
MAIN CASE

Reference No: 20/00296/OUM

Proposal: Development of retirement care village in class C2 comprising housing with care, communal health , wellbeing and leisure facilities, public space , landscaping, car parking, access and associated development

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

Applicant: Bottisham Farming Ltd

Case Officer: Anne James, Planning Consultant

Parish: Bottisham

Ward: Bottisham
Ward Councillor/s: Charlotte Cane
John Trapp

Date Received: 26 February 2020 **Expiry Date:** 9th October 2020

[V78]

1.0 RECOMMENDATION

- 1.1 Members are recommended to REFUSE for the following reasons:
1. The development of the site to provide a 170 bed retirement care village would result in substantial harm to the openness of the Green Belt when compared to the nature and characteristics of the existing agricultural land. The proposal fails to comply with any of the exceptions within Para 145 and 146 of the NPPF and comprises inappropriate development within the Green Belt. There are no very special circumstances to override the identified harm. The proposal is therefore contrary to Policy ENV10 of the East Cambridgeshire Local Plan 2015 and section 13 of the NPPF 2019.
 2. The application site lies in the open countryside, outside of the development envelope of Bottisham where development is controlled. The construction of a 170 bed retirement care village on an unallocated site in the countryside, which does not meet any of the aims and objectives of policy HOU6 of the East Cambridgeshire Local Plan 2015, due to no identified need and the proposal causing harm to the character and setting of the area, would therefore give rise to an inappropriate development with no justification to override the normal presumption against development in the countryside. As such it is contrary to Policy HOU6 of the East Cambridgeshire Local Plan 2015 that has regard to the need to protect the countryside and the setting of towns and villages.

3. Insufficient information has been submitted to the satisfaction of the Local Highways Authority to form a view as to whether the application would detrimentally impact on highway and pedestrian safety, local highway network/infrastructure and any additional infrastructure which may be deemed necessary as a direct result of this development. The proposal would conflict with Policy COM7 of the East Cambridgeshire Local Plan 2015.
4. The proposed development fails to confirm adequate affordable housing as required under Policy HOU3 of the East Cambridgeshire Local Plan 2015. The proposed development is therefore contrary to this policy as it would not be meeting a local affordable housing need.

2.0 SUMMARY OF APPLICATION

2.1 The application seeks outline planning permission for the development of a retirement care village (Class C2) comprising housing with care, communal health, wellbeing and leisure facilities, public open space, landscaping, car parking, access and associated development.

2.2 The quantum of development has been set out below:

14,335sqm of C2 residential floorspace (15,430 sqf)

170 C2 units

4.9 ha or Public Open Space (12.1 acres)

Central Community Building, health, wellbeing, care and leisure facilities

149 Parking spaces

2.3 The application is accompanied by the following documents:

- Archaeological Evaluation Report
- Arboricultural Impact Assessment
- Biodiversity Assessment
- Community Involvement
- Design and Access Statement
- Ecological Assessment
- Flood Risk Assessment
- Geo-environmental Report
- Geophysical Survey Report
- Green Belt Assessment
- Heritage Assessment
- Landscape and Visual Impact Assessment
- Planning Statement
- Planning Needs Assessment
- Noise Impact Assessment
- Travel Plan
- Technical Note on Access
- Transport Assessment
- Utilities Statement

- 2.4 The application is being considered by the Planning Committee due to the site area comprising over 1000sqm (10764 sqf) in accordance with the Council's Constitution.
- 2.5 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.eastcamb.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

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

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is an irregular shaped area of land measuring approximately 8.4 ha (20.75 acres) and comprises two fields, a smaller field of pasture land used for the grazing of sheep and a larger one used for cultivation of crops. The site lies outside the development envelope for Bottisham, and parts of the south of the site lie within the Conservation Area. The whole of the site lies within the Green Belt.
- 4.2 The application site abuts residential development in Rowan Close, Maple Close and Cedar Walk to the west and there is a PROW which runs along this boundary. To the south of the site is a group of Grade II Listed Buildings (Bottisham House, The Maltings, a number of barn conversions), and to the east is the Hilton Park Care Centre with open countryside framing the northern boundary.
- 4.3 According to the Topographical Survey submitted with the application, it records a fairly level site with a small change in level in the north-east corner of the southern field and along a small length of the eastern site boundary.
- 4.4 Apart from hedgerow which form the site boundaries there are three groups of trees and five individual trees that lie within the site and these have the benefit of a Tree Preservation Order (TPO E/15/19).

5.0 RESPONSES FROM CONSULTEES

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

Rt Hon Lucy Frazer MP – 2nd September 2020

I am writing on behalf of my constituents who have contacted me about planning application 20/00296/OUM to build a 170 home Retirement Village in Bottisham. Constituents have raised concerns that this application is to build on Green Belt and

The only ancient bit of meadow that is left in the village. They have also highlighted that the village already has two care homes, and more elderly patients would likely put extra strain on the Medical Practice in the village.

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

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

No Comments Received

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

The villages of Little Wilbraham, Great Wilbraham and Six Mile Bottom are sited 2-3 miles distant from Bottisham and within the catchment area of the Bottisham Surgery. The range of services provided by the surgery are vital to the health and well-being of these villages and much valued by them. This value, long known, has been demonstrated particularly over the past 7-8 weeks of the coronavirus epidemic.

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

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

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

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

Whilst the application indicates that the retirement village will provide well-being and health facilities, these are not the type of medical facilities that the surgery offers and are much needed. Equally, whilst the retirement village is not a care home, the housing is aimed at those for whom ageing is likely to be a factor in their choice of accommodation. They are more likely to make regular demands on the surgery than

those in the younger age groups; and this demand will have a serious knock-on effect on the service available to villages in this Ward.

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

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

No Comments Received

Wilbrahams Parish Council –

No Comments Received

Stow-Cum-Quy Parish Council –

No Comments Received

Bottisham Parish Council - 12 May 2020

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

Parish - 20 April 2020

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

- Impact on the Green Belt, Conservation Area and development envelope.
- Any development such as this would very significantly increase the number of houses, relative to the current size of the village, and we believe the infrastructure would not be able to cope.
- No demand for retirement homes of this kind and should be located where there are large areas of brown and greenfield land without Green Belt status.
- The Bottisham Surgery provides health care for two care homes in the village, plus a high dependency unit, placing significant demand on local GP resources. It was keenly noted at the parish council's consultation that residents were concerned by the creation of a top heavy resident demographic. This would place a significant extra strain on medical resources and like facilities in the village.
- It should be noted that Planning Permission has already been granted for 50 homes in Bell Road adding to the strain on local services.
- No information on how the retirement village will be managed and this could seriously impinge on the care and health of the residents who come to live there
- Travel implications for residents, staff, visitors and delivery services
- Sewage capacity questioned.

- Landscape and visual impact
- Highways, parking and safety issues
- The traffic survey is misleading, as it was done during school holidays and at times when the village was quieter.
- The area near to the Scout Hut on the High Street, close to the proposed access to the site, is a potential danger due to parking during school picking up times and when events are being held there. Visibility will be especially impaired for residents and visitors entering and leaving the site.
- High Street and Beechwood Avenue have significant parking problems as it stands. The increased traffic flow coming from this new development will significantly increase the possibility of accidents. This will be particularly the case at pick up and drop off times at the primary school. Parking for visitors to the site could be an issue, leading to an increase of cars parked in the High Street and Beechwood Ave close to the primary school. These are already a dangerous place for children arriving and leaving.
- Approaching the site along the High Street from the village centre, there are concerns that the visibility on entering the site is impaired due to a neighbouring property's high wall.
- The entrance to the play area has yet to be defined and there may be issues with ownership at the end of Rowan Close. However, if access is via Rowan Close, there will be issues with parking there - likely to be worse during school pick up time.
- Contrary to policies of the NPPF and the development plan.

Cllr Charlotte Cane, Bottisham Ward Councillor - 16 March 2020

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

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

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

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

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

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

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

Lode Parish Council – 7th April 2020

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

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

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

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

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

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

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

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

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

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

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

Anglian Water - 20 March 2020

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

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

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

Cambridge Ramblers Association –

No Comments Received

Cambs Wildlife Trust - 13 July 2020

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

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

Cambs Wildlife Trust - 28 April 2020

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

Cambs Wildlife Trust - 3 March 2020

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

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

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

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

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

Environment Agency - 23 March 2020

We have no objection to the proposed development.

NHS England –

No Comments Received

CCC (Adults Commissioning Team) 8th September 2020

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

From an Extra Care perspective, East Cambs is not a priority area for the development of new schemes. There are currently a total of 149 units of Extra Care

in East Cambs. These are located in Soham (Millbrook 87 units), Baird Lodge in Ely (35 units) and Ness Court in Burwell (27 units). Currently, there is no waiting list for people to move into extra care and this is not an unusual situation for these schemes.

CCC - Archaeology - 14 April 2020

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

CCC - Asset Information Definitive Map Team –

No Comments Received

CCC Fire and Rescue Service –

No Comments Received

Local Highways Authority Transport Assessment Team - 26 May 2020

Holding objection

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

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

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

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

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

Forecast Trip Generation and Distribution

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

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

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

Committed Development

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

Future Baseline

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

Traffic Flow Scenarios

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

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

Capacity Assessment

The following junction has been modelled with Junctions 9:

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

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

Travel Plan

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

Mitigation

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

- The proposed accessibility improvements of the development will link the site to the existing pedestrian infrastructure in the vicinity of the site. Works to be agreed with the LPA prior to occupation, and to be done under a S278

agreement. Works to include new pedestrian crossings and widening the existing footway as presented in Motion drawing No. 1903044-04, included in the Technical Note dated 27th April 2020:

- Dropped kerbs and tactile paving will be provided across the bell mouth on the proposed site access and north to south on High Street.
- To be widened up to 2.0 metre the existing footway on the southern side of High Street which will extend between the site access and the bus stop adjacent No.136. An additional northern pedestrian route into the development will be provided, which will link directly to Rowan Close.

CCC Local Highways Authority – 18th May 2020

I understand that CCC Transport Assessment Team will respond directly in relation to trip generation, the impact of the development on the local highway network/ infrastructure and any additional infrastructure which may be deemed necessary. Access from High Street/ Footway Infrastructure Motion TP have confirmed the access dimensions in the TN, but Drawing Rev B does not appear to have been included in the Addendum. The access drawing will be referred to in Conditions and should therefore incorporate all the necessary information.

The widening of the footway opposite the site towards the village centre to 2.0m has been incorporated in the access layout plan.

For the avoidance of doubt, the improvement is required to convey some users towards the village centre who may be unable to use the existing infrastructure or feel vulnerable on the restricted width footway (approximate width 1.1m – 1.2m). It is not ideal that some users may have to cross High Street twice, however, the street is relatively lightly trafficked, particularly outside peak periods.

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

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

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

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

Pedestrian/ Cycle Access to Rowan Close

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

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

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

CCC Local Highways Authority - 18 March 2020

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

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

Summary

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

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

CCC Local Lead Flood Authority – 21.09.2020

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

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

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

CCC Growth & Development –

No Comments Received

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

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

ECDC Waste Strategy - 23 March 2020

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

ECDC - Environmental Health - 16 April 2020

I have read the Geo-environmental and Geotechnical Desktop Study dated December 2019 prepared by Campbell Reith and accept the findings. The site is at very low risk of land contamination and no further work is required. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission.

ECDC Environmental Health - 10 March 2020

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

ECDC Conservation Officer – 18th September 2020

No objection

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

- 5.1 **Statutory consultation** - 94 neighbouring properties have been notified of the application and the successive amendments. A site notice was erected on 12th March 2020 and was advertised in the Cambridge Evening News. The following

comments are summarised below. The full responses are available on the Council's website.

Visual amenity

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

Policy

- Contrary to national and local policy
- Special circumstances not been demonstrated

Biodiversity/ecology

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

Flooding and Drainage

- Groundwater issues

Highways and Access

- Highway Safety
- traffic congestion
- no capacity on existing roads
- Poor public transport
- Parts of site over $\frac{3}{4}$ mile from village facilities
- Access via Rowan Close
- Increased pressure on parking
- Traffic flows are inaccurate
- Existing footpaths along High Street too narrow

Residential Amenity

- Loss of privacy/Overlooking

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

Other

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

Bottisham Medical Practice

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

CPRE

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

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing Mix
HOU 2	Housing density
HOU 3	Affordable Housing Provision
HOU 6	Residential Care Homes
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 14	Sites of archaeological interest
ENV 9	Pollution
ENV 10	Green Belt
ENV 11	Conservation Areas
ENV12	Listed Buildings
ENV14	Sites of Archaeological Interest
COM 4	New Community Facilities
COM 7	Transport impact
COM 8	Parking provision

Village Vision: 8.5 Bottisham

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

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

6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 11 Making effective use of land
- 12 Achieving well-designed places
- 13 Protecting Green Belt land
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

Due regard has been had to the guidance.

7.0 PLANNING COMMENTS

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

7.2 Principle of Development

7.3 The starting point for decision making is the development Plan ie the East Cambridgeshire Local Plan 2015. S38 (6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework and the Planning Practice Guidance are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF, PPG and other material considerations. Determination of the application needs to consider whether the proposal constitutes sustainable development having regard to development plan policy and the NPPF as a whole.

7.4 The provision of older persons housing with care, falls within the C2 Use Class of the Town and Country Planning (Use Classes) Order 1987 (as amended). The proposal is in outline with only access being considered, however indicative drawings have been submitted to demonstrate how a scheme of this scale and size can be satisfactorily accommodated on the site.

- 7.5 The scheme proposes a Retirement Care Village to cater for individuals with a medium to high level of care requirements living in purpose-built or adapted flats/bungalows. Residents would be able to live independently with 24 hour access to support services and staff, including dining facilities, hair salon, fitness suite, activity workshops and recreational sports facilities such as a bowling green with some of these facilities being open to the general public. The accommodation would comprise 170 beds across a range of accommodation types with a central hub which would be approximately 12m (39 ft) in height. There would be employment benefits both in the construction of the site and the number of jobs available (more than 105 full and part-time jobs).
- 7.6 The site is located outside of the development envelope of Bottisham and within the Green Belt where development is strictly controlled. National and local planning policy states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The applicants have set out in the supporting information that there is substantial unmet need for private extra care units in the area and consider they have demonstrated 'there is both a compelling and quantitative and qualitative need for the proposed development' and this would outweigh any harm.
- 7.7 Policy HOU6 of the East Cambridgeshire Local Plan, 2015 relates to Residential Care Accommodation. The supporting text of the policy recognises the need in the District to provide care accommodation for various groups of people for rehabilitation, and out of hospital care, including the elderly, people with disabilities, and vulnerable people. Policy HOU6 states:
- "Residential care accommodation should be located within a settlement that offers a range of services and social facilities. The design and scale of schemes should be appropriate to its setting and have no adverse impact on the character of the locality or residential amenity. Applicants will be expected to provide evidence of need for the provision.
- As an exception, proposals for care or nursing homes may be acceptable on sites outside development envelopes where:
- The site is located adjoining or in close proximity to a settlement which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities;
 - The proposal would not cause harm to the character or setting of a settlement or the surrounding countryside; and
 - There is an identified need for such provision that is unlikely to be met within the built-up area.
- 7.8 Bottisham village already benefits from a number of care homes which currently have vacancies, moreover, the County Council have stated that in Bottisham there is already very significant provision for residential care in the village comprising of 147 beds at Hilton Park (Oaklands and the Care Centre) for Nursing and Nursing Dementia, a further 55 beds at Queens Court for Residential and Residential Dementia and 10 beds at Eden View for specialist nursing for younger adults. They

do not feel that it would be necessary to increase capacity within Bottisham in terms of Residential, Residential DE, Nursing and Nursing DE provision.

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

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

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

17/00880/OUM	Outline planning application for 150 residential dwellings (Use Class C3), a 75-bed care home (Use Class C2), a local shop (Use Class A1) and an ancillary medical consultation facility (Use Class D1) along with public open space and associated infrastructure with all matters reserved other than the means of access into the site from Market Street / Soham Road and Station Road.	Scotsdales Garden Centre, 41 Market Street, Fordham	Approved, 8th August 2018
19/00771/FUM	Development of the land to provide a new 70-bedroom care home (Use Class C2), a children's nursery (Use Class D1), 18 dwellings (Use	Land Parcel East of 2 The Shade, Soham	Approved, subject to S106 legal agreement (pending)

	Class C3) and associated access, car and cycle parking, structural landscaping and amenity space provision.		
17/02002/FUM	Erection of a three storey sixty six bed care home for older people with associated car park, access and landscaping.	Land North of Cam Drive, Ely.	Approved, 6th April 2018
18/00752/ESO	Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping	Land Southwest Of 98 To 138 Station Road Kennett	Approved 15.04.2020
13/00785/ESO	Residential led development of up to 1,200 homes with associated employment and community uses (including care home or extra care home). Supporting infrastructure, and open space/landscaping	land to the west of Lynn Road in Ely	Approved 20.06.2016

7.12 It is therefore not considered the applicants have demonstrated there is a need for a facility of this size, scale, bulk and massing to be located in this part of

Bottisham, outside the development envelope and that they have failed to demonstrate that very special circumstances exist to outweigh the harm to the special character of the Green Belt. The scheme does not fall within any of the exception criteria stipulated in Policy ENV10 or Chapter 13 of the NPPF and would have a substantially greater impact upon the openness of the Green Belt than existing and would result in substantive harm to the openness of the Green Belt.

- 7.13 The impact on the landscape character and visual amenities of the area is considered to be irrevocably harmed by the proposed development. The site is located outside of the development envelope and in terms of Policy GROWTH 2 the location of development would be restricted unless it falls within one of the categories listed in the policy. Whilst residential care homes are one of these exceptions, and would be accepted under this policy, it would also need to satisfy the aims and objectives of Policy HOU6. As demonstrated in paras 7.9 – 7.10 there is already a number of residential care homes in Bottisham, with vacancies, moreover, there is no waiting list for people to move into extra care. The position of the buildings which project into open countryside is further compounded by the indicative height and layout of the buildings contributing to an urbanising effect on the eastern side of Bottisham which would harm the special character of this part of Bottisham.
- 7.14 In terms of impact on pedestrian and highway safety, the Transport Assessment Team at Cambridge County Council have placed a holding objection on this scheme. Albeit access into the site from the High Street is considered acceptable subject to conditions
- 7.15 It is considered that an acceptable level of residential amenity can be adequately provided for existing and future occupiers of the site, subject to further details required on the positioning of some bedroom windows to ensure noise level are kept at an acceptable level, without relying on mechanical ventilation. The impact on existing residential amenity is also considered satisfactory.
- 7.16 The applicants have demonstrated to the satisfaction of the Wildlife Trust that there would be a net environmental gain represented on site, and that a suitable sustainable urban drainage strategy can satisfactorily accommodate surface water drainage.
- 7.17 In terms of the NPPF, the harm to listed buildings, being less than substantial, should be weighed against the public benefits of the proposal including where appropriate, securing their optimum viable use. As noted within the relevant section of the report, the proposal provides a number of community benefits in the form of public open space and the retention of public viewpoints both of which are public benefits. The degree of harm is considered to be less than substantial in terms of the NPPF and within the lower end of the spectrum of harm. The impact on the historic environment is considered to be acceptable.
- 7.18 To conclude it is considered that the case for very special circumstances to overcome the, in principle and actual harm to the openness of the Green Belt, has not been made and there is no identified need for such provision and the proposal is therefore not considered acceptable in principle.

7.19 Residential Amenity

- 7.20 The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy ENV2 of the Local Plan requires development to respect the residential amenity of existing and future occupiers.
- 7.21 Bearing in mind the size of the site and the indicative location of the development, it is accepted that the scheme would be able to achieve a satisfactory relationship with existing residential development and would not detrimentally impact on the residential amenities in terms of overlooking, visual intrusion, loss of privacy as well as any loss of sunlight/daylight and that these issues could be comprehensively assessed at the reserved matters stage.
- 7.22 The applicants have submitted an Acoustics Report [Hoare Lea LLP – January 2020] which has measured survey data to assess the suitability of the site for development of the residential units. The report finds that the existing noise is determined by road traffic movements on the A14 and A1303. The Council's Environmental Health Officer has commented on the proposal stating that on examining the illustrative Masterplan the site has been sensibly laid out, but once the final layout has been agreed a revised Noise Impact Assessment should be submitted. In any event for the avoidance of doubt the Council would request a condition preventing the installation of any external mechanical plant on any future reserved matters application.
- 7.23 It is considered that the proposal could achieve a satisfactory living environment for both existing and future occupiers and these matters would be comprehensively assessed at the reserved matters stage. The proposal therefore complies with ENV2 of the adopted Local Plan 2015.

7.24 Visual Amenity

- 7.25 Section 13 of the NPPF - Protecting Green Belt Land at para 143 states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.
- 7.26 Development will be strictly controlled, and generally linked to those uses which require a rural setting and preserve the openness of the Green Belt. Para 145 of the NPPF sets out clear guidance on the types of buildings and development that may exceptionally be permitted in Green Belt areas, as listed below:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

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

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

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

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

7.28 The proposed development of the site for a Retirement Care Village does not fall within any of the above criteria.

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

- Openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant as could its volume;

- The duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
 - The degree of activity likely to be generated, such as traffic generation.
- 7.30 The proposal would result in an expanse of buildings sprawling across the northern and eastern edges of the site as well as the access road and parking areas. Whilst the indicative layout would result in the retention of parts of the pasture and arable land, mitigating some of the negative effects of the built form on the openness of the Green Belt, the proposed indicative layout would introduce numerous buildings along these boundaries which are currently devoid of any buildings.
- 7.31 A Landscape and Visual Impact Assessment (LVIA) [Viridian Landscape Planning – January 2020] has been submitted with the application and this document places the site within the Chalklands Landscape Character Area (LCT) (Cambridgeshire Landscape Guidelines), defining the large-scale landscape by large fields, bold shelter belts and sweeping masses of woodland. The Report continues that the site also has some of the key characteristics of the Lowland Village Chalkland LCT in that it is low-lying with medium to large sized fields enclosed by hawthorn hedges.
- 7.32 It is acknowledged that its Green Belt land use designation does not imply landscape value or a valued landscape, the fact that the landscape falls within the green belt is just another material consideration to be assessed in the evaluation of the planning application. However, as described above the flat, open semi-parkland character populated by groups of mature walnut trees does lend a tranquil setting to the village and from views into the site from the Public Right of Way (PROW). This PROW runs the complete length of the western boundary and forms a key setting for the Conservation Area and the Listed Buildings within the south western section of the site.
- 7.33 In concluding, the LVIA states that adverse landscape effect of *moderate significance* on the landscape character of the site are predicted for both the northern and southern fields during the construction but would reduce to *minor significance* by 15 years after completion due to maturing planting.
- 7.34 The visual effects have been taken from eight viewpoints, each of which have two more receptor groups. Adverse visual effects of *major significance* are predicted for pedestrians/walkers at only three viewpoints all of which are close to the site, on or near PROW 25/10 along the western boundary during construction and on completion. However, these are predicted to reduce to *moderate significance* after 15 years with maturing mitigation planning.
- 7.35 Clearly the impact on visual amenity has been a key consideration in the indicative layout which sites most of the built environment within the north-eastern corner of the site, leaving much of the remaining site for landscaping and public open space.
- 7.36 However, in placing the buildings within this corner of the site, the development has been set back to such a degree that it would extend the amount of built environment further into the countryside than any of the existing areas of built form found in the eastern part of Bottisham village. The application proposes and shows indicatively a

12m (39ft) high building with car parks catering for approximately 150 vehicles as well and new road layouts.

- 7.37 It is considered the development would dominate the area and the skyline in this part of the site. Bearing in mind that most of the district is represented by flat low lying pasture land, then this edifice would mask the views currently experienced along the PROW, and in effect mask the current views of the open countryside beyond. Not only does the proposal extend beyond the defined development envelope for Bottisham but it introduces a discordant form of development totally at odds with the prevalent character of development represented in Bottisham. It also alters the visual effects and extends directly into undeveloped and open greenbelt land with no exceptional circumstances applicable.
- 7.38 It is considered that on the basis of the submitted information that the development of this site to provide a 170 bed retirement care village would have a substantially greater impact upon the openness of the Green Belt than existing and would result in substantive harm to the openness of the Green Belt. The scheme would result in the urbanisation of this area beyond existing development resulting in a negative and built-up environment and as a result the substantial harm caused to the openness of the Green Belt demonstrably outweighs the public benefits of the scheme.
- 7.39 The development proposal does not accord with any of the above exceptions and no very special circumstances have been demonstrated. It is considered that the proposal, for the reasons outlined above, would have an adverse effect on the rural character and visual amenities as well as the openness of the Green Belt. As such it is considered to fail to comply with the NPPF and Local Plan policy and comprises inappropriate development.

7.40 Historic Environment

- 7.41 Policy ENV14 of the Local Plan requires that development proposals at or affecting all sites of known or potential archaeological interest will have regard to their impact upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings. Policy ENV14 further requires the submission of an appropriate archaeological evaluation/assessment by a suitably qualified person. This initial work may be required prior to the submission of a planning application.
- 7.42 The application has been accompanied by an Archaeological Evaluation Report [Cotswold Archaeology dated March 2020]. The report found that the majority of the artefactual evidence found across the site proved post-medieval or modern in date. This is considered to be not unexpected given that the site has been under continuous agricultural cultivation.
- 7.43 The County Archaeologist has raised no objection to the scheme subject to further investigation. A suspected human cremation burial (likely to be prehistoric, requires further examination) and a number of late Saxon to Medieval features not connected with agricultural process was found in discrete areas of the site. These would require investigation prior to any construction activity, were the site to be granted consent. The evaluation confirmed that no remains of national importance

were present. It is therefore considered that the harm to any potential archaeological remains could be mitigated through further work being undertaken.

- 7.44 In terms of the impact on the Conservation Area and Listed Buildings the scheme has been accompanied by a Heritage Statement [Cotswold Archaeology dated 2019]. Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Policy ENV11 of the adopted Local Plan 2015 seeks to ensure that development proposals preserve or enhance the character or appearance of conservation areas and Policy ENV12 requires new development that affects the setting of a Listed Building to only be permitted where they would preserve or enhance those elements that make a positive contribution to or better reveal the significance of the heritage asset, nor materially harm the immediate or wider setting of the Listed Building.
- 7.45 The site is located in proximity to a number of designated heritage assets with parts of the southern area extending into the Bottisham Conservation Area. The report states that given its proximity to the site, Bottisham House (Grade II Listed) would be most notable. The significance of Bottisham House predominantly derives from its evidential (architectural) and historic values as well as the contribution of its setting. The approach along the driveway to the House would be maintained and the important points of appreciation of the house itself would remain unaltered. However, the development would alter how the house is experienced due to a change in the views northwards and eastwards from the upper storey and as a result of change to the designed view through the Clairvoyee.
- 7.46 The Council's Conservation Officer considers the Heritage Statement's characterisation of the heritage impacts as less than substantial harm to the closest assets (Bottisham House, Bottisham Conservation Area) affected and no impact to others is a fair conclusion and given the separation distances involved in the indicative layout, there are no fundamental conservation concerns.
- 7.47 The degree of harm is considered to be less than substantial in terms of the NPPF and within the lower end of the spectrum of harm. As such, caselaw makes it clear that s66 of the Act requires consideration, importance and weight to be afforded to that harm. The NPPF and Policies ENV11, ENV12 and ENV14 emphasise that the conservation of archaeological interest is a material consideration in the planning process.
- 7.48 In terms of the NPPF, the harm to listed buildings, being less than substantial, should be weighed against the public benefits of the proposal including where appropriate, securing their optimum viable use. As noted above, the proposal provides a number of community benefits in terms of public open space and the retention of public viewpoints both of which are considered to be public benefits.
- 7.49 It is considered therefore that the scheme would not adversely affect the character and amenities of the conservation area and listed buildings located within close proximity to the site.
- 7.50 Highway Safety and Access**

- 7.51 Policy COM7 of the adopted Local Plan requires that all development must ensure a safe and convenient access to the public highway. It also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location.
- 7.52 Bottisham is described in the adopted Local Plan 2015 as a relatively large village situated approximately 7 miles east of Cambridge and 6 miles west of Newmarket. Local amenities include a public house, shop and post office, GP surgery, library, primary school and Bottisham Village College. There is a bus service located within 100m of the site and this service has a frequency of a bus every 2 hours. The Bottisham Greenway cycle route is also planned to connect Bottisham to Cambridge, however this is located approximately 7 miles away and is unlikely to be used by residents of the retirement village.
- 7.53 The scheme has been assessed by the Local Highways Authority Transport Assessment Team who have raised a holding objection to the scheme, subject to the confirmation of further information.
- 7.54 They consider that the use of Crashmap is generally older than Cambridgeshire County Council data and has not been considered acceptable. The Transport Statement would also need to consider the latest 60 months' accident records. The accident data should also cover the area between junctions of High Street with Tunbridge Lane to the north and with the A1303 to the south and be appended to the Transport Assessment and a plot provided showing each accident location. A table to define the number and severity of accidents occurring at each location would also be required.
- 7.55 The Highways Authority have considered the vehicle trip rates using the TRICS database which they consider to be robust, with vehicle trip rates calculated using the (0.176 two-way vehicle trip rate in the AM peak and 0.184 two-way vehicle trip rate in the PM peak). On this basis it is agreed that the proposed development would generate up to 30 two-way car trips in the AM peak hour and 31 two-way car trips in the PM peak with approximately 90% of the vehicle trips coming in and out the site from the south east via A1303 West bound (80%) and 10% from the A1303 East bound.
- 7.56 The Highways Authority have also agreed with the following Traffic Flow scenario.
- 2019 baseline validated against queue length surveys:
 - Future year scenario no development (base + TEMPRO growth + committed development)
 - Future year scenario with development (base + TEMPRO growth + committed development + development)
- Capacity Assessment
The following junction has been modelled with Junctions 9:
- High Street / A1303 junction.
 - Site access / High Street junction.
- 7.57 The Transport Assessment Team of the Local Highways Authority requested further modelling on the above junctions as they did not agree with the data used by the

applicants. However, this information has not yet been received and until the figures showing the geometric measurements input into the models are provided the impact on highway and pedestrian safety, local highway network/infrastructure has not been demonstrated and any additional infrastructure which may be deemed necessary as a direct result of this application, has not been received and therefore mitigation cannot be assessed. They have therefore issued a holding objection.

- 7.58 From a highways development management perspective, the Local Highway Authority requested additional information regarding a number of original concerns which have now been addressed in amendments to the scheme. Namely, the widening of the footway opposite the site towards the village centre to 2.0m which has now been incorporated in the access layout plan.
- 7.59 Initially, the applicant suggested there are footways on both sides of the High Street at the site but there are no pedestrian crossing places at or near the access of the development and in view of the low flow of traffic coupled with the frequency of dropped kerbs, enabled safe crossing of the road. However, the Highways Authority objected and it is now proposed to place a crossing point north to south adjacent to the site access with a return crossing point required in the vicinity of the bus stop and this could be secured by condition for submission of detailed engineering drawings.
- 7.60 The footway widening would also necessitate the relocation of the existing Vehicle Activated Sign (VAS)/ School warning sign (to the west of the new access on the south side of High Street). Relocating the VAS to the back edge of the widened footway (circa 500mm) would be acceptable in traffic and safety terms, and forward visibility to the sign would not be compromised. Undergrowth on the adjacent highway verge would need to be cut back, and overhanging/ encroaching tree growth cleared to implement the footway link.
- 7.61 For the avoidance of doubt, the proposed vehicular access and pedestrian crossing points can achieve appropriate visibility/ vehicle sight stopping distance in all respects, with due regard to the nature of High Street.
- 7.62 With regard to the pedestrian/cycle access from Rowan Close initially the Local Highways Authority raised a concern that the extent of the public highway adjacent to Rowan Close terminated at the back edge of the adjacent footway. Furthermore, the application site edged red did not appear to abut the highway. Accordingly, it was unclear how any access to Rowan Close could be delivered.
- 7.63 A Technical Note dated 27th April 2020 was submitted wherein the applicants referred to the use of S228 of the Highways Act 1980 to deliver the footpath/ cycle path link to Rowan Close across third party land. To clarify, Section 228 allows for the making up of land with no known owner as highway maintainable at public expense. The use of the Section 228 Highways Act 1980 by the Local Highway Authority to deliver highway adoption would be entirely discretionary. However, the Local Highways Authority would not use Section 228 of the Highways Act 1980 to deliver access to a development where there is no other adoptable highway infrastructure within the site. The Local Highways Authority do not adopt estate roads serving commercial developments and the on-site access roads would therefore remain private.

7.64 Parking

7.65 Policy COM 8 of the adopted Local Plan requires development proposals to provide adequate levels of car and cycle parking.

7.66 According to the information submitted the proposed redevelopment will provide 149 car parking spaces to serve staff, visitors and more able residents, which is higher than the East Cambridgeshire District Council parking standards of up to 1 car space for each resident staff member, plus up to 1 space for every 2 non-resident staff members and up to 1 car space per 4 residents. Secure cycle parking will be provided in line with the ECDC Minimum Standard provision of one space per three staff members and one space per dwelling.

7.67 However, in view of the holding objection raised by the Local Highways Authority the proposal would conflict with Policy COM7 of the adopted Local Plan.

7.68 Ecology

7.69 Policy ENV7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network.

7.70 Para 175 of the NPPF is also relevant and highlights the importance of biodiversity and habitats when determining planning applications. In July 2019 the Government confirmed their intention to make biodiversity net gain mandatory in England for all development. The emerging 'standard' by which environmental gain is calculated is the DEFRA Biodiversity Metric 2.0 test.

7.71 The application site comprises two fields, one used for grazing purposes and the other for arable crops. These are bounded by hedgerow and trees, including protected trees.

7.72 The proposal has been accompanied by an Ecology Impact Assessment [BSG Ecology – December 2019] and Biodiversity Net Gain Assessment [BSG Ecology – January 2020]. A Desk Study and an extended Phase 1 Habitat Survey were undertaken in April 2019. The findings of these surveys reported that there are no designated sites on or close to the site. The site supports the following Habitats of Principal Importance:

Hedgerow

Broad-leaved woodland

7.73 The sites supports a number of walnut trees in a parkland setting that have ecological 'veteran' features that makes this habitat of County interest.

7.74 The Devil's Dyke Special Area of Conservation lies 3.7km north east of the site and Bottisham Park County Wildlife Site lies 580m north with Heath Road/Street Way Green Lanes County Wildlife Site 1km south-east of the site.

7.75 Protected species interest is limited to no more than local importance. A summary of the evaluation of ecological features is provided below:

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

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

7.76 In assessing the overall biodiversity net gain the development is expected to deliver, the following resulting in a net gain of 10.7% for habitats and 47% for hedgerows.

- Enhancement of the existing hedgerows, semi-improved grassland, scattered trees and broad-leaved woodland;
- Creation of a traditional orchard, an additional hedgerow, and additional clumps of trees in the parkland setting, additional lines of trees, native shrubs, amenity grassland, communal gardens and vegetated flood attenuation features.

7.77 The Cambridgeshire Wildlife Trust commented on the scheme initially and were in favour of the scheme design as it would retain and incorporate the existing grassland, woodland and scrub, parkland trees and hedgerows into the proposed development. In doing so it would provide a good quantity of natural greenspace, which could be available to existing residents of Bottisham and so have wider value in providing a local greenspace. They requested that the Biodiversity Impact Assessment is

undertaken, and this was submitted and the Wildlife Trust consulted who have agreed with the submitted assessment.

- 7.78 An Arboricultural Impact Assessment [Sylva Consultancy dated November 2019] was submitted and this notes that as the development area would be concentrated in the northern field adjacent to the eastern boundary, the indicative layout illustrates sufficient room exists on the site to retain the existing tree stock and for the final layout to be positioned beyond the root protection area of trees. The majority of trees within the site, worthy of protection, are now protected by a tree preservation order, and the indicative layout has been guided by the protective measures imposed by the Council. In terms of the new access this would result in the removal of some hedgerow, however, the hedgerow is considered to be of low quality. The new internal road would be positioned beyond the constraints of the existing tree stock and therefore no trees would be removed. The extensive landscaping proposed as part of the scheme would result in additional tree planting.
- 7.79 In view of the mitigation proposed, the scheme is considered to comply with Policy ENV7 of the adopted Local Plan 2015.

7.80 Flood Risk and Drainage

- 7.81 Policy ENV8 of the adopted Local Plan 2015 states that all development should contribute to an overall flood risk reduction. The site is located wholly in Flood Zone 1 and has been assessed as being at very low risk of flooding. Surface water currently infiltrates into the ground without any formal drainage. Whereas County records indicate that the site has a high risk of groundwater flooding, there are no records of historic groundwater flooding on the site.
- 7.82 The application is accompanied by a Flood Risk Assessment [Campbell Reith January 2020] and a Drainage Strategy. In managing surface water discharge, the scheme would incorporate a combination of permeable pavement arrangements, infiltration basins, filter trenches and swales as well as extensive soft landscaping.
- 7.83 The Local Lead Flood Authority have raised no objection to the scheme subject to conditions. They are supportive of the use of infiltration basins/ trenches and permeable paving as they provide water quality treatment which is of particular importance when infiltrating into the ground. Groundwater levels were recorded at 3 metres below ground level, providing a sufficient unsaturated zone between the base of proposed infiltration features and the groundwater level.
- 7.84 In terms of foul water, Anglian Water have raised no objection to the scheme commenting that there is currently capacity to connect to the foul sewer.
- 7.85 It is considered that the scheme would comply with Policy ENV8 of the adopted Local Plan 2015 and the Flood and Water SPD.

7.86 Other Material Matters

- 7.87 According to the adopted Local Plan 2015, the village has limited open space particularly in terms of what is available for public use. The open space adjacent to the Village College is widely used for informal recreation and events, and makes an important contribution to community life.
- 7.88 The proposal would provide public open space in the form of parkland and an equipped area of play available to members of the public. The scheme would also provide leisure facilities, some of which would also be available to the wider community.
- 7.89 The proposal would trigger the need for affordable housing due to the market housing element of the proposal, in line with the recent High Court case Rectory Homes Limited v SSHCLG and South Oxfordshire District Council [2020]. Policy HOU3 of the adopted Local Plan 2015 requires all developments for open market housing of more than 10 to deliver 40% affordable housing. Although an independent Viability Assessment published in October 2017 found that 30% would be more realistic.
- 7.90 All applications for residential use are considered particularly sensitive to the presence of contamination. It is therefore considered reasonable that conditions are appended to the grant of planning permission requiring a contamination assessment to be agreed by the Local Planning Authority prior to commencement of development and with regards to unexpected contamination and remediation measures if required. Subject to the relevant conditions being appended, the proposal accords with Policy ENV9 of the Local Plan 2015.
- 7.91 There would be a requirement to provide satisfactory management of the site concerning waste awareness, storage and collection.
- 7.92 All new development would be expected to aim for reduced or zero carbon development in accordance with the zero carbon hierarchy Policies ENV4 of the adopted Local Plan 2015 refers
- 7.93 The Minerals And Waste Development Control Team have noted that the matter of waste management does not appear to have been addressed within the submitted application documentation, nor does there appear to be any specific consideration given to this policy. To ensure compliance it is therefore requested that, should the Planning Authority be minded to grant planning permission, it is subject to an appropriately worded condition.
- 7.94 Conclusion**
- 7.95 It is acknowledged that the scheme would provide additional residential care accommodation within the District as identified in the Council's SHMAA (2013). However, whilst it is acknowledged there is a need for accommodation to provide for an ageing population, Bottisham already benefits from accommodation of a similar style to that proposed and where there are currently vacancies. Furthermore the County Council have confirmed that they would not be identifying accommodation in the Bottisham area due to the existing facilities and therefore there is not an identified

need for such provision that cannot be met within the built up areas, as required by policy HOU6 of the Local Plan.

- 7.96 The case for demonstrating very special circumstances has therefore not been made and as such the proposal would result in substantial harm to the openness of the Green Belt and would encroach across open countryside and would be at odds with policy ENV10 of the Local Plan and chapter 13 of the NPPF, as it does not meet any of the exceptions.
- 7.97 This application has been evaluated against the extant Development Plan which is the starting point for all decision making. The Development Plan comprises the East Cambridgeshire Local Plan 2015 and the report has assessed the application against the core planning principles of the NPPF and whether the proposal delivers sustainable development.
- 7.98 The scheme does not accord with both national and local planning policy and is considered not to represent sustainable development.

8 COSTS

- 8.80 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.81 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 8.82 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.
- 8.83 In this case members' attention is particularly drawn to the following points:

The site location within the Green Belt
Highways impact and the holding objection from Cambridgeshire County Council
The proposal does not make provision for affordable housing
Adverse impact on visual amenity

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

National Planning Policy Framework -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -
<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>