
- The settlement edge, space between settlements, and their wider landscape setting.
- Visually sensitive natural and man-made skylines, hillsides and geological features.
- Key views into and out of settlements"

The proposal is not consistent with Policy ENV2 of the 2015 Local Plan which states:

“All new development proposals, including new buildings and structures and extensions and alterations to existing buildings and structures will be expected to:

- Protect important views into and out of settlements”

#### Sustainability

The Local Plan 2015, page 194, anticipated that 103 new dwellings would be built in Haddenham in the period up to 2012 -2031 on two allocated sites plus some infill sites. However, a successful planning application in 2012 granted permission for 24 affordable homes in Northumbria Close which put the village significantly ahead of its planned rate of development prior to the adoption of the Local Plan 2015. Since that date, another successful application for 59 homes, including 19 affordable, also outside the development envelope, at West End has further exceeded the planned number of homes for Haddenham. Two further applications, for 24 homes in Bury Lane and 48 homes in Station Road are in process. These sites alone, if all were granted, would exceed the planned development rate for Haddenham to 2031 of 103 dwellings, by 52 dwellings without considering known small infill sites or the two allocated sites in the Local Plan for 39 homes.

The majority of the adult working population of Haddenham commute out of the village by car. All secondary school students have to leave the village for schools in Witchford, Ely, Soham, Cottenham or Cambridge. To add a further 110 houses to the already excessive rate of growth does not represent sustainable development within the meaning of the National Planning Policy Framework (NPPF).

#### Health Services

We note the comments of the NHS Cambridgeshire and Peterborough Clinical Commissioning Group that no Health Impact Assessment has been provided and that “The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development.”. This adds to our concern that this development is not sustainable.

#### Traffic and Pollution

We agree with the Parish Council’s concerns that adding further commuter traffic to the already over-crowded local roads will increase both accident risk and unacceptable pollution. We know from local members that morning peak traffic already queues from Wilburton back to the site. We note the County Highways comment that both the traffic survey and the description of the public transport infrastructure are flawed and unacceptable.

In both Wilburton and Haddenham, the District Council is sufficiently concerned about the pollution levels on the A1123 and A1421 that routine monitoring has been introduced. This is supplemented by additional monitoring carried out by a local volunteer group. This group has previously carried out indicative monitoring of particulate (PM2.5) levels in Wilburton High Street which indicated a level at that time more than double the current EU limit value.

The EU Air Quality Directive (2008/50/EC) implemented in the UK as the Air Quality Standards Regulations (2010) states in paragraph (11) “Fine particulate matter (PM2,5) is responsible for significant negative impacts on human health. Further, there is as yet no identifiable threshold below which PM2,5 would not pose a risk.”

The crisis of particulate pollution in the UK is well documented in the Annual Report of the Chief Medical Officer 2017, the report of the Joint Committees of Parliament

“Improving air quality”, March 2018 and by two reports by UNICEF “A BREATH OF TOXIC AIR”, June 2018 and “HEALTHY AIR FOR EVERY CHILD”, February 2019. Latest data published in the Public Health Outcomes Framework, <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/data#page/1/gid/1000043/pat/6/par/E12000006/ati/101/are/E07000009>, show fractions of population mortality attributable to particulate air pollution. These range from lowest of 2.9 per cent to highest of 7 percent. Rural East Cambridgeshire at 5.2 per cent is already above the England average of 5.1 per cent.. At a time of national air pollution crisis, to propose developments which will increase car journeys by commuters is at best irresponsible.

#### Landscape

Housing on this scale on this site will have a significant negative impact on the long distance views of the Haddenham/Wilburton ridge from the south and south-east, in particular from the A10 and the B1049 Twenty Pence Road when travelling north from Cambridge.

These views are part of one of the most significant landscape features of the area marking clearly the scale of the Isle of Ely with the Haddenham ridge rising gradually out of the fen from the east near Stretham to the highest point of the Isle in Haddenham. As a previous Planning Inspector said of this landscape “It has a slightly mystical character that can change with weather conditions. The belts of trees as the land rises slightly towards the A1123 and the higher trees in linear order approaching the ridge add an almost Arcadian hint to the landscape character.”

This landscape must be respected and continue to be protected.

We have reviewed the late addition to the applicant’s submission in the form of the document titled “LANDSCAPE AND VISUAL IMPACT ASSESSMENT”. We find its choice of viewpoints and the images used deliberately obfuscating. We find its assessment of visual impact, particularly the long distance views, consistently under-rated.

#### Best and Most Versatile Land

The site consists of 4.05 hectares of Grades 2 and 3a high quality agricultural land, comparable to the best available in many parts of the country. (Grade 1 designation is reserved almost solely for the peat-based soils of the drained fens.) Anticipated sea level rise of at least 1 metre by 2080 in the Wash and hence the River Great Ouse, is likely to lead to the loss of much of the UK food supply as the fens become frequently and, eventually, permanently flooded. Such land is therefore an increasingly valuable national asset which must be protected and whose protection is already documented in the NPPF.

#### Speculative Development

In 2014 this site was the subject of a speculative development proposal by another company with no links to the local community. That application was refused and the reasons for that refusal have not changed. If anything, they have strengthened.

#### Conclusion.

CPRE Cambridgeshire and Peterborough objects to the proposed development for the reasons outlined above. We urge refusal of this proposal.

Please note that our submission is in respect of the proposed consultation. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any

responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision.

## 5.22 **Lead Local Flood Authority** – 14 march 2019

We have reviewed the following documents:  
Flood Risk Assessment, Flood Risk UK. Dated: January 2019.

At present we object to the grant of planning permission for the following reasons:

### 1. No Greenfield runoff calculations

According to Section 5.14 of the Flood Risk Assessment (FRA), the allowable QBAR runoff rate for this site has been calculated at 3.8 l/s, however no Micro-Drainage calculations have been provided to support this.

### 2. Inappropriate discharge rates

The applicant plans to drain the proposed development into an existing Anglian Water surface water sewer. The allowable QBAR runoff rate for this site has been calculated at 3.8 l/s. However, it has been proposed to discharge at a rate of 20 l/s under the reasoning that this higher rate was agreed with Anglian Water for the same site in a previous application (ref: 14/00130/OUM). Anglian Water must be re-consulted and an updated agreement is required, as Anglian Water capacity may have changed since the original application was submitted in 2014. The LLFA is unable to support this drainage strategy until the discharge rate has been agreed with Anglian Water in formal writing.

### Additional comments – 16 April 2019

We have reviewed the following documents:  
Flood Risk Assessment, Flood Risk UK. Dated: January 2019.  
Anglian Water Consultation Response, Anglian Water, 144679/1/0053150. Dated: 26th March 2019.

At present we maintain our objection to grant planning permission for the following reasons:

### 1. Anglian Water consultation required

The applicant is proposing to discharge into the existing Anglian Water sewer network at a rate of 20 l/s. Our previous objection letter requested that Anglian Water are consulted to acquire a principle agreement to discharge into their sewer system. However, the provided correspondence between the applicant and Anglian Water (ref: 144679/1/0053150) states that the surface water strategy/ flood risk assessment submitted with the planning application is unacceptable. Furthermore, Anglian Water must be re-consulted, addressing the points highlighted in their response, to gain permission to discharge into their system.

### Additional comments – 13 May 2019

We have reviewed the following documents:  
Flood Risk Assessment, Flood Risk UK. Dated: April 2019

Anglian Water Consultation Response, Anglian Water, 144679/1/0053150. Dated: 26th March 2019.

At present we maintain our objection to the grant of planning permission for the following reasons:

1. Anglian Water consultation required

The applicant is now proposing to discharge into the existing Anglian Water surface water sewer network at a controlled rate of 5 l/s, compared to the previous proposed rate of 20 l/s. However, our previous objection point which requested that that Anglian Water are consulted to acquire an agreement to discharge into their sewer system still stands. At present, the provided correspondence between the applicant and Anglian Water (ref: 144679/1/0053150) states that the surface water strategy/ flood risk assessment submitted with the planning application is unacceptable. Furthermore, Anglian Water must be re-consulted, addressing the points highlighted in their response, to gain a principle agreement to discharge into their system.

Additional comments – 19 September 2019

As Lead Local Flood Authority (LLFA) we are now able to remove our objection to the proposed development.

5.23 **Parish Council** – 20<sup>th</sup> March and 18<sup>th</sup> September 2019 (following amendment):

- Haddenham is one of the highest points in the Fens and the view across the ridge at the top of the development is highly distinctive. The view across the Fen to Cambridge is highly valued by local residents and also forms an important gap between the settlements of Haddenham and Wilburton.
- The site sits in open countryside and, contrary to Policy Growth 2 of the East Cambridgeshire Local Plan 2015, there is no justification to override the usual presumption of refusal of such applications.
- The proposal would be visually intrusive and would cause demonstrable harm to the character of the rural landscape. Its setting within the countryside would be contrary to the requirements set out by Policies ENV1 and ENV2 of the Local Plan.
- The proposed development would result in significant adverse effects on the setting of the village, contrary to ENV1 of the Local Plan 2015.
- This site was not one identified as a suitable development area when the recently withdrawn Local Plan was devised. Haddenham can demonstrate adequate housing supply elsewhere and this site is simply not appropriate; it is damaging and not required. Homes have recently been built in the Parish at Rowan Close, a planning application for 54 homes at the CLT site at West End has been approved, as has an outline plan for 34 homes off Chewells Lane, all of which were designated sites agreed in consultation with the Parish Council. Approving this application seriously undermines the work done to identify suitable housing land supply within the Parish.

- A development of this scale would result in an unsustainable amount of residential development for the area; especially when the sites already given permission are taken into account too.
- This proposal is sited on the village extremity with no connection to the rest of the village and as such would be difficult to regard as integrated.
- The limited employment opportunities within the village, coupled with very limited public transport serving the village, would force more commuters onto the already congested local roads.
- In relation to the above point, there is already a significant pollution problem along the A1121 through Wilburton, as many commuters make their way into Cambridge each day. The issue is worsening, and Wilburton Parish Council are now undertaking their own pollution monitoring as there are serious concerns to residents' health.
- The proposal will result in a loss of residential amenity to neighbouring properties.
- The proposed access plans are not entirely clear and there are serious concerns that the visibility at the top of the hill would not be sufficient especially when combined with the existing junction. This could result in a dangerous junction to negotiate.
- There is already pressure upon both the local Doctors Surgery and Primary School. Development of 110 homes, along with those already approved, would not be sustainable for either of these local services.
- There has been no consultation with local people at all.
- The proposal directly contravenes the "Village Vision" and makes a mockery of "localism".
- There are concerns that the bottom of the development would be prone to flooding; the land here lies very wet.
- The National Planning Policy Framework seeks to retain high quality agricultural land. The land here is of very good quality and should be protected for future generations.
- The foul water system that serves this part of the village is already overworked and during the winter months regularly overflows.
- It should be noted that a very similar application at this site was refused in 2014 and the subsequent appeal was eventually withdrawn by the applicant. At that time, the District Council was in the same situation as now; without a 5-year land supply.
- The Council consider that these adverse effects would significantly and demonstrably outweigh any positives the development would bring to addressing the housing shortfall.

#### 5.24 **Ward Councillors** – Councillor Hugo:

As a district councillor for the Haddenham ward I strongly object to this planning application and ask for it to be refused.

This application is essentially a resubmission in much the same location as 14/00130/OUM back in 2014. The application then was refused by ECDC planning authority and then on appeal the application was withdrawn when the then applicant was about to get the result they did not want! In 2014 as is the case today the

council did not have a 5 year supply of land and therefore the circumstances and main reasons for refusal are still valid today. I will not repeat all of them as they are well documented and I assume you will revisit those in your application review.

This site is outside the development envelope as defined by the ECDC local plan 2015 on edge of ridge; open countryside. To build a large housing site on this sensitive location would do demonstrable harm to the nearby existing residents and the countryside itself and would blur the defining gap between Haddenham and Wilburton villages.

Haddenham residents through its Parish Council and Ward Councillors cooperated fully with ECDC during the construction of the new Local Plan 2018 by agreeing to accept 10% in the village and indicating the locations it would prefer chosen from the land being offered by owners at that time. All of the accepted sites have now received planning permission with one exception where planning application is in progress. In all cases Haddenham Parish council has supported these applications. This is NOT one of those sites, would never have been supported by HPC if it were and as such is completely unacceptable to residents, Haddenham Parish Council and all 3 ward councillors. If permitted it would be a gross betrayal of localism as defined by the Localism Act 2011

Also in complete disregard to localism, the applicant has NOT engaged in any consultation with the community. This just shows that the applicant has absolutely no empathy with Haddenham or its residents. It's all about money!

In summary Haddenham has already agreed to take its fair share of housing to meet the shortage in the district. This is a completely unacceptable site for such a large number of houses and I ask you and the planning committee to support your residents who are relying upon ECDC to do the right thing by them and REFUSE this application.

Comments from Councillor Cheetham – 20 March 2019:

I strongly object to this planning application which would be visually intrusive form of development that would cause demonstrable harm to the character of the rural landscape and its setting within the surrounding countryside, contrary to the requirements of Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

From this part of Haddenham, there are attractive and local valued views from the ridge down across the Fens to Cambridge, and this site takes in part of the existing vista. The topography of the area and the exiting landscape feature means that there is no hard edge but a transitional zone, which proved an attractive setting for the village and is part of a locally valued landscape. This proposed development would result in a significant adverse effect on the setting of the village which is not only contrary to ENV1 of the Local Plan 2015 but would also be contrary to the guidance in paragraph 170 of the NPPF 20018 which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.



It is clear that these adverse effects noted above would significantly and demonstrable outweigh the benefits the development would bring in terms of addressing the hosing supply shortfall in the district.

I also note that the planning supporting statement details the reasons for refusal on the last application in 2014 but does not go on to deal with the reasons for this refusal but goes on to play out the normal, principle of development, tilted balance, sustainability, etc, etc!

#### 5.25 **CCC Growth & Development** – 15 October 2019

Education contributions sought for Early Years, Primary Education, and Secondary Education. As no fixed number of dwellings have been confirmed, the total amount per contribution has not been provided and the figures shown in the tables are indicative only at this stage. The contributions can be confirmed at the Design Stage.

Early Years = £8,713 per place  
Primary Education = £17,426 per place  
Secondary Education = £23,875 per place.

#### 5.26 **Neighbours** – 163 neighbouring properties were notified and the responses received are summarised below. 79 letters of objection have been received. Site notices were posted around the site and an advert was placed in the Cambridge Evening News. A full copy of the responses are available on the Council's website.

- Noise, light and dust impact from construction and car movements;
- Scale of development too big;
- GP practice is already full, no additional capacity;
- Local school is full with no additional spaces;
- Traffic congestion along the A1123 from the proposed development through Haddenham;
- Impact on public views;
- Impact on street scene;
- Contrary to Local Plan policies;
- Over-bearing impact;
- Visual amenity impact;
- No need for any more houses in Haddenham, since 2014 162 new homes have been approved;
- Impact on highway safety, more cars on the road, more air pollution;
- No mains gas in the area;
- No change from the 2014 application so should be refused;
- Unsustainable amount of residential development;
- Significant increased pressure on local infrastructure;
- Impact on Archaeology;
- Transport Assessment inaccurate;
- The proposal would change the rural character of Haddenham;
- The proposal would congest the A10 even more with more cars using it;
- Impact on broadband speed;

- Sewerage infrastructure is insufficient for extensive development; leads to odour problems;
- Impact on existing ecology; Habitat loss;
- No local jobs to support additional people;
- Loss of good agricultural land;
- Site is outside of the development framework;
- Single access point would increase noise levels in the area;
- Loss of privacy;
- Distinctive landscape character would be at risk;
- Lack of public engagement;
- Foul and surface water drainage problems;

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

|          |  |
|----------|--|
| GROWTH 1 | Levels of housing, employment and retail growth                  |
| GROWTH 2 | Locational strategy  |
| GROWTH 3 | Infrastructure requirements                                      |
| GROWTH 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 and Water efficiency and renewable energy in construction |
| ENV 7    | Biodiversity and geology   |
| ENV 8    | Flood risk   |
| ENV 9    | Pollution  |
| ENV 14   | Sites of archaeological interest                                 |
| COM 7    | Transport impact   |

### 6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

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

Flood and Water

### 6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities

- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

6.4 Planning Practice Guidance

## 7.0 PLANNING COMMENTS

### 7.1 **Principle of Development**

7.2 This application follows a previously submitted scheme in 2014 under Ref: 14/00130/OUM, for up to 100 dwellings with access included. The scheme included the demolition of no.18 Wilburton Road to create the access. The application was refused for four reasons, as stated under paragraph 2.3 of this report. This current application proposes residential development of up to 110 dwellings with access from the Wilburton Road/New Road junction. No dwellings are proposed to be demolished as part of this application. The physical site remains largely the same as it was in 2014. However, the most significant change is that the Local Plan has since been adopted and therefore is the principle development plan in which this application will be assessed against.

7.3 The proposed development is situated outside of the development envelope on unallocated land, and would therefore normally constitute a departure from the East Cambridgeshire Local Plan, 2015. Policy Growth 2 of the adopted Local Plan states that the majority of development will be focused on the market towns of Ely, Soham and Littleport. More limited development will take place in villages which have a defined development envelope, thereby helping to support local services, shops and community needs. Outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development will be restricted to the main categories listed within this policy, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied.

7.4 However, the Council currently cannot demonstrate a 5 year housing land supply and therefore the housing policies within the Local Plan are considered to be out of date and paragraph 11 of the NPPF (2019) states that development should be considered in the context of the presumption in favour of sustainable development. The presumption in favour of sustainable development is the golden thread throughout the NPPF and is echoed in Policy Growth 5 of the Local Plan. 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 land supply.

7.5 Paragraph 8 of the NPPF defines sustainable development as having three dimensions: Social, Economic and Environmental. These give rise to three key roles of the planning system. In practice the presumption in favour of development

means that development proposals should be approved unless any adverse impacts would significantly and demonstrably outweigh the benefits of the proposed development, when assessed against the policies of the NPPF taken as a whole and against the policies of the Local Plan 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.

7.6 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.

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

Environmental Sustainability

- 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.

Social Sustainability

- 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.

7.8 The importance of sustainable development emphasised within the NPPF are echoed within the policies within the adopted Local Plan, 2015. These policies do not specifically relate to the supply of housing and as such are still a relevant consideration in determining this application.

7.9 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 facilities. This reflects the advice in the NPPF which seeks to support prosperous rural communities (paragraph 78). It is considered that the most sustainable path for the district is to focus development within the Market Towns, as identified in paragraph 7.3 above with more limited development in villages.

7.10 Haddenham is classified as a large village in the 2015 Local Plan and has a reasonable level of services, including a post office, several shops, a library, a

primary school, two public houses, 3 churches, a village hall, a sports and social club, a doctor's surgery, a pharmacy, an elderly day care centre and a number of public open spaces, including the recreation field (which has Queen Elizabeth II Field status). Haddenham is served by one regular bus service. Haddenham is a large village and is likely to continue to grow over the plan period, with new housing being built on suitable 'infill' and 'non-infill' sites within the village. Because of its ridge location (along Wilburton Road), any future residential development within Haddenham must have particular regard to the potential for visual impact on the surrounding countryside. These impacts are discussed in more detail in this report, however, the Local Plan has identified that Haddenham is capable of absorbing small-medium sized housing developments which can be successfully supported by the village. 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 the development proposed in this location.

- 7.11 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 be made by the private vehicle.
- 7.12 One of the reasons for refusal on the previous application related to the fact that this development would result in an unsustainable amount of residential development which would place significant pressure on local infrastructure when considered cumulatively with the other housing commitments in Haddenham. It is considered that whilst the proposed development would potentially result in an unsustainable amount of residential development and would encourage high levels of out commuting, the reason for refusal on the grounds of cumulative impact on employment provision and infrastructure, leading to out commuting by vehicles, is unfounded and a reason for refusal on the grounds of the unacceptable cumulative impact of the development on the employment provision and infrastructure, would be difficult to substantiate. However, a proposal of this scale, of up to 110 dwellings on this site would have adverse impacts on the wider environments for the reasons which are discussed in greater detail in this report.
- 7.13 In terms of the impact on local services and infrastructure such as healthcare and education, these could be mitigated by financial contributions, secured as part of a S106 legal agreement. The Heads of Terms submitted as part of the application, only covers Primary and Secondary education.
- 7.14 **Visual Amenity and Impact on the character of the countryside**
- 7.15 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 in East Cambridgeshire), the site makes a significant positive contribution to the setting of the village and this transitional character between the villages.

- 7.16 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 (A1123).
- 7.17 Policy ENV1 of the Local Plan, 2015 recognises the importance of the edge of settlement locations and requires developments to demonstrate that their location, scale, form, design, materials, colour, edge treatments and structural landscaping will protect, conserve and where possible enhance the settlement edge, space between settlements, and their wider landscape setting. This is also echoed in Chapter 15 of the NPPF – Conserving and enhancing the natural environment.
- 7.18 A Landscape Visual Impact Assessment (LVIA) was submitted in March following comments from the Council’s Tree officer that one should be submitted given the scale of the development and the potential visual impact of the proposal. The Council requested the input of an external Landscape Consultant to review the document and to allow a more comprehensive analysis to be undertaken of the LVIA. The consultant’s comments are summarised in paragraph 5.9 of this report and attached as appendix 2. However, in her conclusions the consultant states that:
- “The LVIA concludes that the proposed development of the site can be well integrated into its surroundings (para. 4.2.6). However, the above analysis indicates that the susceptibility of the site, to the type of development proposed, has not been sufficiently taken into account and that the overall landscape and visual effects has been underestimated. In particular it is noted that:*
- *The northern most elevated part of the site is important as a gateway and in providing rural elevated views to the Fens which reinforce sense of place;*
  - *The mid slopes are the steepest and the most visually sensitive from the surrounding landscape and difficult to mitigate, forming open rural slopes that are a setting to the settlements and define their separate identity. Development on these slopes is not characteristic of Haddenham;*
  - *Development on the lower slopes and away from historic linear routes that lead to the Fen, is uncharacteristic of the historical development of the village.*
- Based on the existing information, it is considered that the proposed development will not be easily integrated and landscape effects would remain adverse in the longer term”*
- 7.19 The consultant ends by suggesting how additional information could be submitted to show cross sections of the site, assessment of views from Haddenham Road and details of the access arrangement at the northern part of the site. The agent was aware of this review when it was published but no further details have come forward in support of this issue.

- 7.20 In terms of visual effects of the development, 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, and there would be views from users of the southern section of Lode Way.
- 7.21 It is considered that based on the conclusion from the Landscape Consultant, the proposal would have a long term negative impact on the character of the existing historic landscape. Furthermore, the applicant has failed to demonstrate (and in the absence of further information) that the visual landscape impact can be mitigated through this proposal. The LVIA in its conclusion recognises that, *“initially the effect of new planting will be limited. In the long term the scale of effect of the proposed development on the landscape receptors identified will reduce to Moderate or Minor Adverse with a Minor Beneficial effect on the level of vegetation within the site which will improve both the ecological and recreational value of the site”* From this statement, it is considered that the proposed development would have a high adverse impact because any quantity or quality of landscaping would not be able to successfully integrate with the surrounding area, nor mitigate against the significant visual harm on the open countryside character of the area.
- 7.22 The proposed development, in the case of visual amenity and the character of the countryside, 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 therefore considered to be contrary to the aims and objectives of Policy ENV1 of the East Cambridgeshire Local Plan, 2015, and the principles of Paragraph 170 of the NPPF which seeks all new developments to enhance the natural and local environment through protecting and enhancing valued landscapes.
- 7.23 **Highways Safety and Accessibility**
- 7.24 Means of access is included as part of this outline application. The proposed access would be from the junction of Wilburton Road and New Road, also known as the A1123, and a new junction would be created to serve the development for up to 110 dwellings along the northern ridge of the site. Currently, the A1123 continues through Haddenham along New Road, or you can veer towards the centre of Haddenham via Wilburton Road. On entering Wilburton Road there is a ‘Give Way’ junction which gives priority to on-coming traffic from Haddenham, leaving the village. Only one access would serve the proposed development and the access would result in a reconfiguration of the existing junction at Wilburton Road and New Road. A Transport Assessment has been submitted as part of the application and this has been considered by the Transport Assessment Team at the County Council. Their comments are summarised in paragraph 5.2. The Transport Assessment shows how the proposed development would impact on the wider highway network, including cycle and pedestrian networks, and current public transport provision.
- 7.25 Policy COM7 requires all new developments to be designed to reduce the need to travel, particularly by car, and should promote sustainable forms of transport

appropriate to its particular location. Development proposals shall also provide safe and convenient access to the highway network and be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. This is also reflected within paragraphs 108 and 109 of the NPPF.

- 7.26 The proposed access has also been assessed by the Highways Officer in terms of whether an access at this location can be safely delivered without harm to road users and whether it is sufficient to serve a development of up to 110 dwellings.
- 7.27 The County Council Highways Team have advised that the proposed access and the impacts of the proposed development on the wider highway network would be significant. The application has failed to demonstrate that the proposed development would be able to deliver a safe access without leading to conflict and interference with the passage of through vehicles to the detriment of the principle function and introduce a point of possible traffic conflict. Furthermore, the applicant has failed to submit sufficient highway information to demonstrate that the proposed junction arrangement can be laid out and designed to the correct guidance and highways authority standards, including adequate pedestrian infrastructure, which has neither been sufficiently evidenced within the Transport Assessment nor a Road Safety Audit.
- 7.28 The Highways Authority, in their comments, also discuss cyclists and pedestrians. The Transport Assessment includes this analysis as part of their case in favour of the proposal. However, the Highways Authority disagree with their assessment and considers that the description of the pedestrian infrastructure is unacceptable and that further accurate information regarding the current footways from the site into Haddenham, are submitted. Likewise the information relating to the existing cycle conditions is considered to be unacceptable and further information relating to cycle routes should be submitted. The applicant has not come forward with this additional information and as such fails to demonstrate that the proposal would improve the cycle and pedestrian infrastructure.
- 7.29 Therefore, in terms of highway safety and accessibility, the proposal fails to demonstrate that a suitable access and adequate pedestrian infrastructure can be achieved, and that there would be no adverse harm to the existing highway network, contrary to Policy COM7 of the East Cambridgeshire Local Plan, 2015, and the principles of paragraphs 108 and 109 of the NPPF, 2019.
- 7.30 **Biodiversity and Ecology**
- 7.31 Policy ENV7 of the Local Plan is relevant and requires all new development proposals to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. Also to provide appropriate mitigation measures, reinstatement or replacement of features and/or compensatory work that will enhance or recreate habitats on or off site where harm to environmental features and habitat is unavoidable, and maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals. Further emphasis of these principles are stated within paragraph 174 of the NPPF. Paragraph 170(d) emphasises the need to minimise impacts on and providing net gains for biodiversity.



- 7.32 In terms of biodiversity, the application is accompanied by a Preliminary Ecological Appraisal and a Bat Roost Potential Survey report. The bat survey focussed on the existing barn building located in the middle of the landscape, which would need to be demolished as part of the proposal. Following comments from the County Wildlife Trust, further surveys to include Great Crested Newts and a further bat survey were recommended before the application could be determined. These documents were submitted in July. The Preliminary Ecological Appraisal was extended to include Nesting Birds, Great Crested Newts, Bats, Badgers and Brown Hare. A Biodiversity Impact Assessment Calculator, which consists of a collection of data, was also submitted to assess the biodiversity net gain value of the proposal. These documents were sent to the Wildlife Trust for further comment.
- 7.33 In terms of the bat survey, the report concludes that the existing barn was assessed as having low roost potential for bats. No bats were observed emerging from any of the features identified on the building and the dusk survey did not indicate any signs of roosting, such that a bat roost was considered likely to be silent. However, the first bat recorded on site was 23 minutes after sunset, therefore, it is anticipated that there is bat roost within proximity to the site. Furthermore, the hedgerows on the eastern and western boundaries are considered to be an important linear feature for bats and it is likely that they would use it to commute onto and through the site, as well as for foraging purposes. In terms of mitigation, the report proposes three recommendations: A Precautionary Working Methodology, A Lighting scheme for the site to prevent any adverse impact on roosting, and a Post Development Enhancement Plan. These recommendations have been accepted by the Wildlife Trust.
- 7.34 In terms of the extended Preliminary Ecological Appraisal, it was recognised that Great Crested Newts may be present on site and further surveys have been recommended, but as access to the ponds adjacent to the site could not be obtained, this recommendation has been changed, and a precautionary approach is recommended instead. This is sufficient to minimise the risk of direct harm to great crested news. However, it is still unknown whether there is a nearby population of great crested newts and therefore whether the loss of terrestrial habitat on the development site would have a negative impact on this species. Brown hares and badger sets have also been recorded on site. Advice from the County Wildlife Trust requests that further Great Crested Newt surveys should be undertaken but no concerns were raised in regards to the badger sets or brown hares. However, the Wildlife Trust still raises concerns regarding the overall biodiversity net gain based on the data submitted (Biodiversity Impact Assessment Calculator). The applicant has not demonstrated that the proposed development can achieve a biodiversity net gain value on the site because the data used in the assessment is unrealistic and not in-line with the guidance provided within the calculator. The Wildlife Trust has therefore advised that the proposal does not demonstrate that a net gain in biodiversity can be achieved based on the current illustrative proposal layout.
- 7.35 Further details demonstrating that the proposed development could achieve a biodiversity net gain has not been submitted and as such it is considered that the proposal has failed to comply with Policy ENV7 of the East Cambridgeshire Local Plan, 2015, and paragraphs 170 and 174 of the NPPF.
- 7.36 **Archaeology**

- 7.37 Policy ENV14 of the Local Plan is relevant and seeks all new development to have regard to their impacts upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings. The policy also requires submission of an archaeological evaluation of significance to be submitted. These principles are also echoed in paragraph 189 of the NPPF.
- 7.38 In terms of archaeology, this was significant in the previous application and formed the third reason for refusal (see Appendix 1). The site has archaeological significance and therefore must accord with Policy ENV14 of the Local Plan. This application is accompanied by an Archaeological Evaluation which has been assessed by the County Council Archaeology team who have raised no objections subject to a condition requiring a Written Scheme of Investigation.
- 7.39 It is therefore considered that in terms of archaeology, the proposal is acceptable and complies with the aims and objectives of Policy ENV14 of the East Cambridgeshire Local Plan, 2015 and paragraph 189 of the NPPF.
- 7.40 **Flood Risk and Drainage**
- 7.41 Policy ENV8 of the Local Plan requires all developments to contribute to an overall flood risk reduction. Paragraph 155 of the NPPF also emphasises the need to divert development away from high flood risk areas.
- 7.42 The site lies within Flood Zone 1, which is an area of low flood risk and where development should be directed to. Due to the scale of the proposed development (over 1ha in size) a Flood Risk Assessment (FRA) is required. A FRA accompanies the application and has been assessed by the Environment Agency (EA), the Lead Local Flood Authority (LLFA) and Anglian Water. A Foul Sewerage assessment has also been submitted as part of the application.
- 7.43 The LLFA raised concerns with the initial drainage submission and requested more information relating to Greenfield run-off calculations and confirmation from Anglian Water regarding the proposed water discharge rates. Anglian Water have confirmed that the discharge rate of 5 l/s is acceptable and the FRA/foul water drainage assessments are acceptable. The LLFA have now removed their objection as Anglian Water are satisfied with the drainage information. The EA raise no objection in respect of the FRA.
- 7.44 It is therefore considered that in terms of flood risk and drainage, the proposed development complies with Policy ENV8 of the East Cambridgeshire Local Plan, 2015 and paragraph 155 of the NPPF.
- 7.45 **Residential Amenity**
- 7.46 The application is outline only (includes access). Matters such as appearance and scale are both reserved for the future as part of a reserved matters application, if outline permission is granted.

- 7.47 There are a number of residential dwellings in close proximity to the site, namely no.40 Haddenham Road, to the east, and 18 Wilburton Road to the west. The site then wraps around the boundaries of the properties of Pear Tree Close and Orchard Way. No. 40 Haddenham Road sits on a relatively large plot and has been extended to the rear quite extensively. The change from an undeveloped piece of agricultural land to residential development would 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. The proposal does not include an indicative housing layout as such, however the master plan illustrates that there would be sufficient space to adequately mitigate for any adverse impact with the use of soft landscaping and sufficient set back distances.
- 7.48 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 (as shown on the indicative plan) would be sufficiently distant from those properties in Orchard Way and Pear Tree Close to ensure that there would not be a significant adverse effect on residential amenity.
- 7.49 The Council's Environmental Health Officer has reviewed the application and is satisfied with the submitted odour assessment and has recommended conditions relating to construction hours and submission of a Construction Environmental Management Plan as part of any permission. The Council's Scientific Officer has also reviewed the Contaminated Land report and is satisfied with the conclusions and has recommended conditions relating to the submission of a full land contamination report and a condition requiring the developer to make us aware of any future sources of contamination during construction. The proposal therefore complies with Policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 7.50 The size of the gardens on the adjacent existing housing estates (Orchard Way and Pear Tree Close), 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, or buildings being overbearing, and to comply with the guidelines contained within the Design Guide SPD. 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 would comply with Policy ENV2 of the East Cambridgeshire Local Plan, 2015.
- 7.51 **Other Material Matters**
- 7.52 Cumulative Impact Study
- 7.53 This was submitted in response to consultee comments. The study covers Cumulative Landscape impact, Cumulative Infrastructure Impact (Education, health and leisure infrastructure contributions) and Planning Policy. The document was sent out for re-consultation to both the Landscape Consultant and the County Council Growth and Development team. No further comments have been received from the Landscape Consultant, although they will be reported orally at the meeting if such comments arrive between this report and Planning Committee.

- 7.54 In terms of the financial contributions towards education and health care, the applicant has submitted a heads of terms document in which they acknowledge the need to contribute towards primary and secondary education to mitigate against the proposed development. The Growth and Development Team at the County Council also require contributions towards Early Years. This is not included within the applicant's Heads of Terms. The Cumulative Impact Study accepts that these contributions will need to come forward, if Members are minded to approve the application. This would need to be secured by a S106 legal agreement. However, a further contribution towards primary healthcare has been recommended by NHS England due to the pressures the proposed development would bring on the local GP practice. This is not included in the submitted Heads of Terms. Therefore, the application fails to address this in their mitigation strategy.
- 7.55 In terms of Planning Policy, the view regarding the policy status has not changed and has been discussed in this report. The proposed development has been considered in light of the Council's lack of five year housing land supply and in accordance with paragraph 11 of the NPPF, and the 'tilted balance'. It is considered that the planning policies have been applied appropriately for each of the sustainable strands (Environmental, Economic and Social) and the proposed development fails to positively meet all of these three key planning roles for sustainability.
- 7.56 Affordable Housing
- 7.57 The proposed development is required to deliver 30% affordable housing in accordance with Policy HOU3 of the Local Plan. The application is accompanied by an Affordable Housing Statement and confirms to deliver this as required by the Policy and would also provide a mix which reflects the latest Strategic Housing Market Assessment, i.e. 77% rented and 23% intermediate housing. However, the Statement does not acknowledge nor confirm the requirement to include a minimum of 5% self-build plots as part of the proposal, in accordance with Policy HOU1 of the Local Plan. The application therefore fails to comply with the aims and objectives of Policy HOU1 which seeks all developments of 100 dwellings or more to provide a quantum (minimum 5% of total number of dwellings) of self-build plots.
- 7.58 Associated Economic Benefits
- 7.59 The NPPF (paragraph 78) 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.
- 7.60 **Planning Balance**
- 7.61 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 the proposal would also be contrary to Policy ENV1 of the East Cambridgeshire

Local Plan, 2015 and the principles of chapter 15 of the NPPF – ‘Conserving and enhancing the natural environment’.

- 7.62 Also, the proposal fails to demonstrate that the proposed development can achieve a safe access to the development and, due to the lack of information submitted in support of this, the Local Planning Authority cannot be satisfied that there would be no adverse impacts on highway safety for all road users, contrary to Policy COM7. The application also fails to demonstrate that the proposed development can achieve a biodiversity net gain for up to 110 dwellings and as such is contrary to Policy ENV7 of the East Cambridgeshire Local Plan, 2015 and the principle of chapter 15 of the NPPF.
- 7.63 Furthermore, the proposal fails to mitigate against the impact on the existing primary healthcare within the village and therefore does not comply with Policy Growth 3 of the Local Plan which requires developments to make contributions towards infrastructure through financial payments, secured via a S106 legal agreement.
- 7.64 The proposal also fails to acknowledge nor confirm the need to bring forward a minimum of 5% of self-build plots as required under Policy HOU1 of the Local Plan, 2015.
- 7.65 The application is therefore recommended for REFUSAL.

### COSTS

- 7.66 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 7.67 Unreasonable behaviour can be either procedural i.e. relating to the way a matter has been dealt with or substantive i.e. relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 7.68 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.
- 7.69 In this case members’ attention is particularly drawn to the following points:
- Objection raised from the Landscape Consultant in relation to the adverse visual landscape impact of the proposed development on the character of the locality and setting of Haddenham;
  - Objection raised by the Local Highways Authority in relation to the proposed access re-configuration and the wider impacts on the highway network;

- Objection from the Wildlife Trust in relation to the lack of Great Crested Newt surveys and the lack of evidence to demonstrate a biodiversity net gain.
- Failure to comply with Policy Growth 3 in relation to providing adequate infrastructure improvements by way of financial contributions for primary health and Early Years education, and failure in demonstrating a minimum of 5% of self-build plots, in accordance with Policy HOU1 of the Local Plan.

8.0 **APPENDICES**

- 8.1 Appendix 1 – Decision notice for 14/00130/OUM  
Appendix 2 – Landscape Consultant comments

| <b><u>Background Documents</u></b> | <b><u>Location</u></b>        | <b><u>Contact Officer(s)</u></b>                   |
|------------------------------------|-------------------------------|--|
| 19/00214/OUM                       | Angela Briggs<br>Room No. 011 | Angela Briggs<br>Planning Team<br>Leader           |
| 14/00130/OUM                       | The Grange<br>Ely             | 01353 665555<br>angela.briggs@east<br>cambs.gov.uk |

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

East Cambridgeshire Local Plan 2015 -

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